

**FOSSIL CITY COUNCIL MEETING
JEANNE E BURCH BUILDING
JANUARY 14, 2014**

Mayor Lorts called the meeting to order at 7pm

Council present: Jack Lorts, Angi Humphreys, Sarah Conaway, Judy Fessler and Tom McNeill

Staff present: Teresa Hunt and William Potter

Community Present: Roger Morehead, Sherian Asher, Brenda Morrow, Jo Morrow, Ron Rollins, June Rollins, Bobbi Jo Medlock, Carol MacInnes, Melanie Sperry, Jon Fessler, Ree Ann Stepp, Mary Mountain, Linda Philbrick, Peggy Williams, Bobbi McBryde, Trevor Humphreys, Sally Potter, Robin Ordway, Christine Smith, Steve Bray, Kimberly Thompson, and JT Wimer.

Tom McNeill moved, Angi Humphreys seconded: to approve the minutes from the December 10th, 2013 meeting as written. Motion carried by unanimous vote.

Councilor Fessler would like to address the transcript from the special public meeting that was held December 18th, 2013 at 6pm.

Councilor Fessler would like included with the transcript from this meeting the paper that had hers and Councilor Conaway's concerns/complaints listed on it and the agenda from the special meeting. The council agreed unanimously to add these two documents to the transcript from the December 18th meeting.

Tom McNeill moved: that we exonerate Teresa from any allegations that were brought forth at the meeting on December 18th, 2013.

Councilor Conaway: "It was never allegations Tom. I had concerns about something that I was told. Teresa and I have talked about this, and it was never allegations that she needed to be brought up on charges about or anything else."

Councilor Fessler: "That is why I wanted to put those two papers with the transcript."

Councilor Conaway: "It was misconstrued"

Mayor Lorts: "There is a motion on the table, is there a second? Angi Humphreys seconded the motion."

Councilor Humphreys: "The issue for me is that it never was stated at the end. I mean I did ask if the "concerns" you had, if you were satisfied that the concerns were answered. I think that Tom is simply trying to say that we want it to be more clear about the fact that all of the issues or "concerns" that you had were found to be not a concern after all."

Councilor McNeill: "and I just want the records to show that"

Councilor Fessler: "I would like to add that It appeared that in fact, at the meeting when Angi brought up the fact that wasn't there a better way to do this, after finding out from other individuals, former Mayor's, that there could have been another way to handle this situation. So that, really, I was trusting our Mayor to lead us and give us the right advice"

Councilor Humphreys: “the one thing I won't do and will not agree to Judy, and I am sorry for interrupting you, is you acting like this is all Jack's fault and you saying that this is all Jack's fault somehow. That I won't agree to, especially given the nature of the way that you used the questions when you questioned Teresa. To say that they were simply concerns, if they were truly concerns, I want to once again say to you that you could have just gone to her and asked her”

Councilor Fessler: “I was not given that opportunity”

Councilor Humphreys: “why do you need to have that opportunity?”

Councilor Fessler: “I didn't know what the procedure was”

Councilor Humphreys: “Sarah called and asked if there was a process”

Teresa Hunt: “That's correct. Sarah did call me, before Jack was ever contacted, and asked where the paperwork was to file a “complaint” on an employee. I informed Sarah that the process was for her to contact the Mayor and an executive session would be scheduled, but that the employee had to be notified and then the employee had the right to choose either executive session or an open hearing. And she was at your house when she called me (Teresa is pointing at Judy)”

Councilor Conaway: “that is what you told me”

Teresa: “and so Jack did handle it correctly”

Mayor Lorts: “I was contacted and asked what is the procedure and I knew that the procedure was to call an executive session. My feeling was that two members of the council have asked for it, and obviously if two members ask for it, the other two did not, but these two did, and an executive session was called”

Councilor McNeill: “I think that Jack handled the situation to the best of his knowledge and I commend him for doing the right thing”

Councilor Humphreys: “there is a motion on the floor”

Mayor Lorts: “there is a motion on the floor, is there any further discussion. Then would you state the motion for us Teresa if you have it down?” “Tom what was the motion?”

Councilor McNeill: “I move to exonerate Teresa from any allegations that were brought against her at the last meeting, the special session meeting.”

Mayor Lorts: “okay, no further discussion, then all in favor of the motion say “aye”: Tom “aye; Angi “aye: Sarah “aye”: Judy “aye”. Motion carries by unanimous vote.

Sarah Conaway moved, Tom McNeill seconded: to approve the transcript from the December 18th special meeting. Motion carried by unanimous vote.

Tom McNeill moved, Judy Fessler seconded: to approve the payment of the bills as presented. Motion carried by unanimous vote.

COMMUNITY ISSUES/CONCERNS

A letter from Carol MacInnes and Wright Chevrolet was read into the minutes by Mayor Lorts:

I wanted to be placed on the agenda for this meeting to discuss the decorating of the "Community Action Group" barrels and the offensive actions by City Councilors.

When I approached Judy Fessler about decorating our barrel at Wright Chevrolet, she stated "you won't get a tree because it is the CAG barrels that we are decorating." When I explained to her that the barrel that we have is, in fact a CAG barrel, she told me to contact Christine Smith and she confirmed that our barrel was one of the CAG barrels. I soon learned that another barrel in town was not going to be decorated as well as ours. When both barrels were finally declared CAG barrels, the two City Councilors still chose to ignore them.

To make a long story short, the decorating of these barrels has been taken over by two City Councilors. They are representing the City of Fossil and they chose not to decorate two businesses barrels in this community. Our business has been a part of this city for over half of a century. I am appalled at this display of vindictiveness from people who are elected to represent all of us. I think this behavior shows lack of maturity, inability to separate personal feelings from your position and lack of leadership. As a citizen, my expectations are nothing short of professionalism and courtesy. As a business owner, I expect our business and every other business in this town to be treated the same regardless of your personal feelings. These businesses, no matter how big or small, are the lifeline of this city.

It's a huge shame that this was allowed to take place. It reflects poorly on our City government. Personally, I don't want ANYONE that behaves this way representing me. I want to thank Bill Potter for getting Wright Chevrolet a tree for our barrel in which we decorated ourselves and received many compliments. I thank you for the opportunity to be heard, for the record.

Thank you,

Carol MacInnes

Mayor Lorts: "Anything you want to ad, Carol?"

Carol MacInnes: "No"

Councilor McNeill: "that about said it all"

Councilor Conaway: "I would like to speak to this. When all of that was taking place, there was no vindictiveness going on what so ever, Carol. You and I don't always see eye to eye, a lot of the times we don't even see on the same playing field. But I have nothing against you, and I thought you and I had cleared the air about that over a year ago. So, that's not the basis of anything. Honest to goodness truth was it was getting close to Christmas time, we wanted to go ahead and get the decorating done, we had been asking for the decorations for over a month, and we decided well what the heck lets just go ahead and do it. So we went out and we cut some trees, and greens and stuff, and we had it in mind to do the ones that were very obvious, that I knew of, that me personally, knowing what was the Community Action barrels. And it wasn't because we were trying to take over, it was because we thought, you know what someone needs to step up and do this. So we just volunteered to do it. It came out of my pocket and it came out of Judy's pocket. So we went out and picked the trees and picked the greens. We put the greens in the planter by city hall, we put the trees up, and when the barrels were counted, it

was okay, we know the major ones, because there was very few decorations to even do it with. So it was like, okay we know the ones in front of the grade school, we know the one in front of Glover Hall, we know the ones in front of the Merc, and the one by the Bank, and the ones down by the Museum. Okay so we counted those out, and that's how much we cut for. And, actually your barrel was discussed, I did ask if Wright Chevrolet's was one that we were supposed to do. And Judy said "I don't know, because when I painted the barrels that one was not on the list to be painted." I said well I don't know, and she said "well I really don't know either."

Carol MacInnes: "Did you not buy flowers for that barrel."

Councilor Fessler: "NO. Well, I think Community Action did"

Carol MacInnes: "You did not purchase flowers from Sally Potter for our barrel?"

Councilor Fessler: "No"

Carol MacInnes: "Our barrel has been decorated since we bought it"

Councilor Fessler: "We bought flowers for the post office"

Carol MacInnes: "I talked to you about our barrel and you said "no you are not getting a tree," and I am here to say its mean, it's not nice, and we have supported the city and I don't agree with you saying "Oh, were just going to decorate at random", when there are only two barrels in the entire community that you did not decorate, and I talked to you about it Judy"

Councilor Fessler: "I did, and I told you to contact Christine"

Carol MacInnes: "and I did, and it was clarified that those two barrels that you did not decorate were Community Action Group barrels."

Councilor Fessler: "there was only one"

Carol MacInnes: "that doesn't have anything to do with the price of rice in china"

Councilor Fessler: "and I think June made the decision that she wanted to do her own thing"

Carol MacInnes: "really"

Councilor Fessler: "I know that the red barrels are the ones, that when I was on the Community Action Group, that belonged to the CAG. The reason I know that is because Jon and I painted them about five years ago"

Carol MacInnes: "then you should know that we have been a member of the CAG since it started"

Councilor Fessler: "but I haven't been a member for about 3 years"

Carol MacInnes: "and if we didn't want our barrel painted red, that doesn't mean you don't decorate it"

Councilor Fessler: "I am sorry, it is not mean"

Carol MacInnes: "it is mean and it's not nice, and I told you that in front of the Merc"

Councilor Fessler: "it is not"

Carol MacInnes: "yes it is,"

Councilor Fessler: "volunteer is not"

Carol MacInnes: "you represent the city"

Councilor Fessler: "NO"

Carol MacInnes: "yes you do"

Councilor Fessler: "NO"

Carol MacInnes: "yes you do"

Councilor Fessler: "Sarah and I went out there to do it because there were no decorations"

Councilor Conaway: "I just did it to be nice"

Carol MacInnes: "all but two"

Councilor Conaway: "No"

Carol MacInnes: "all I am saying is"

Councilor Conaway: "then why didn't you get up and go and do it"

Councilor McNeill: "alright, alright that's enough"

Councilor Conaway: "for all of the stuff that I have done in this town, and get yelled at for two barrels,"

Carol MacInnes: "Don't be such a baby Sarah, I am just saying this is a bad reflection on the city"

Councilor Fessler: "It is not"

Councilor Conaway: "I am done" (she is getting up to leave)

Carol MacInnes: "I am addressing Judy, and I am here to say that it is a bad reflection on the city."

Councilor Fessler: "it is not a bad reflection on the city"

Carol MacInnes: "yes it is. Oh that's right Sarah, runaway"

Councilor Conaway: "no, I am not running away, I am sick and tired of being yelled at and screamed at for doing something that was only, I decorated the down town, I went and took the time to do that, and now I am going to get chastised for not doing your barrel and I didn't even know it was one that ought to have been done Carol"

Councilor Fessler: "I didn't either"

Councilor McNeill: "Hey quiet please, hey quiet!"

Carol MacInnes: "I told you"

Councilor Fessler: "and I told you I did not know and to check with Christine, and you said that right in your testimony"

Carol MacInnes: "and we confirmed it was"

Councilor Fessler: "and we were already through decorating, we only had a certain amount of decorations"

Carol MacInnes: "so my point is, I think it is a shame that you allowed this to happen, and I don't think it is right, and I think it is mean and I do think that you should not ignore certain businesses and pick and choose."

Councilor Fessler: "okay, well"

Councilor Conaway: "I did not pick and choose"

Councilor Fessler: "no we did not"

Mayor Lorts: "Okay, I think that everybody has expressed their opinion, and I do not think we have any further to go with this discussion."

Councilor Fessler: "I am sorry that volunteers feel that they need to be interrogated"

Carol MacInnes: "DON'T talk to me about volunteers"

Councilor Fessler: "well you say"

Carol MacInnes: "you are the reason that we only have 4 people on the fire department"

Mayor Lorts: "Okay"

Councilor Fessler: "ME"

Councilor Humphreys: "LADIES, LADIES, THAT'S ENOUGH from both of you. STOP"

Mayor Lorts: "okay, move on. There are a lot of you out there, do we have any more concerns before we get into the regular agenda. Anyone else have community concerns, and let's leave this topic."

JT Wimer states that the chief for the fire department has resigned.

Mayor Lorts reads the letter from Rick Shaffer stating that as of December 31, 2013 he is no longer the Chief of the Fossil Volunteer Fire Department.

JT Wimer goes on to state that he was the assistant fire chief, but at this point we do not have a chief. We also are down to just four volunteers to respond to a fire if there was one, and two of those four are involved with the ambulance also.

The city needs to try and get more people to volunteer to be on the fire department. There is 160 hours of training that has to be taken just to be able to respond to a fire, plus another 80 hours of training per year to stay certified. And, at this time with Rick resigning we do not have a certified instructor either.

Mayor Lorts will write an article to go in the newspaper outlining our problem and the need for volunteers, and two weeks from tonight, Wednesday the 29th, JT, Bill Potter and Mike Craig will be at the regular scheduled fire

hall meeting and would welcome anyone to come that is interested in being on the volunteer fire department and is willing to make the commitment to the 160 hours of training which will be every weekend, both days, for 6 weeks, and then is committed to showing up twice a month and a few Saturdays a year to maintain the other mandatory 80 hours per year training that is required.

Sarah Conaway moved, Angi Humphreys seconded: for Mayor Lorts to place an article in the paper discussing the issues of the volunteer fire department and express the need for volunteers. Motion passed with unanimous vote.

NEW BUSINESS

A contract was offered to Bobbi Jo Medlock for her to use the city portion of the property that lies behind the transfer station. Ms. Medlock is going to park her shuttle vehicles on this property when weather permits so that the vehicles are not on the city right-of-ways causing congestion issues.

The council as well as Ms. Medlock will review the contract thoroughly and will be prepared to sign it at the February council meeting.

A license was offered to June Rollins, Kountry Kafe, for the propane tank that sits behind the Pocket Park fence and on city property. A couple of additions/corrections need to be added to the license and then it will be ready for signing at the February council meeting also.

Councilor Fessler reported that she had met with Greg Colt of Colt Listing Service, from Hood River, to discuss marketing of the Industrial Park.

Mr. Colt had with him Alex Mauck who is also a developer and broker.

Councilor Fessler toured these gentlemen around the Industrial Park and introduced them to different business owners in the community.

Mr. Colt contacted Councilor Fessler and the City Recorder the next day and said that he was not interested in marketing the Industrial Park for us because his business was located too far away from Fossil. Mr. Colt did give the name of a Realtor in Prineville for us to contact and also stated that with realtors now using the web for their listings, anyone could list the property and it would be out there for all realtors to see.

STAFF REPORTS

City Recorder - Teresa

A new pickup has been purchased for public works. The city has a Time Certificate that was for the purpose of replacing the existing pickup. With the purchase of the new pickup it is time to close out the CD.

Tom McNeill moved, Angi Humphreys seconded: to close out the CD at the Bank of Eastern Oregon and for that money to be placed in the city's General checking account for the purpose of paying for the new pickup. Motion carried by unanimous vote.

Also the upgrade to the city hall computer has been completed, and now with the upgrade to Windows 7, the version of the Jayhawk program (utility billing software) that we have is not compatible. We need to upgrade to a different version of Jayhawk. A quote has been received from Jayhawk in the amount of \$960.00. This includes

installation of the software, conversion of data in existing version to new version, and training for staff for new version.

Judy Fessler moved, Sarah Conaway seconded: to approve the \$960.00 for the upgrade of the Jayhawk software. Motion carried by unanimous vote.

Teresa reports that at present time, Mike Craig and she are the signers on the Ambulance checking account. It is a two signature account and Mike reviews all invoices as he is one of the EMT's and Carol MacInnes, Mike Craig and Susan Moore are the only ones who make purchases for the Ambulance.

Teresa requests that Jack Lorts and Tom McNeill be added as signers to the Ambulance checking account with Teresa only signing in an emergency situation, in order to be able to address some of the issue with the auditors in the fact that the city does not have enough bodies to satisfy the segregation of duties issue.

Sarah Conaway moved, Judy Fessler seconded: to have the signers for the Ambulance checking account be Tom McNeill, Jack Lorts, Mike Craig and Teresa Hunt (Teresa only as an emergency). Motion carried by unanimous vote.

Teresa also presented to the council a paper that has on it some other items that need to be implemented by the council in order to address the issue of segregation of duties. This will include the following:

1. Councilor McNeill and Mayor Lorts will be the main check signers for the city with Teresa signing only in an emergency situation. Mayor Lorts and Councilor McNeill will also inspect each invoice being paid and initial and date the invoice at time of signing checks.
2. The bank statements will be opened and inspected by Councilor Fessler and she will witness Teresa doing the reconciliations and then initial and date the reconciliations when completed.
3. The council as a whole approves all invoices for payment, and the city recorder prepares the checks and enters transactions.
4. When a deposit is made out, Mr. Potter will initial and date the copies of deposit slips that we keep after he has re-counted the money to be deposited.
5. Mr. Potter will pick up the mail
6. After the water and sewer billing has been prepared, Mr. Potter will review the pre-bill report printed from the Jayhawk software by initialing and dating.

Public Works – Bill Potter

Mr. Potter reported that the new pickup has arrived for the city.

MAYOR/COUNCIL

Councilor Humphreys reported that they had approximately 34 people turn out for the Christmas caroling. It was a fantastic turnout, great fun and the Sperry's supplied hot chocolate and maple bars after they were done caroling.

There being no further business the meeting was adjourned at 8:15pm

Mayor, Jack Lorts

City Recorder, Teresa Hunt