

**TOWN OF SOUTH PRAIRIE  
RECESSED COUNCIL MEETING  
TUESDAY, MAY 10, 2011, 7:00 PM  
South Prairie Town Hall  
121 NW Washington Street**

*The following is a condensation of the proceedings and is not a verbatim transcript.*

**CALL TO ORDER:**

**Mayor Peggy Levesque** called to order and presided over the Recessed Council Meeting of May 10, 2011, at 7:03 PM, at the South Prairie Town Hall located at 121 NW Washington Street, South Prairie, Washington.

**ROLL CALL:**

**Council Members:** Laura Heideman, Gerald Boures, Mathieu Cameron, Karen Shell and Tony Caldwell were present.

**Also in attendance:** Judy Tremblay, Deputy Clerk-Treasurer; and Marla Nevill, Clerk/Treasurer

**FLAG SALUTE:**

**Mayor Peggy Levesque** requested everyone stand for the "Pledge of Allegiance."

**REVIEW AND APPROVAL OF AGENDA FOR MAY 10, 2011:**

- ❖ **Councilor Karen Shell** moved to approve the Agenda for May 10, 2011. **Councilor Laura Heideman** seconded the motion. **Mayor Peggy Levesque** requested the following amendment to the Agenda: 1) Add Corrected Bills Amount after Approval of Minutes. **Councilor Karen Shell** moved to approve the Agenda for May 10, 2011 with the amendment. **Councilor Laura Heideman** seconded the amended motion. **Motion carried unanimously.**

**APPROVAL OF REGULAR COUNCIL MEETING MINUTES OF MAY 3, 2011:**

- ❖ **Councilor Laura Heideman** moved to approve the Regular Council Meeting Minutes of May 3, 2011. **Councilor Karen Shell** seconded the motion. It was requested to amend the Mayor's Report to read as follows: ". . . Larry met with Nihat Dogan," not Tony Caldwell. **Councilor Laura Heideman** moved to approve the amended motion. **Councilor Karen Shell** seconded the amended motion. **Motion carried unanimously.**

**APPROVAL TO AMEND APRIL BILLS AMOUNT TOTAL TO \$35,247.02:**

- ❖ **Councilor Karen Shell** moved to amend the Bills amount total for April 2011 to \$35,247.02 (thirty-five thousand two hundred forty-seven dollars and two cents). **Councilor Laura Heideman** seconded the motion. **Motion carried unanimously.**

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

- 1) **Resolution No. 312 – Approving the Terms of the Attached Settlement Agreement for Disputed Claims:**
  - ❖ **Councilor Laura Heideman** moved to approve Resolution No. 312, which approves the terms of the attached Settlement Agreement for disputed claims. **Councilor Gerald Boures** seconded the motion.

**Councilor Tony Caldwell** said basically we lose no matter which way we go. He said it was requested that the Legislature change the law; but if they do not change the law, we are back to square one. He would like to see an alternative plan included in the agreement. He said this could get very costly. He was unsure about the surcharge and said it would probably double the payments. **Judy Tremblay** stated concerns about certain aspects of the agreement, wherein the Town could also be required to pay additional interest and penalties. Discussion followed. **Judy Tremblay** stated with the surcharge, payments could double within a ten-year period. **Mayor Peggy Levesque** said we have negotiated with LIUNA and the Union; and basically setting up the separate account buys us a year. **Judy Tremblay** asked if this is the most appropriate thing to be doing. **Councilor Tony Caldwell** stated he is also concerned for the employees. **Councilor Mathieu Cameron** asked if we needed to negotiate a new contract. **Mayor Peggy Levesque** said yes. **Councilor Laura Heideman** requested to call the Town Attorney. **Judy Tremblay** stated she had concerns with Item #4 of the Settlement Agreement. **Councilor Mathieu Cameron** requested the name of the Auditor and stated we might have to request a legal opinion from the Attorney General. **Mayor Peggy Levesque** said if the legislature does not approve the amendment to the law; the Town would have to request a legal opinion from the Attorney General. **Councilor Karen Shell** said going back to what Judy said and what the Auditor said, we need some type of agreement. **Mayor Peggy Levesque** said it would be negotiated at a later date. She asked if the Council would like to speak to the Town Attorney. She said Judy has some questions for the Town Attorney. **Judy Tremblay** addressed her concerns to the Town Attorney, via phone conference, and was informed that nothing in the agreement could be changed. The Town attorney also stated the agreement would be null and void after one year. She also stated the PERC hearing would be postponed, which saves the Town the cost of the attorney fees. **Councilor Laura Heideman** stated this agreement would be the least cost to the Town. Discussion followed. **Councilor Gerald Boures** called for the question. **Marla Nevill** stated a roll-call vote was requested. **Councilor Laura Heideman – Aye, Councilor Gerald Boures – Aye, Councilor Karen Shell – Abstain, Councilor Mathieu Cameron – Aye, Councilor Tony Caldwell – Nay. Motion carried.**

**2) Resolution No. 313 – Establishing a Separate Fund and Authorizing the Establishment of an Associated Bank Account:**

- ❖ **Councilor Laura Heideman** moved to approve Resolution No. 313, which establishes a separate Fund and authorizes the establishment of an associated bank account. **Councilor Gerald Boures** seconded the motion. **Councilor Laura Heideman – Aye, Councilor Gerald Boures – Aye, Councilor Tony Caldwell – Nay, Councilor Karen Shell – Abstain, Councilor Mathieu Cameron – Aye. Motion carries.**

**CITIZENS' COMMENTS:**

None

**MAYOR'S REPORT:**

None

**PUBLIC WORKS' REPORT:**

**Councilor Tony Caldwell** requested Council approval to replace sewer lid with a traffic-rated lid at 210 SW First Street.

- ❖ **Councilor Karen Shell** moved to approved replacement of the sewer lid with a traffic-rated lid at 210 SW First Street. **Councilor Laura Heideman** seconded the motion. Discussion ensued. **Councilor Karen Shell** moved to withdraw her motion. It was requested that a letter be sent to the property owner.

**CLERK'S REPORT:**

**Marla Nevill** stated Natori S. Farms, 302 SW Third Street, submitted an application for a Liquor License. Discussion followed. **Mayor Peggy Levesque** suggested turning this over to Mart Kask, Code Enforcement Officer.

- ❖ **Councilor Tony Caldwell** moved to turn this issue over to Mart Kask. **Councilor Karen Shell** seconded the motion. **Motion carried unanimously**

**COUNCIL MEMBERS REPORT:**

None

**ADJOURNMENT:**

- ❖ At 8:05 PM, **Councilor Laura Heideman** moved to adjourn. **Councilor Tony Caldwell** seconded the motion. **Motion carried unanimously.**

**Date Approved: June 7, 2011**