

**ALBION CITY COUNCIL MEETING  
MINUTES OCTOBER 4, 2022.**

CALL TO ORDER – The meeting was called to order at 7:00 pm in the Albion Civic Center by Council President Kevin Lloyd.

OPENING CEREMONIES – The Pledge of Allegiance was led by Councilperson Dallan Doc Carlson.

ROLL CALL – Present: Council President Kevin Lloyd, Councilpersons Dallan Doc Carlson, Wayne Winder, and Brad Woodrow, City Clerk-Treasurer Mary Yeaman, City Attorney Kerry McMurray, and Maintenance Director David Hageman. Mayor Isaac Loveland was excused.

OTHERS IN ATTENDANCE – Tony and Giselle Prescott, Jan Johnson, Linda Prefontaine, Kris Wenslawski, Earl Warthen, Rob South, Dwight Parish, Theresa Johnson, Virginia Hall, Teri Williams, David Chatterly, Lance Holman. Lisa Field. There were others whose names are not known.

APPROVAL OF MINUTES – Upon motion made by Woodrow, seconded by Carlson, and unanimously carried, with the following vote: Lloyd-aye Carlson-aye, Winder-aye, and Woodrow-aye, the Council moved to approve the Minutes of the September 6, 2022 Council Meeting as presented.

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

LAW ENFORCEMENT REPORT – Resident Deputy Tanner Allred was not at the meeting therefore no report was given.

ANIMAL CONTROL REPORT – Maintenance Director David Hageman reported several dogs at large around town.

**CITIZEN'S ISSUES**

**WATER ISSUES – EARL WARTHEN**

Earl Warthen told the Council most people in Albion are on a fixed budget, and he thinks it is wrong for the City to spend money on a sprinkler system for the Park, and not fix a meter for a lady in need. But that is not the main thing he wants to talk about. Warthen told the Council he is concerned about the City spending three and a quarter million dollars (\$3,250,000.00) on the water system, when the City already has four (4) wells, three (3) that are good. Warthen read the Council highlights from the Albion Valley News, and commented that this is the only way the residents of Albion know what is going on. No one knew about the Special Council Meeting Hearing, or attended

the Hearing because the meeting was not posted. Warthen reported the residents need to be kept informed about what is going on within the City, this expense is going to affect their budgets. Warthen told the Council the surface water needs to be used first, before using the ground water. Warthen said the judicial confirmation process needs to be stopped.

Council President Kevin Lloyd reported this entire process is being done to bring the City's water system into compliance with the Department of Environmental Quality (DEQ) regulations, as the system is currently out of compliance. Lloyd reported we need to make sure the City has water, this is our moral obligation.

## GENERAL PUBLIC COMMENTS

The general tenor of the comments made is as follows: Dwight Parish told the Council he read in The Voice that the City Filed a Petition for a Judicial Confirmation for a \$3.25 million dollar Water Project. Parish found the Notice on his phone and read it. Parish said he is frustrated because no one knows what is going on. Parish asked why the meetings are not posted, so the people in town can attend them. Parish told the Council he drives by, and takes a picture of the Community Sign every day, and he has not seen any meetings about the Water Project posted. We need to be told about these meetings. Parish asked City Attorney Kerry McMurray what he needed to do to file a written petition to the court, as stated in the Notice, to which City Attorney Kerry McMurray suggested he consult his attorney. Parish said you are an attorney, to which McMurray reported, I am not your attorney. Parish told the Council he does not understand why the City is willing to spend money on a sprinkler system for the Park, and not fix a water leak for a lady on the hill, who has paid her bill every month for sixty (60) years.

Lance Holman said he has been coming to Council meetings since he moved here in 2019, and the Council has been discussing the Water Project for at least six (6) months prior to tonight's meeting.

Others in attendance expressed their concerns about not being informed about the meetings. It was suggested putting it on social media, such as facebook.

Lisa Field commented that if the Council was more open about what is being done, the residents would not come to the meeting so upset.

The Council asked the audience what they want them to do, and the response was to let them know about meetings.

## **AGENDA BUSINESS ITEMS**

### ROAD REPAIRS AND PROJECT STATUS UPDATE

Council President Kevin Lloyd reported the Road Repairs for last fiscal year have been completed. Sections of Gamble Dr. and S. Main St. were patched with asphalt, and Hansen St. was paved with asphalt. The cost of the Road Repairs was a little more than expected, as reflected in the list of Bills.

### SPRINKLER SYSTEM DOWN PAYMENT AND PROJECT STATUS UPDATE

Council President Kevin Lloyd reported the Sprinkler System Project is almost complete. Lloyd reported Four Seasons Burley is requesting a down payment on the Project, which is included in the list of Bills. Installing the Sprinkler System is going to save the City four thousand dollars (\$4,000) per year in labor costs, and should have been done years ago.

#### RESIDENT NOTIFICATIONS – TONY PRESCOTT

Tony Prescott gave a power point presentation on Twilio, a communication service using texts and voicemail. Prescott reported this would be beneficial for resident notifications for power outages, special Council Meetings, and water shutoffs, due to line damage. Prescott put the Councilmembers phone numbers into a google spreadsheet, and demonstrated sending a text message using Twilio. Sending a voicemail message was also demonstrated. Prescott estimated the cost for a text would be about eight cents (\$.08), and a voicemail would be about two cents (\$.02), plus a dollar (\$1.00) fee per month, which would be prepaid to Twilio. Prescott reported to the Council he has some concerns, which are: 1) sending out to many messages, 2) replying back to messages, 3) letting citizens know about the contact list, 4) not having current customer information, and 5) legal ramifications. Prescott told the Council if they are interested in moving forward, he would gladly help in getting this setup. The Council thanked Tony Prescott for his presentation.

#### ROBERT MOORE PROPERTY ENCROACHMENT AND MOVING COMMUNITY MESSAGE SIGN

City Attorney Kerry McMurray reported while talking with Mayor Loveland, it was determined the Community Message Sign needs to be moved as soon as possible. McMurray reported the City's backhoe is down, and the City would need to rent a backhoe, or find someone willing to assist in moving the Sign onto City property. Maintenance Director David Hageman reported Rob South said he has the needed equipment, and volunteered to help move the Message Sign. The Community Message Sign will be moved to the front of the Albion Civic Center on Thursday, October 6, 2022. The Council thanked Rob South for assisting with moving the Community Message Sign.

#### HIRING NEW CITY CLERK

Council President Kevin Lloyd reported the Council will need to go into an Executive Session to discuss this issue.

#### PRESENTATION OF BILLS

Mayor and Council Salaries *	1700.00
Salary – Clerk *	3024.00
Deric Bell – Deputy Clerk *	1036.82

David Hageman – Maintenance Director *	3696.00
Linda Hutchison – City Clerk / Treasurer *	1278.00
PERSI – Employer Remittance (09/16-09/30/22) *	937.71
DL Evans Bank – EFTPS 941 Employer Remittance (Sept. 22) *	1710.66
PERSI – Employer Remittance (10/01-10/15/22) *	703.96
Raft River Electric – Water Tank-124.13 /Service Work- 585.00 *	709.13
SelectHealth – Insurance (Nov. 22) *	2537.00
KD Company – Park /Office Mowing *	220.00
Keller Associates – Monthly Fee *	240.00
Keller Associates – Judicial Confirmation Support*	376.25
MSBT Law – Judicial Confirmation *	2181.31
Norco – Cylinder Rent *	12.60
Ace Hardware – Maintenance Supplies	787.27
Association of Idaho Cities – 2023 Member Dues	400.00
ATC Communications – Phone, Internet, Lift Station, & Wells	744.04
Bonneville Power Administration – Transmission/Power (Sept.22)	10390.00
Catmull Plumbing - (Water leak repair at Park)	1730.00
Creekside Store – Maintenance Fuel (Oct. 22)	336.95
ETS – Email Licenses	28.50
Ferguson Waterworks - (Water Meters)	1893.62
J’s Mobile Garage - (White Truck Repair/Plow Winch/Backhoe)	3366.48
Kerry McMurray – Legal Services (Oct. 22)	1020.00
Lamont Young – Back-Up Operator Fee (Oct. 22)	300.00
Magic Valley Labs – Water Test/Lead & Copper/THM & HAA Test	537.00
Mini Cassia Transportation Committee – Yearly Dues	50.00
O’Reilly Auto	153.63
The Times News - Public Hearing Notice (Grant)	60.22
Tree Whisper Tree Service, LLC - Tree Trimming	15380.00
TruGreen – Park Lawn Service	225.00
UAMPS – General A&G Expenses	50.68
VISA - #4703 M. Yeaman Oct. 22 Stmt. (Office Supplies)	344.74
Western Waste Services – Dumpster	<u>53.97</u>
TOTAL	\$58,215.54

**COUNCIL ENTERS INTO AN EXECUTIVE SESSION**

At 8:35 pm, motion was made by Woodrow to enter into an Executive Session pursuant to Idaho Code 74-206 (1)(a) and (b) to discuss personnel matters; (1)(c) to consider acquiring an interest in real property not owned by a public agency; and (1)(f) to communicate with legal counsel regarding pending/imminently-likely litigation. The motion was seconded by Carlson, and unanimously carried, with the following roll call vote: Lloyd-aye, Carlson-aye, Winder-aye, and Woodrow-aye.

**COUNCIL RETURNS TO A REGULAR SESSION**

The Executive Session was concluded at 9:10 pm.

Upon motion made by Woodrow, seconded by Lloyd, and unanimously carried, with the following vote: Lloyd-aye, Carlson-aye, Winder-aye, and Woodrow-aye, the Council moved to take (1)(c) and (1)(f) under advisement.

Upon motion made by Carlson, seconded by Winder, and unanimously carried, with the following vote: Lloyd-aye, Carlson-aye, Winder-aye, and Woodrow-aye, the Council moved to hire Linda Hutchison as the new City Clerk-Treasurer, with a pay rate of eighteen dollars (\$18) per hour.

Jan Johnson came back into the meeting and thanked the Council for allowing all the additional comments to be made during tonight's meeting. Johnson also thanked the Council for the work they do on behalf of the City.

### **COUNCIL ADJOURNS**

There being no further business brought before the Council, motion to adjourn was made by Carlson, seconded by Woodrow, and unanimously carried, with the following vote: Lloyd-aye, Carlson-aye, Winder-aye, and Woodrow-aye. Adjournment was at 9:15 pm.

---

Kevin Lloyd, Council President

---

Mary Yeaman, City Clerk-Treasurer