

**RICHMOND CEMETERY MAINTENANCE DISTRICT      SEPTEMBER 25, 2013**

The regular meeting of the Richmond Cemetery Maintenance District was held on Wednesday, September 25, 2013 at the Richmond City Office Building, 6 West Main, Richmond, Utah at 7:00 P.M. Chairman Jeff Young was in the chair.

The following board members were in attendance: Denise Allen, Paul Thatcher and Albert Purser.

Richmond City Mayor Michael Hall was also in attendance.

The opening remarks were made by Chairman Young.

**BUDGET DISCUSSION**

Jeff informed the board that the budget by law has to be submitted and posted on-line no later than December 31<sup>st</sup> of each year. Jeff showed the board a copy of the 2013 budget that was posted on-line in December 2012 for the district. Budget reports for all districts, municipalities, and other state agencies can be found at [www.utah.gov](http://www.utah.gov). Budgets, financial statements and other various documents are posted on the website and kept there for many different years. The 2014 budget will need to be approved by the board and submitted to the State of Utah no later than December 31, 2013.

**DISCUSSION OF THE INTERLOCAL AGREEMENT BETWEEN THE RICHMOND CEMETERY MAINTENANCE DISTRICT AND RICHMOND CITY CORPORATION**

Jeff showed the board a copy of the interlocal agreement that was signed by Kip Panter in 2000 and that agreement was an extension of the 1997 agreement. There has been a long established working agreement between the district and the city. Mayor Hall has received most of the comments and concerns in regards to the cemetery as the majority of people think the district is part of Richmond City. Jeff expressed that having the resources of the city was a benefit to the district. The district is a big part of the community and valued as such.

*Chairman Young read the interlocal agreement.*

Jeff explained to the board his understanding from past chairman Kip Panter regarding the agreement and that it was long standing and that the city had supplied the employees and manpower for the district and the district in turn paid their portion of the expense associated with the district. The employee's hours are distinguished on their time card of whether they were working at the cemetery or in the city and accounted for so that each entity pays for the time worked.

Jeff felt that it was very important to understand the previous agreement with the city so that as the new maintenance agreement is considered both parties know what was agreed to in the past.

Albert asked for some clarification on item number 4 of the agreement. Jeff explained that previous to the year 2000 the district accounting procedures and accounts were separate from the city. When the agreement was signed the district combined their funds with the city into one specific account but the records are specifically kept for the district and city but the city manages them, pays bills, collects revenue, etc. in behalf of the district.

Albert asked for clarification on what this meant in regards to the cemetery and the funds available to the cemetery. Jeff explained that the city holds the districts funds but the district decides where the funds are spent. The city cannot do the infrastructure work or expansion; it must be approved by the district. The city supplies the employees to do the work and the city employees pay the bills and maintain the budget in behalf of the district.

Jeff clarified that the city recorder, Justin Lewis, properly accounts for the city funds and the cemetery funds and they are kept separate and accounted for as two separate entities. Basically, the city has the ability to pay the bills and receive the money in behalf of the district. Anytime any member of the district wants financial information all they have to do is a make a request and it can be sent right away. The city does the hiring of employees and

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designates when they work at the district as they are employees of the city but work at the cemetery as part of the interlocal agreement.

Per Jeff's conversation with Kip where the district board members are not at the cemetery on a day to day basis or usually even during regular business hours as it is easier to tour the cemetery at night the city was put with the task of handling the day to day operations of the district as they are in the city and see what needs to be done on a regular basis. Jeff expressed that the system is not perfect and that was very evident this year but that it is something for the board to talk about, discuss and make better for all involved parties.

Albert agreed that the district needs to have a long standing good relationship with the city. Albert wanted to clarify that the district can change their bylaws as needed and that the interlocal agreement could be amended as needed. Jeff stated yes, both can be changed or updated as needed. In the past, Kip had come to the city council or Mayor and stated his concern about changes that needed to be made or things that were not getting done and the city would work on fixing or changing what needed to be done.

Jeff commented that one purpose of the board was to oversee what was going on from a distance and make suggestions as needed to the city to maintain as the district wanted. Jeff knew of times when Kip had concerns or issues with how graves were dug and that they needed to be changed in the future as that specific burial was not done as the board wanted to see done.

Albert asked when Alwin Rawlins worked for the district and was paid a monthly salary; was that arranged through the city or the district? Jeff was unsure but expressed that if prior to 1997 then it would have most likely been the district only but if after the interlocal agreement was signed then it must have been a mutual agreement between the city and the district.

Jeff explained to the board that the city was currently thinking of going to a contract pay agreement for maintenance of the parks for the city and that when he mentioned the agreement when the grounds were being toured to the board that it is just in the consideration stage. The city council has reviewed the agreement twice and wants to know the thoughts of the district before an agreement is signed. The council wants to know the requirements of the district to make sure that the agreement, if signed, will work for all entities.

In the past, employee hiring, had only been brought to the district chairman for approval. For example, when Richie Petersen was hired temporarily during 2012, Kip signed off on that hire, wage, etc. Now and if the board chooses to do so they can be more involved in who is hired and working up there.

Albert asked if Richie was the employee that was hired during the interview process a few years ago and the Mayor responded that Justin Gilbert was the one hired from the interview process.

Richie only worked for a few months in 2012 and he worked 100% of the time at the district; he was overseen by the city but only worked for the district.

Mayor Hall expressed that the bylaws come from the county so any change with the city would be done with a change in the interlocal agreement not the bylaws.

Jeff informed the board that he had requested a copy of the district's bylaws as there was not much known about the bylaws by any of the current board members or city council members.

Albert asked who made the bylaws? Mayor Hall told the board that according to the information he received from Cache County Executive Lynn Lemon that all of the bylaws for the district were established by the county council and they are the same for all of the cemetery districts in Cache County. The bylaws from the county are not just for cemetery districts but for other districts such as water as well. The bylaws are quite vague Mayor Hall stated. Lynn Lemon had mentioned to Mayor Hall that some of the highlights of the bylaws were that there could be 3-7 board members and that if elections are not held then the board members can be appointed by the county.

Albert stated he would like a copy of the bylaws to review and Jeff stated that he hoped to have a copy for the next district meeting in October.

**DISCUSSION REGARDING A CONTRACT PAY AGREEMENT FOR MAINTENANCE SERVICES AT THE CEMETERY**

Jeff opened the discussion on whether to have a contract pay agreement for maintenance of the grounds or keep on an hourly agreement as is currently being done. Albert expressed a concern for the health care requirement that will be enforced as part of the Obama care health plan. Jeff informed the board that Justin was checking with the district and city insurance agent to make sure there were not any concerns or issues in having a contract pay agreement for both the city and the district. Justin is out of town today but stated he would have that question answered for the October meeting. The Mayor stated that in regards to Obama care it would not be a factor in the agreement as the people doing the work would be subcontractors not employees. Employees of the city are being sent several disclosures about the health insurance changes and availability. This will only affect people that receive a W-2 not those that receive a Form 1099. Jeff stated that all of the paperwork and procedures would be handled by the city and the district would only have to pay their share of the expense if applicable.

Jeff expressed that one positive of the contract pay is that the budget numbers are set; there are not any unknowns like with Obama care. Obama care is coming but nobody knows at what expense to the city or the employee.

Albert stated that part of the discussion needed to be if the district was only going to contract the labor and the district supplied the equipment or if the district should contract everything being done including the contractee supplying the equipment. It is very important that the equipment be maintained and updated on a periodic basis. Albert stated at this point that he did not have an opinion one way or the other and was still in the information gathering process.

Albert stated that he had communicated with a private company that does mowing services and they were willing to come up and give the district a bid for their services if the board felt it was a benefit to find out from another source. This private contractor would do 28 mowing's per year and on the current district calendar there are only about 17 weeks. Albert hoped to have a quote for the next district meeting. Jeff suggested that the contract be reviewed on a yearly basis to see if the services being provided were worth what the district was paying out. Another positive of contact labor that Jeff mentioned was that the contract can be ended and changed at any time if the requirements of the contract were not being met.

Albert commented that even if a contract is agreed upon that the contractee must abide by the policies and procedures of the district whether they are an employee or subcontractor. Jeff expressed whether a contract is agreed upon or not the board still needs to oversee and be part of the structure of what is being done in the district. The district has always held that right even as part of the interlocal agreement that is signed. Jeff stated he was unaware of any time in the past when recommendations or changes by the district that were requested to the city were not done. The board will still be in charge of how they want to see things done and accomplished whether through employees or subcontractors. Jeff commented that the district will be able to tell the city or contractee how they want the area trimmed or mowed, etc.

Albert also stated that the policies and procedures will also keep everyone protected in regards to safety issues or concerns or liabilities.

Jeff informed the board that he had met with Scott Ball, city maintenance supervisor and Ted and Yumi Collins who are currently overseeing the work at the cemetery. One purpose of the meeting was to coordinate the using of the city Kawasaki Mule for general maintenance and spraying purposes at the cemetery. The Kawasaki Mule had been utilized extensively this year at the district. Jeff received information from a local pesticide expert and they said to spray the grounds within the next two weeks and that next week would be best. All of the grounds will be sprayed within the next week; weather permitting.

Jeff commented that there were some significant changes that need to be made to the Traveller family burial area. There are about 6-7 headstones that will have to be moved and reset. Sod will be laid at that time as well. The majority of the problems in this area were from a very wet spring combined with a very heavy tractor about three years ago and the area had never been repaired properly to this point. Kip helped to spearhead procedures after that

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incident to make sure they did not happen again. Weather permitting the area will be fixed this fall and if not this fall first thing in the spring.

Jeff asked the board if any of them were opposed to going to a contract pay scenario rather than the current hourly pay agreement. At this time the city council is in support of this type of agreement but wants to know the thoughts and concerns of the district board before they formally enter into any agreement.

Paul asked if the contract would be just for mowing and trimming or if that would be for burials as well? Jeff stated that it was for the grounds only. Jeff also thanked Albert for getting the man hours spent and recorded for the district to review. Jeff talked about maintenance for the current year and that due to a miscommunication that the hours worked at the cemetery were not enough and that the situation would be corrected moving forward. Jeff thought that certain employees were working for the district on set hours but that was not the case. By the time the communication issues were resolved it was August and the cemetery was in disrepair. Jeff commented that the contract was being based off of financial information gathered over the last three to four years.

The Mayor stated that grave openings/closings would not be feasible to include in the contract as they are such a variable as there are not something that can be planned for. There might be ten or zero and it would make no sense for the district or a contractor to set an amount when it is such an unknown and Paul agreed.

The Mayor stated that grounds keeping was more established of what needed to be done and Paul concurred as well.

Jeff expressed another concern of the lack of being able to keep people employed on a yearly basis and a contract would help to resolve that issue. As in the case of Richie Petersen, as soon as he was done last October he had to go and find other employment. Jeff called Richie in the spring of 2013 to see if there was still an interest to work for the district and he said there was but it was not feasible where he would work for the district for six months or so and then have to find other employment for six months. The city had struggled in the past with hiring full-time seasonal employees. Denise stated that the cemetery is not a full-time job and should not be thought of as one. Denise stated that since she had been involved there had not been anyone up there that did a decent job since Alwin Rawlins was there and he did the work on a part-time basis. Alwin maintained the cemetery for a few hours every day after his regular full-time job. Denise expressed frustration with not being able to find people to work at the cemetery on a part-time basis. Denise wanted to make sure that whoever is hired cares about the job and how the work is done.

Albert stated he was not aware of the agreement between the city and the district but had visited with Lynn Lemon about what other districts did. Lynn told Albert that many districts hired the board to do the maintenance of the cemetery. Albert stated he was not looking for employment but would help up there when needed.

Albert raised a concern that the current interlocal agreement allows for the city to decide the employees that work in the cemetery not the district. Jeff said that was his understanding as well as the understanding of Kip.

Albert read from the interlocal agreement that if the agreement was to be dissolved that it has to be done 60 days in advance of the end of the year by either party. Jeff asked Albert if he was planning on putting in a lot more time at the cemetery and Albert responded that yes he was. Jeff said he was not willing to spend more time than he was already spending there. Jeff expressed concern that the more the board becomes involved with the day to day operations the more time they will all have to spend at the cemetery. Albert said the intent of his comments was to make sure that all options were being considered by the board.

Denise asked Mayor Hall the process of determining who will be working at the cemetery. The Mayor stated that in the past that Kip helped with the hiring process, Albert sat in on the interviews for the new city parks worker as it was known that person would be working at the cemetery. Albert was part of the process in hiring Justin Gilbert. The Mayor stated that Kip specifically came to the city and stated that he did not want city employee Scott Ball working up there but that he did want Justin Gilbert working up there. The Mayor stated that he did not agree with the comments regarding Alwin Rawlins and the condition of the cemetery at that time. There were still the same types of issues then as now. Wayne Winn oversaw the cemetery and at that time they were paying out a lot of part-time wages as well. The Mayor stated that Alwin had used his family to help out on occasion as needed of which Albert agreed. The Mayor stated that both himself and Kip agreed that the majority of the time the cemetery was a

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mess and that it was not just the Richmond Cemetery but most small cemeteries in general. The Mayor also stated that the cemetery is such a vital part of the city that the Mayor and council get the calls when things are not going right. People will call the city office as well as the Mayor's house and the majority of the calls are negative. The Mayor expressed that it is in the best interest of both parties to have an agreement that works and the current interlocal agreement can be used as the framework for a new agreement. Mayor Hall stated the city is more than willing to work with the cemetery on who is working in the cemetery.

The hiring of Justin Gilbert was a joint effort between the city and cemetery district and it just did not work out. There had been very few hirings for any position in the last eight years for the city while Mayor Hall has been the mayor. Ted and Yumi Collins were hired by the city after Justin Gilbert left; they were hired on a seasonal basis. Richie Petersen was strictly a cemetery worker. Jeff wanted to clarify that in 2013 Ted and Yumi had only done watering in the cemetery and trimming upon request. Albert stated that the watering was an issue as well this year no matter who was doing it. Denise and Albert both agreed to move forward to resolve the issues and not look at what had previously been happening.

Jeff expressed the concern for getting the right people hired and that an agreement could be put in place between Ted and Yumi Collins, the cemetery district and the city for the balance of 2013 and for the year 2014 and then review at that time and see if the agreement is working for everyone involved. Get the agreement in place so they know and understand everything that needs to be done from burials, to basic maintenance. The Collins have requested to assist on a burial with Smithfield City to see if there are ways the process in Richmond can be improved.

Jeff stated that in the past that the district board had not been involved in the day to day dealings of the cemetery and he was hesitant to let the board come in and making sweeping changes when they had not really been involved in the past.

Jeff stated that in conversations with Kip about the past that most people thought things were okay up the district grounds when in fact they were not and that was why Kip choose to enter the district into an agreement with the city. Albert thought it was because of an issue with Alwin's son. The Mayor agreed that there was an issue with his son that led to him leaving but that was only part of the reason. Denise recalled that she was not aware of any issues until Alwin left the district and his son, Nick, took over. The Mayor stated that Alwin did not do anything wrong it was just a continuation of the past in hit and miss work coverage.

Ted and Yumi have overseen the city parks department for the summer and worked at the cemetery on occasion. Jeff expressed that in hindsight he should have had Ted and Yumi working at the cemetery first and assisting with the parks in the city second and more part-time people hired if needed. Jeff informed the board that in his opinion the city parks have never looked better and that is why he thinks the Collins can do the same thing in the cemetery. The little things like weeding and trimming had not been done in the past and were done this year without having to ask them to do so. Jeff stated to the board that he had more communication with the Collins in the last two weeks about what needed to be done at the cemetery than in his previous three years of working with people at the cemetery. Jeff stated that if the Collins could make the cemetery look like the city parks that was a home run for everyone involved. Jeff wants to hire someone that will take ownership in their workmanship and get the job done right. Denise expressed a concern that Ted and Yumi cannot focus enough time on both the city and the cemetery; they can only be in one place. Denise asked Jeff if they would have the time to maintain both the cemetery and the city parks at the same time? Jeff stated between them that would be 80 hours per week for both areas and the Mayor commented that would allow for significantly more hours than Alwin spent there.

The Mayor stated that the cemetery and city parks are in the same situation; both need a lot of manpower between April and October. The contract allows for overtime not needing to be paid and the contractee will basically be doing 12 months' worth of work in a 6-8 month window. Insurance would not be owed to a subcontractor as well. In the past; the city and cemetery district combined have paid with all of the various benefits around \$65,000 per year to the employees. The hope is with the contract that all of the work can be done for \$40,000 to \$45,000 per year but has not yet been finalized.

Denise asked what happens when the work does not get done? Jeff stated they would be fired and someone else hired. Denise then inquired how long do you let the work not getting done go before the contract is terminated?

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The Mayor stated to review on a year to year basis but that the contract can be terminated at any time. The Mayor stated he thought it was a better idea to go to the contract than the previous agreement which was a joint hire of Justin Gilbert. The Mayor stated that the entire time that Justin was employed that the cemetery grounds were in disrepair and that was not fixed until Richie was hired on a full-time seasonal basis in 2012. The Mayor informed the board that there was a couple of times in the last few years that the city was ready to make a change but after visiting with Kip they elected not to as Kip liked working with Justin Gilbert.

The Mayor informed the board that he meets with the city employees either once or twice per year for an employee interview and if the district wanted to keep employees that he would recommend they be part of the interview process in regards to the cemetery portion of their work schedule. If the workers are subcontractors then the contract is immediately terminated and a search is placed if the work is not being done properly.

Albert explained that the information he had acquired showed that Gordon Chase had quit working at the cemetery around the third week of August and there were still not any hours being spent up there. Then there is a big spike and it shows 114 hours of work at the cemetery. Albert expressed that at this time he is not confident in Ted and Yumi being able to do the job that is needed. Jeff asked Albert what his concerns are as he did not want them taking the blame for times they had not been there. Albert asked Jeff if he had informed Ted and Yumi they needed to be there more after Gordon quit and asked Jeff if he had done so. Jeff said he told them the week before their informal walk through of the cemetery whenever that was. Albert thought that Gordon had let Jeff know he was done working up there as he was going back to school and Jeff did not realize he was done working there but thought his hours needed to be adjusted. Albert asked Jeff what kind of information had been given to Ted and Yumi as they had been given one week to show what could be done after the informal cemetery walk through. Jeff stated he told them that the work needed to be done and Albert responded that it still did not look that great. Albert stated there was still a lot of trimming that needed to be completed between the headstones. Jeff stated that the Collins did not get three sections trimmed due to the rain and called him while he was at the league meetings and asked him what to do. Jeff said he was informed that the trimming was making more of a mess than accomplishing something because the grass was very long and was sticking to the graves because it was wet. Albert stated that if the trimmers that were in the district maintenance building were being used that he could understand why there were problems as the trimmers are not in good condition.

Albert suggested that an inventory of items be taken at the cemetery maintenance shop building. The equipment needs to be evaluated and checked over to see what can be used in the most efficient manner. Albert commented that different types of trimmer heads will allow for more or less control of where the grass is distributed when trimmed. Jeff stated that is another reason it is important to keep the board involved is for issues like this; he was not aware there were different types of heads available for the trimmers. Albert stated with the right type of trimmer head that trimming in the rain can be done without a problem.

Jeff stated that a decision needed to be made on whether to go with a contract or not as burials will still happen in the winter. If the current agreement stays in place the Collins will need to seek other employment which they have every right to do so if unemployed. Jeff expressed that he felt a lot better about having the Collins do the winter burials where they are familiar with them as opposed to hiring someone with no experience for the winter.

Denise stated she was willing to give the Collins a chance as discussed in this meeting it has been stated many times that there have been issues with the cemetery for many years. Denise stated she was in complete agreement with Albert that there needs to be a discussion regarding wear and tear on the equipment and proper maintenance. Denise commented that she would like to meet with the Collins to inform them of the expectations of the cemetery board as the Collins have been made aware by the city of the expectations of the city. Jeff agreed. Denise stated that there would not be a problem with the trimming if done on a consistent basis. The grounds must be mowed on a weekly basis. When cool and wet then the grounds will be mowed twice a week when hot and dry then maybe just once a week. The Mayor stated one of the reasons they had been successful in the work done for the city is that they have been given a punch list of items that must be done. The Mayor suggested that a weekly punch list of items be accounted for and Jeff, Albert and Denise agreed. Denise and Albert both liked the idea of having a daily list of what was accomplished and signed off on.

The Mayor also informed the board that the city has a very good small engine repair employee and that he is constantly working on city equipment and the district's equipment. Charles Chism has repaired the districts

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trimmers and mowers and saved the district significant expense as he is paid a small hourly wage for his service by the city. A repair facility would easily be over \$50 per hour and the equipment must be transported back and forth as well.

Albert stated he did not like the idea of the mowers being driven back and forth between the city parks and the cemetery. Denise asked if the city had a mower for the parks department? Mayor Hall and Jeff both stated yes. Denise wanted to know why the cemetery mower was being used on the city parks when the city has its own mower. Jeff stated that it allowed for two mowers to be utilized at the same time. The Mayor commented that the city mowers spent a lot more time at the cemetery than the cemetery mower did at the city parks. Albert commented that the majority of the time he is up there; there is either no mower or just the John Deere mower. Albert expressed his main concern was the extra wear and tear being put on the mower by driving it on the roads back and forth between the cemetery and the city parks. Albert also expressed a concern of liability by having the mower on the city roads. The Mayor suggested to the board that they tread lightly in this regard as it was not even close how much more and how many more times the city equipment is used at the cemetery than the cemetery equipment used at the city. The Kawasaki Mule that has been used by both Justin Gilbert and the Collins at the cemetery is 100% owned by the city and the city has not asked for anything in return. Albert wanted to know if the mower and Kawasaki Mule were necessary or just being used out of convenience. The Mayor stated that for example the city supplied the truck and trailer during the LDS youth night where they helped remove five loads of debris and it was hauled to the city pile. The city just has more equipment than the district and is allowing it to be used without issue. Albert also expressed concern that the mower is not being stored at the cemetery on a nightly basis and that in his opinion it should be stored there every night. Jeff commented that he did not think it made sense to take the equipment back and forth if it was going to be utilized the following morning in the same area. The city owns the Kawasaki Mule but sometimes it is stored at the cemetery for convenience and it does not make sense to take it back to the city maintenance shop to go back to the cemetery first thing the following morning. The Mayor stated that if it was an issue that certain equipment must be returned nightly then put it in the agreement; it is not a big issue. Mayor Hall stated that if there were issues with the use of the equipment or mowers; keep a log book of where the items are used and for how long.

Albert asked for some clarification on who is paying for the maintenance on the equipment? Jeff stated that the city and district each pay for maintenance. Albert expressed concern about having the necessary budgetary funds to pay for maintenance as the equipment was being used more than before. The Mayor reminded the board that the city had been performing all the maintenance in the past labor free and the district was just paying for the parts.

Albert commented that Ted told him that Yumi liked to use the mower with the smaller bags as they were easier for her to dump. Albert then stated that if you can accommodate something like that easily that was fine but that the worker must be able to work with the available equipment as well.

Jeff asked the board to consider if the extra wear and tear on one mower was worth more than all of the other equipment that is used at the cemetery and used by the district that belongs to the city. If the board believes so then they need to go another direction.

The Mayor suggested that if the board thinks there major investment is the mower and they don't want it allowed to be used in the city except with special permission from the board he was fine with that. Albert liked that idea. Denise stated she did not mind allowing the use of the equipment if there was a need for it but did not want to allow the use just for convenience purposes. Denise stated for example if the cemetery mower was being used on the city parks and a city mower was not being utilized at the same time then she would have issue with that but if both mowers were needed she was fine with the use being granted. Jeff mentioned that the city mower is always the preference to be used on the parks as it is twice as wide and twice as fast as the cemetery mower. Ted and Yumi need guidance of what is allowed and what is not allowed. They just need a clear set of rules. Albert and Denise both agreed to allow the use of the district equipment when needed but not for convenience purposes.

Albert stated to do a physical inventory the equipment of the cemetery district that it all needs to be in one spot. Albert asked where everything currently is located? Jeff stated that himself, the Mayor, Ted and Yumi all had the same question. What is the cities and what is the districts. Jeff informed the board that the trimmer that is being used by the cemetery is actually owned by the city no the district. Albert stated he was willing to go in and do a physical inventory. Everyone was in agreement that the old inventory list was out of date and that most likely most

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of the listed items were no longer in service. The air compressor has not worked for years and the district has been allowed to use the city compressor as needed. Albert asked Paul if he was willing to help with the physical inventory and he stated that he was. Albert also suggested that the condition of each item be listed as well on the inventory list.

The Mayor suggested that later in the fall when it is not feasible to work on the grounds that the Collins go in and clean and organize the shed. Pegboard could be installed, etc. Right now most of the items are just sitting on the ground. Albert commented he found a light in the office but was wondering if there was a light in the shop? Jeff stated there was a light in the shop but there are some issues with the lighting.

Jeff stated one of the advantages of a contract is that it is based on a 12-month schedule and that will allow for the district and city to keep people around. Traditionally, in the past the part-time workers are let go and no maintenance or cleaning has been done until the following spring and then it is time to work on the grounds.

Jeff liked the policy that Kip had implemented a couple of years ago where at the end of the year all of the mowers are taken down to the city shop and city employee, Charles Chism, has gone through and performed maintenance on all of them. Charles can also maintain the trimmers and in the past the city has not had anyone with trimmer repair and maintenance expertise.

Jeff stated that having the board more involved will also allow more items to be reviewed and kept in check throughout the year.

Albert said he would like to move forward with the Standard Operating Procedures (SOP) agreement but wanted something in writing to discuss with the Collins before the agreement was finalized. Ted had also made this request according to Jeff and Ted and Yumi are looking forward to meeting the board. Albert asked for a date that the contract could be implemented and Jeff suggested at the next meeting which is October 7<sup>th</sup>. Jeff asked if possible to give a copy to Ted and Yumi to review and receive their input as well. Albert stated that there will be a list of expected items that cannot be removed and that Ted and Yumi are welcome to comment on how to improve the process.

Jeff stated he would like to see a written procedure for burials and Albert stated that there is not one. Albert hoped to have a draft of the procedures for burials by the October 7<sup>th</sup> meeting. The Mayor stated that until information is gathered in regards to insurance and a subcontractor being allowed to use the city backhoes the procedure could not be determined if the work would be done by the city or the subcontractor. Jeff stated that there needs to be a lot of input and coordination of the burials in the future as there had been issues there in the past. Albert would like to get some pictures to include with the procedures as well.

Jeff stated that Justin would be coordinating with Smithfield City allowing the Collins to participate in a burial to see how everything is done from measuring to digging. Albert and Denise stated they would like to attend if possible as well.

Denise stated she was fine with making an agreement with the Collins but wanted to know where Gordon Chase fell in this new proposal? Jeff said that in the past when people took ownership and wanted to do things a certain way that they struggled to get along with Gordon as he wanted to do things a different way. Denise asked if there was an agreement in place with Gordon? Albert stated there was not. Albert stated when talking to Gordon that he admitted he had not done the trimming as best as it could have been done this year. Gordon expressed frustration to Albert that in his limited time he had available to help that either the mower was broken or being used at the city parks. Denise asked if it was feasible to have Ted and Yumi do the work and if they needed help they could contact Gordon for help? Jeff mentioned he had visited with Gordon about his thoughts of being able to work with someone that was overseeing the cemetery full-time and they would tell Gordon where they needed help when he was available and Gordon stated he did not think that would work out. Jeff stated that he mentioned to Gordon he would be in touch in the spring of 2014 to see if he had an interest and he stated that he would be okay with that and could make a decision at that time if he wanted to help. Jeff also commented that he was figuring in mowing time for Gordon in his budget estimates.

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The proposal that Jeff wanted the board to consider was a base pay of \$40,000 per year and a contingency of \$5,000 per year. The district would then know exactly what they are paying and there would not be any overtime issues. The \$5,000 would be held in reserve and if the contractee needed additional help the cost of that help would be deducted from the \$5,000. Jeff expressed concern that currently the city and district were paying \$65,000 per year for the work and cutting that to \$40,000 per year would be very tough and that \$45,000 seemed to be more fair. Denise wanted to clarify that the proposal would be for \$40,000 for the contract with a bonus/incentive of up to \$5,000 and any additional labor needed to help them with their duties would be deducted from the \$5,000? Jeff said that was correct. Denise said that it should only be paid if the work is done well. Jeff agreed, the city and cemetery board will both discuss that with them.

Albert asked if the contract would start at the start of the year (2014) and finish out this year on the current hourly basis? Albert expressed a concern that if the agreement was entered into now and the contractee got paid over the winter months that they could quit in the spring and the city and cemetery would have not got anything for their money. Jeff stated that was a possibility and a chance all parties would take but the offset is that they will be gone if the contract is not implemented now as they need funds throughout the winter. Denise was confused if the agreement was for a year and that if the agreement started on November 1, 2013 that they would have to be paid through November 1, 2014. Jeff, Mayor Hall and Albert said no. Albert was concerned that they would collect a check throughout the winter and could possibly leave in the spring and wanted to know if something could be written in the contract to cover an issue like this? Albert then asked if something could be written in the contract that the contractee needs to work "X" amount of hours to be paid and if not then they owed the money back to the district? Jeff expressed concern that if we were requiring hundreds of hours of work in the summer that we should not be able to require minimal time in the winter. Albert stated he realized they would not work 40 hours per week in the winter but there needs to be something in there to protect both the city and the district. The Mayor stated that if this conversation happened in May there would not be an issue as the work would have been done before the payments now where it is being implemented late some of the payment is happening before the work is completed. Albert inquired if Yumi still had an employment position elsewhere? Jeff informed the board that she had quit that position when this position became available. Jeff informed the board that Ted and Yumi approached him regarding the contract and if one had been considered in the past. Jeff stated that it had not been reviewed in the past and at that point he took it to the council for review as well as the district. The Mayor stated that something could be written in the contract that if they don't work "X" amount of months then they would owe a certain amount back to the city. The Mayor also stated that maybe the first contract is an 18 month or so contract to get the timing to coincide with April to April or so and Albert, Denise and Jeff agreed.

Paul asked if in the non-working months in the parks and cemetery if they will be able to help with snow removal, burials and keeping the buildings tidy? Both the Mayor and Jeff stated that was correct. The hours in the winter months would be more city related other than for burials and snow removal in the cemetery. The Mayor stated that the extra \$5,000 would probably be more city involved as they would be using the Collins on an on-call basis in the winter based on snow storms and snow accumulation. The Mayor said that the Collins would be used for cleaning purposes heavily from approximately Thanksgiving through New Years as the community building and Black & White Days building are booked almost every night for parties.

Denise asked if there were any voting motions required and Jeff stated the information tonight was for gathering purposes and that the items for vote would be at the October meeting. The Mayor asked that the information be completed by then as the city does not want to consider the agreement if the cemetery district is not on board with it. Albert asked who would be paid; one person or two people? The Mayor stated that would be up to the Collins but there would only be one check issued by the city monthly and they could formalize a business and pay that business or whatever they wanted to do for their own tax situation.

The city and district need to have better communication to make sure all items are being accomplished and done the way the board wants them done according to Mayor Hall. Jeff stated that the Collins need to be setup to succeed in the agreement and not set to fail. Not having written procedures in the past has been an issue.

Albert volunteered to help the city write written procedures as well if it would be helpful. Jeff stated it would really help out the parks department.

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Denise asked Jeff to have the Collins attend the October 7<sup>th</sup> meeting at 6:00 P.M. to be introduced to the board and have questions answered.

\*\*\*A motion to adjourn at 8:42 P.M. was made by Albert, seconded by Denise and the vote was unanimous.\*\*\*

**RICHMOND CEMETERY MAINTENANCE DISTRICT**

/s/ Jeff Young

Jeff Young, Chairman

**ATTEST:**

/s/ Justin Lewis

Justin B. Lewis, City Recorder