

**ALBION CITY COUNCIL MEETING  
MINUTES NOVEMBER 12, 2019.**

CALL TO ORDER – The meeting was called to order at 7:00 p.m. in the Albion Civic Center by Mayor Isaac Loveland.

OPENING CEREMONIES – Pledge of Allegiance led by Councilperson Kevin Lloyd.

ROLL CALL – Present: Mayor Isaac Loveland, Council President Zack Alexander, Councilperson Dallan Doc Carlson, by phone, Councilperson Kevin Lloyd, and Councilperson Chad Manderscheid, City Clerk-Treasurer Mary Yeaman, City Attorney Kerry McMurray, and Maintenance Department Bryan Day.

OTHERS IN ATTENDANCE – Brad and Carla Woodrow, Resident Deputy Jason Lynch, and Myron Wilson.

APPROVAL OF MINUTES – Upon motion made by Lloyd, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Carlson-aye, by phone, Lloyd-aye, and Manderscheid-aye, the Council moved to approve the October 1, 2019 Council Meeting Minutes as presented.

APPROVAL OF BILLS – Upon motion made by Alexander, seconded by Lloyd, and unanimously carried, with the following roll call vote: Alexander-aye, Carlson-aye, by phone, Lloyd-aye, and Manderscheid-aye, the Council moved to approve payment of the Bills as presented.

LAW ENFORCEMENT REPORT – Resident Deputy Jason Lynch reported to the Council for the Month of September he had thirty-six (36) Traffic Stops, which resulted in nineteen (19) Verbal Warnings, and seventeen (17) Citations. Lynch also reported responding to one (1) Suicidal Subject/Psy Eval, doing one (1) Warrant Service, receiving one (1) Animal Complaint, responding to one (1) Minor Accident, checking out two (2) 911 Hang Up/Open Line/Prank Calls, checking one (1) Lost Articles Report, checking out one (1) Suspicious Person, doing one (1) Welfare Check, responding to one (1) Stray Dog Report, responding to one (1) Dog Barking Complaint, and doing one (1) VIN Inspection.

Resident Deputy Jason Lynch reported to the Council for the month of October he had five (5) Traffic Stops, which resulted in three (3) Verbal Warnings, and two (2) Citations. Lynch also reported doing one (1) Special Patrol, checking out one (1) 911 Hang Up Open Line/Prank Call, responding to one (1) Noise Violation Report, checking out one (1) Suspicious Person, checking out one (1) Disturbance, responding to one (1) Stray Dog Report, checking one (1) Controlled Burn, and checking out one (1) City Unknown. Resident Deputy Jason Lynch asked the Council if they had any questions, to which Councilperson Chad Manderscheid asked, why there was such a difference in Traffic Stops for the two (2) months, to which Resident Deputy Lynch responded the time of day plays a big factor, if patrolling during the nighttime, there is not as much traffic as there is during the daytime.

Mayor Isaac Loveland thanked Lynch for his service in the City.

ANIMAL CONTROL REPORT – Bryan Day, from the Maintenance Department, told the Council he had nothing to report.

## **BUSINESS ITEMS**

### FAIR HOUSING PROCLAMATION

Mayor Isaac Loveland reported to the Council the City has been asked to approve and adopt a Fair Housing Proclamation Resolution, to be effective for the month of April 2020, as provided by Georgia Dimick from Region IV Development.

City Attorney Kerry McMurray reported to the Council before the Fair Housing Proclamation Resolution can be approved and adopted by the Council, a Resolution No. needs to be assigned, and the Proclamation needs to be presented in the correct Resolution format. McMurray reported to the Council, he will assign a Resolution No. and put the Proclamation in the correct format, and will present it to the Council for approval and adoption at the December Council Meeting.

### ENGINEERING CONTRACT APPROVAL

Mayor Isaac Loveland reported to the Council the there were a few changes to the original engineering Contract, and the City now has a signed copy of the Engineering Contract from Keller and Associates. The Mayor reported the City needs to sign the Engineering Contract, and provide a copy to Keller and Associates.

Councilperson Kevin Lloyd asked if the term of the Contract can be for more than one (1) year, to which City Attorney Kerry McMurray reported a one (1) year Contract is cleaner, and the Contract automatically renews each year, unless either party terminates the Contract.

Councilperson Chad Manderscheid asked if the terms for payment are included in this Contract, to which Mayor Isaac Loveland reported it is not part of this Contract. The Mayor reported he feels the City would benefit from a Task Item Contract, for payment. The City could go with a time and material payment schedule, or could pay two hundred fifty (\$250) dollars each month, as a retainer, then if the Task Item costs more, the City would be billed for the difference.

Upon motion made by Lloyd, seconded by Mandrscheid, and unanimously carried, with the following roll call vote: Alexander-aye, Carlson-aye, by phone, Lloyd-aye, and Mandeerscheid-aye, the Council moved to approve the Engineering Contract, as presented, and approved the Mayor signing the Engineering Contract.

### FUTURE PROJECTS – HIGHWAY FUNDS

Mayor Isaac Loveland reported to the Council the City receives Highway Funds from the State. The Funds are broken out as Old Revenue and News Revenue. The New Revenue can only be spent on Maintenance, but the Old Revenue can be used for other Highway Projects. The New Revenue is usually between three thousand (\$3,000)

dollars and four thousand (\$4,000) dollars, and the Old Revenue is up to fifteen thousand (\$15,000) dollars. The Mayor asked the Council to be thinking of Projects where these Funds can be put to good use. The Mayor also reported he would like to put together a Committee, to help with the City Projects.

#### LEVEL PAY AGREEMENT

Mayor Isaac Loveland reported to the Council they have a Draft Copy of a Level Pay Agreement in their Packets, provided by City Attorney Kerry McMurray. The Mayor reported there are only five (5) or six (6) people currently on Level Pay, but the City does not have an Agreement. The Mayor suggested a couple of changes to the Draft Agreement, #2) Change the Level Pay period to October thru September, and #3) The City will review each Level Pay account on an Annual basis. The Mayor reported this will be easier for the Office.

City Attorney Kerry McMurray reported he will make the suggested changes, and he will also change the City Ordinance, to coincide with the Level Pay Agreement. McMurray reported he will also add more language to include most recent history.

Councilperson Kevin Lloyd asked about #6, how can you be delinquent if you have a credit balance, to which City Attorney Kerry McMurray reported, when the credit balance is used toward future Billings, and failure to continue with Level Payments, the account can become delinquent, and can be terminated. McMurray reported he will make changes to the Level Pay Agreement, to be reviewed at the December Council Meeting.

#### INFORMATION FROM CITY OFFICIALS

City Clerk Mary Yeaman reported to the Council she received information from the Association of Idaho Cities (AIC), about the 2019 Fall Academy. AIC offers this training for Elected Officials, current and newly Elected, and City Staff, and includes information on Roles and Duties, Budgeting, Ethics, and Legislative Topics. The Academy will be held in Twin Falls, at the Canyon Crest Event Center on Wednesday, December 11<sup>th</sup> from 9:00 a.m. to 3:00 p.m., with lunch being provided. The cost to attend is thirty-nine (\$39) dollars per person, and Yeaman asked those wishing to attend to let her know as soon as possible, and she will get them registered.

Councilperson Chad Manderscheid asked where do we stand on 5G information, to which the Mayor reported, City Attorney McMurray is working on this.

City Attorney Kerry McMurray reported to the Council there are no 5G filings in Cassia County.

Councilperson Chad Manderscheid asked if he has to attend the January Council Meeting, to which he was told, Yes, the current Council has to take care of any old business before the new Council Members can be sworn in.

Mayor Isaac Loveland reported to the Council the LMI Survey has been approved by Commerce.

Mayor Isaac Loveland reported to the Council the Transportation Plan for Cassia County has been approved, and the City should get a copy of the Plan soon. The Mayor reported Whitman St. was rated the worst road in the County, and the next Transportation Meeting will be Tuesday, November 26<sup>th</sup> in the Cassia County Commissioners Room.

Mayor Isaac Loveland reported he won one thousand (\$1,000) dollars for the Mayor's Walking Challenge. The Mayor asked the Council to be thinking about what to spend the money on, that promotes physical activity within the City.

#### PRESENTATION OF BILLS

Mayor and Council Salaries *	1700.00
Salaries – Clerk *	2756.82
Deric Bell – Deputy Clerk *	858.39
Bryan Day – Maintenance Department *	3429.00
Ravyn Pawson – Maintenance Department *	747.50
PERSI – Employer Remittance (10/16-10/31/19) *	1059.84
DL Evans Bank – EFTPS 941 Employer Remittance (Oct. 19) *	1844.44
PERSI – Employer Remittance (11/01-11/15/19) *	743.24
Raft River Electric – Water Tank-45.13/Service Work-1780.90 *	1826.03
SelectHealth – Insurance (December 2019) *	850.00
ITD – Vehicle Registration (Dodge) *	23.00
Lamont Young – Baack-Up Operator Fee Difference *	100.00
Postmaster – Stamps for Statements *	110.00
Ace Hardware – Maintenance Supplies	46.74
ATC Communications – Phone, Fax, Internet, & Lift Station	479.98
Aztec Excavation, Inc. – ¾" Rock, Pit Fee, Services, Delivery	315.00
Bonneville Power Administration – Transmission/Power (Oct. 19)	18524.00
Cassia County Tax Collector – 2019 Taxes	144.00
Catmull Plumbing – Sewer Tap/Repair Sewer Line	1152.98
Creekside Store – Maintenance Fuel (Nov. 2019)	222.13
Ferguson Waterworks – Maintenance Supplies	379.68
Higley's Lumber – Maintenance Supplies	233.10
Kerry McMurray – Legal Services (Nov. 2019)	1164.50
Lamont Young – Back-Up Operator Fee (Nov. 2019)	300.00
Magic Valley Labs – Water Tests/SOC Testing	1354.00
Mini-Cassia Transportation Committee – 2020 Member Dues	50.00
O'Reilly – Vehicle Maintenance	21.98
Pollardwater – Maintenance Supplies	169.46
Postmaster – Stamps for Office Use	344.00
Raft River Electric – New Service (Tolman)	3316.00
Southern Idaho Solid Waste – Garbage Fee	8.00
The Book Store & Office Supply, Inc. – Office Supplies	45.23
TNT Electric – Surge Capacitors/Lightning Arrestors Install	2475.95
UAMPS – General A&G Expenses/Incentive Payments	5630.51

TOTAL

\$52,743.31

Mayor Isaac Loveland thanked those present for attending tonight's Council Meeting, and announced the Council will now go into an Executive Session.

**COUNCIL ENTERS INTO AN EXECUTIVE SESSION**

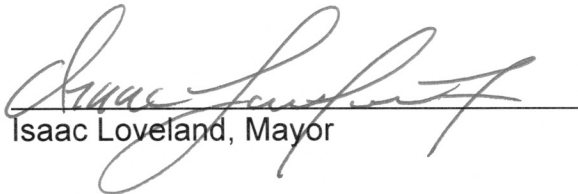
At 7:31 p.m., motion was made by Alexander to into an Executive Session pursuant to Idaho Code 74-206 (1)(b) regarding personnel issues. The motion was seconded by Lloyd, and unanimously carried, with the following roll call vote: Alexander-aye, Carlson-aye, by phone, Lloyd-aye, and Manderscheid-aye.

**COUNCIL RETURNS TO A REGULAR SESSION**

The Executive Session was concluded at 7:44 p.m. Upon motion made by Alexander, seconded by Lloyd, and unanimously carried, with the following roll call vote: Alexander-aye, Carlson-aye, by phone, Lloyd-aye, and Manderscheid-aye, the Council is taking the matter under advisement.

**COUNCIL ADJOURNS**

There being no further business brought before the Council, motion to adjourn was made by Lloyd, seconded by Manderscheid, and unanimously carried, with the following roll call vote: Alexander-aye, Carlson-aye, by phone, Lloyd-aye, and Manderscheid-aye. Adjournment was at 7:45 p.m.

  
Isaac Loveland, Mayor

  
Mary Yeaman, City Clerk-Treasurer