

Francis Town Council Meeting
SPECIAL SESSION
March 24, 2011 7:00 PM
Francis Town Community Center
Revised AGENDA

1. **Approval of minutes for February 24, 2011 Town Council meeting**
2. **Presentation and possible approval of selected bid for Request for Proposal for Francis Town wastewater collection, treatment, and discharge system capital facilities plan**
3. **Job Description Town Treasurer: Discuss and possibly approve job description for Town Treasurer for Francis Town Policies and Procedures manual**
4. **Discussion Public Works job description**
5. **Discussion and possible approval of reallocation of responsibility and payment for financial accounting services**
6. **Discussion and possible approval of reallocation of responsibility and payment for minute taking services**
7. **Public Comments**
8. **Possible Closed Session to Discuss the Character or Professional Competence of an Individual**
9. **Adjourn**

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Special Session
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Francis Town Community Center

Mayor Snelgrove called the meeting to order at approximately 7:03 pm. The minutes from this meeting were transcribed by Alison Weyher.

Present: Mayor Lee Snelgrove
Council: Tal Adair
Kristi Major
Gio Melendez
Wes Ure
Town Attorney: Kraig Powell
Town Planner: Alison Weyher
Town Clerk: Susan Cann

Others in attendance: Gene Atkinson, Renee Atkinson, Eric Averett, Greg Averett, Kit Burton, Beale Cann, William H. Crystal, Teri Ekstrom, Rod Ekstrom, Jeremie Forman, Shana Fryer, Clifta Keyes, John Keyes, Julie Keyes, Franz Larsen, Patty Larsen, Mark Moses, Susan Moses, Rae Prescott, Jody Snelgrove, Peter Swisher, Courtney Thomas, Luke Thomas, Dixie Thompson

1. Approval of Minutes for February 24, 2011 Town Council meeting. Council member Major asked that the following follow-up items be included in the minutes;

Verify the amounts of write-offs for past one or two years for water overages in the Spring.

Verify that the water and sewer departments historically have had revenues sufficient to cover their expenses

Creation of a flyer to be distributed to the public explaining potential sewer or water adjustments

Request to Rural Water for four new scenarios for possible water and sewer rates

Verify winter and summer months usage for water and sewer billing

Determine the date when the \$100,000 for water and sewer projects will be reached given these scenarios

Invite Curt Ludvigson and Neil Duncan meet with Council to discuss water and sewer rates at the next work session

Mayor Snelgrove asked that page 2 be corrected to state that "he did not like the base rate". Council member Major asked that on page 3, the second paragraph be shortened; noting that copies of the report are attached and that the Council had previously agreed minutes would not be transcribed verbatim. The Council asked that the first paragraph on page 5 be corrected to indicate that "Council member Adair stated that with 375 users, an increase of \$5.00 per month would generate an additional \$22,500 per year".

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Council member Adair motioned to approve the minutes of February 24, 2011 as amended. The motion was seconded by Council member Melendez.

Mayor Snelgrove	Aye
Council member Adair	Aye
Council member Major	Aye
Council member Melendez	Aye
Council member Ure	Aye

2. Presentation and possible approval of selected bid for Request for Proposals for Francis Town wastewater collection, treatment, and discharge system capital facilities plan.

Council member Adair motion to go to closed session. The motion was seconded by Council member Melendez. Town Attorney Kraig Powell clarified that the basis for the closed session would be to discuss the character or professional competence of an individual. This item is listed on the agenda and that is the appropriate motion to discuss the rfp process.

Councilmember Adair restated his motion to go into executive session to discuss the character or professional competence of an individual. The motion was seconded by Council member Melendez.

Mayor Snelgrove	Aye
Council member Adair	Aye
Council member Major	Aye
Council member Melendez	Aye
Council member Ure	Aye

Motion to return to regular session Council member by Melendez at approximately 7:30pm. The motion was seconded by Council member Major.

Mayor Snelgrove	Aye
Council member Adair	Aye
Council member Major	Aye
Council member Melendez	Aye
Council member Ure	Aye

Council member Melendez explained that in October 2010 the Town initiated a request for proposals for a capital facilities plan and an impact fee study. The goal was to have a plan for five years, twenty-five years and fifty years. Five bids were submitted. Once the bids were received, Council members Melendez and Adair evaluated the bids independently, based on each bidder's understanding of the Town's needs. Two bidders ranked very close to each other at the top of the scoring, the other three ranked much lower. The Council members then set up interviews with the top two bidders and their teams at their offices. During the interviews the Council members determined that one company far exceeded the other. Council member Melendez stated that the bidder that was chosen was not the cheapest, nor was he the most expensive. Council member Adair added that he felt the Town was getting the "A Team", based on the interview and meeting with the successful bidder's team. The successful bidder is Corollo Engineering.

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Rae Prescott asked if the Town's Engineer had bid on the project. Council member Melendez stated that his firm was one of the bidders.

Attorney Powell stated that he has reviewed all the bids, as well as the proposed contracts, summarizing that he had been in contact with Corollo's attorneys and is satisfied that the proposal submitted by Corollo is in conformance with the rfp solicitation. Powell continued that he worked with Corollo to prepare the draft contracts which have been handed out tonight. One is contract, the other is the addendum which includes the task order and outline of tasks to be completed. The task order details the specifics of what the Town will be agreeing to in the contract. The impact fee study will be completed after the initial proposal is completed. It will be conducted by a separate firm hired by Corollo. (see attachments)

The Town will be billed monthly by Corollo and the total cost of the project will not exceed \$115,760 without prior approval from the Town. Powell stated that he is comfortable recommending that if it is the will of the Council, a motion could be passed at this meeting authorizing the Mayor to execute the contract, with a resolution ratifying the final documents at the next Council meeting.

Council member Adair clarified that the \$115,000 does not include the impact fee study. Powell stated that the estimate for the impact fee study is from \$10,000 to \$15,000.

Council member Melendez motioned to accept Corollo Engineering as the successful proposer to the capital facility plan including a subsequent impact fee study, and authorized the Mayor to sign the contract after the Town attorney gives final approval, so that the firm can begin work pending final ratification of a resolution at the next Council meeting on April 14, 2011. Motion seconded by Council member Adair.

Mayor Snelgrove	Aye
Council member Adair	Aye
Council member Major	Aye
Council member Melendez	Aye
Council member Ure	Aye

3. Discuss and possibly approve a job description for the Town Treasurer to be included in the Francis Town Policies and Procedures Manual.

Council member Major handed out a draft of the treasurer's job description. She explained that this draft was a revision of prior drafts and includes the shared duties previously approved in the Town Clerk's job description. The draft should include the same #8 as appears on the Town Clerk's job description outlining minimum qualifications, including working knowledge of municipal fiscal practices and procedures, working knowledge of complex bookkeeping and accounting techniques, professional interpersonal and office skills, excellent written and verbal communication skills and demonstrated leadership and management skills. After the correct version of the minutes was distributed, Alison Weyher explained that the primary change in the job description was the deletion of the responsibility for the Woodland Hills Mutual Water Company. Weyher explained that these responsibilities were deleted because they are not a core job function and that the Woodland Hills Mutual Water Company is an independent company

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and is free to contract with whomever they desire to provide their billing and accounting services.

Council member Major summarized the tasks, noting that number 6 indicates responsibilities shared with the Town clerk and number 8 includes the minimum qualifications previously discussed. Mayor Snelgrove asked Kraig Powell for a definition of "Type of Position: Exempt". Powell explained that exempt means that the staff are regular salaried employees, rather than hourly workers. After discussion, it was agreed that the Town Clerk and Treasurer are hourly employees, and the job description should be modified to reflect that. Powell confirmed that the job description includes those duties mandated by State statutes. Council member Adair asked why Frontier Days had been left out. Council member Major stated that the Frontier Days activities are not a core job function, while taking in funds are included under 1a. Council member Adair clarified that the minimum job qualifications listed for the Clerk be included for the Treasurer. Council member Major explained that these qualifications are basic competencies. Council member Melendez asked if Powell could review the duties required by State statute. Powell stated that all of the duties in section 1 are specifically stated in the Code. Council member Adair asked if the Town Treasurer could also serve as a deputy Treasurer. Powell explained that because this person must take an oath, it must be an identifiable person. Council member Adair asked that paragraph 8 be modified to include "having the ability to work with little or no supervision".

Council member Adair motioned to accept the Francis Town Treasurer job description; after deleting the type of position and adding the same minimum qualifications as are outlined on the Town Clerk's job description. The motion was seconded by Council member Ure.

Mayor Snelgrove	Aye
Council member Adair	Aye
Council member Major	Aye
Council member Melendez	Aye
Council member Ure	Aye

4. Discussion Public Works job description. Council member Major stated that she had asked Luke Thomas to list his job responsibilities and draft a job description which he has agreed to do. She then suggested that the discussion be deferred until the Council has a chance to review the proposed duties prepared by Luke.

Council member Major motioned to defer the discussion of the Public Works employee job description to next Council meeting. The motion was seconded by Council member Adair.

Mayor Snelgrove	Aye
Council member Adair	Aye
Council member Major	Aye
Council member Melendez	Aye
Council member Ure	Aye

Council member Adair asked that items 5 and 6 be moved lower on the agenda to follow item 8. Attorney Powell clarified that is the Mayor's prerogative to take agenda items in any order. He further stated that a Closed Session may be held at any time it is warranted, as long as a motion

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is made and the reason meets one of the five requirements under State law regardless of if it is listed on the agenda.

Greg Averett stated that he felt item 8 had already been covered and could not be revisited. Powell stated that the Council could enter Closed Session at any time and have as many as desired and that the listing of item 8 is simply to let the public know that a closed session may be held.

Mayor Snelgrove stated it was his preference to follow the agenda order. Powell stated that as the Town Attorney it is his role to give legal advice, but not to make policy. The reallocation of responsibility and payment are budget items and need to be handled in open session, Powell continued, but the personnel discussions surrounding those items may be held in closed session.

Council member Melendez suggested moving number 7 ahead of items 5 and 6 so that the Council has the opportunity to hear the public comments before addressing items 5 and 6.

7. Public Comments.

Mayor Snelgrove stated that fifteen minutes have been allocated to accepting public comments. He added that the Sheriff is in attendance, and reminded the audience of the importance of brevity and civility. He also stated that the Council members are not required to respond to questions posed by the audience. He asked that each person wishing to speak state their name at the beginning of their comments.

Greg Averett. Mr. Averett opined that he believes the minutes are fine, and that the Council needs to become more proactive in working with the community. He asked that the Council focus their priorities on the larger items, such as the sewer. He asked that the minutes reflect that he believes Horrocks Engineering is doing a fine job.

John Keyes. Mr. Keyes stated that he believes the staff needs additional clarification on what the Council desires. He also stated that he believes the minutes meet all legal requirements.

Kit Burton. Mr. Burton stated that because the minutes are the official record of what transpired at each Council meeting, he believes it is important that they be extensive and accurate. He cited Council actions in 2007 and 2010 relating to the sewer as examples of the need for completeness. Mr. Burton stated he intended to bring a lawsuit to the Town based on passed written minutes.

Peter Swisher. Mr. Swisher stated that he believes it is important for the Town to invest in the employees.

Rae Prescott. Mrs. Prescott stated that she believes the minutes and financial records are being handled in an appropriate manner.

Renee Atkinson. Mrs. Atkinson stated that she believes the Town Council is doing a good job and that it is important for Francis residents to attend Council meetings so that they can understand what is going on.

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Gene Atkinson. Mr. Atkinson stated that he believes the minutes are legal documents and must be completed accurately.

Julie Keyes. Ms. Keyes stated that in January, 2010 the Council had unanimously approved the appointments of the Town Clerk and Treasurer.

Joey Cann. Mr. Cann stated that his concerns are not with the minutes, but where the Town will find the money to complete the sewer project.

Dixie Thompson. Mrs. Thompson stated that it is important to find ways to bring the Town together.

Renee Atkinson. Mrs. Atkinson added that the Town needs to work with the Council.

Mayor Snelgrove closed the public session.

Council member Adair motioned to go into closed session to discuss the character or professional competence of an individual. Motion seconded by Council member Melendez.

Mayor Snelgrove	No
Council member Adair	Aye
Council member Major	Aye
Council member Melendez	Aye
Council member Ure	Aye

The Council went into Closed Session at approximately 8:40 pm.

The Council returned to Public Session at approximately 11:30 pm.

Council member Major motioned to strike item 6 - Discussion and possible approval of reallocation of responsibility and payment for minute taking services from the agenda. Motion seconded by Council member Adair

Mayor Snelgrove	Aye
Council member Adair	Aye
Council member Major	Aye
Council member Melendez	Aye
Council member Ure	Aye

5. Discussion and possible approval of reallocation of responsibility and payment for financial accounting services.

Council member Melendez motioned that the Town Clerk's hours be reduced to 26 hours a week effective Monday, March 28. All financial duties will be temporarily removed until August 1, 2011 and reassigned to Pelorus. As part of her 26 hours she will be trained with Pelorus at a reduced training rate of \$10.00 per hour in an effort for her to resume all financial duties on August 1, 2011. This change will be ratified in an Ordinance to be approved at the April 14, 2011 Council meeting. Milestones will be set by the Council and Pelorus to track her progress

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and if at the end of the training period, the set goals are not met, all financial duties will be taken away from her permanently and her hours will be reduced accordingly. If all milestones are achieved to the satisfaction of the Council, her financial duties will be restored on August 1, 2011. Motion seconded by Councilmember Adair.

Mayor Snelgrove	Aye
Council member Adair	Aye
Council member Major	Aye
Council member Melendez	Aye
Council member Ure	Aye

Council member Melendez motioned that the Town reduce the Treasurer's hours to 24 hours per week at the same salary effective Monday, March 28, 2011, and that all budgetary and accounting functions be assigned to Pelorus.

After a clarification from Kraig Powell, Council member Melendez amended his motion to state: *I motion that the Town reduce the Treasurer's hours to twenty-four hours per week at the current salary effective Monday, March 24, 2011 and that all budgetary and accounting functions other than the Treasurer's statutory duties be assigned to Pelorus. Motion seconded by Council member Adair.*

Mayor Snelgrove	Aye
Council member Adair	Aye
Council member Major	Aye
Council member Melendez	Aye
Council member Ure	Aye

Council member Adair motioned to adjourn the meeting. Motion seconded by Council member Major.

Mayor Snelgrove	Aye
Council member Adair	Aye
Council member Major	Aye
Council member Melendez	Aye
Council member Ure	Aye

Meeting adjourned at approximately 11:40 pm.

These minutes were approved on April 14, 2011.

R. Lee Snelgrove, Mayor

Susan Cann, Town Clerk

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Follow up Items:

1. Job description for the Public Works job for the April Town Council Meeting
2. Milestones defined for training with Pelorus for Susan Cann