



**TOWN COUNCIL MEETING MINUTES
OF SPECIAL MEETING**

February 23, 2011, 7 pm

Taylor Town Hall

425 Paper Mill Road, Taylor, AZ 85939

SPECIAL TOWN COUNCIL MEETING

CALL TO ORDER: By Mayor Debbie Tuckfield at 7:12

ROLL CALL: Mayor Debbie Tuckfield, Vice Jordy Fuentes, Councilman Mark Reed, Councilwoman Jane Lee, Councilman Jared Hatch, Councilman Jay Whipple, Councilman Robin Palmer

Note: *Councilman Jay Whipple was excused during the proceedings*

Visitors present: "See List"

Staff: Manager Eric Duthie, Clerk Kelly Jones, Engineer Stu Spaulding, Finance Director Gus Lundberg

Attorney: Sterling Solomon present

PLEDGE OF ALLEGIANCE: Led by Councilman Mark Reed

INVOCATION: Offered by Vice Mayor Jordy Fuentes

ACTION ITEMS

- 1. Discussion/Action: The Town Council may adjourn into executive session to discuss renewal of the Town Manager employment agreement in accordance with A.R.S. 38-431-03 A (1) and A (5).
Mayor Tuckfield**

Mayor Tuckfield read aloud a letter written and endorsed by the the Mayors of Arizona, including herself, pledging their commitment to restore civility to our communities and the Nation after the shooting in Tucson, Arizona on January 8, 2011.

Mayor Tuckfield expressed appreciation to all who came to the meeting tonight adding that we all need to respect the opinion of others. She said the public will be permitted to speak and each individual will be allowed three minutes.

Manager Eric Duthie stated he appreciates a forum like this to address the gossip, stories and lies in public and to get the record straight on his employment as the Town Manager of the Town of Taylor. He added that he and the Council have been attacked and he finds it interesting how people who do not know him or who have not talked to him are questioning him. He said he is looking forward to the opportunity to answer questions in public and waives his right to address renewal of his contract in Executive Session.

- 2. Discussion/Action: Renewal of Town Manager employment agreement.
Mayor Tuckfield**

Eric gave some background on his contract stating that the Council has a time limit to notify him of their intent of his employment for the following year. An evaluation survey put out by the

International City Managers Association (ICMA) is to be completed by February 1st each year, returned and then a meeting held to discuss renewal of the contract.

Sterling said this is an issue of the contract which will be renewed automatically if the manager does not receive written notice from the Council by March 1st. He said that the results of the survey have not been released since it has not been completed by certain individuals who were asked to participate.

The floor was opened for questions, concerns and/or comments from members of the Taylor Town Council.

Councilman Mark Reed: What are Mr. Duthie's ambitions and his intentions to stay in Taylor? Is he actively seeking other employment that may take him away during his term?

Mr. Duthie: His ambition is to do the best where ever he is. He and his family enjoy it here but it has been difficult facing the stories and there is disappointment in some in the community. He has had job offers he has turned down and will look at other offers if he is interested. There are things here he wants to accomplish but he does not know what the future holds so he cannot make a guarantee. He asked if the Council renews his contract, can they make the commitment that he will stay, neither he nor the Town of Taylor can say. That is the nature of this business.

Councilman Jared Hatch: As far as last year we discussed some feelings and concerns and all made a commitment to do better as far as the Council and Mr. Duthie went. Has Eric's performance improved, stayed the same or gotten worse? He has seen better contact Eric answers his calls, does what is asked and follows up. The Council finds out more of what is going on than we have in the past, there is improvement.

Mayor Debbie Tuckfield: As far as management goes, she complements him as he has tackled some issues directed to water resources as a priority which is good. There have been some issues she and Eric have discussed that pertain to his role as manager which he has smoothed out but she does not feel like he was upfront. How does he feel his relationship is with the office workers and the Public Works Department?

Mr. Duthie: His relationship with the Council is solid. He is not aware of any issues with staff and thinks everything is fine.

Vice Mayor Jordy Fuentes: Last year was a good year for him and Eric. They have worked out any battles they have had in the past. They have a much better relationship but there are still some issues. His impression is he feels the Council gets directed information, what he wants them to hear. There are damaged relationships as far as members of the community go. There have been some lies and some misinformation, this is a big deal. He appreciates some of things we are doing. At the work session held last year priorities were made and Eric has worked well on major town problems and other things as perception of town employees. Misinformed people are saying things and it is our job to get the real facts and the truth. This has not been addressed very well.

Councilman Jay Whipple: He was Mayor when Eric was hired. During the interview process there

were things addressed he questioned. 1) Employee Evaluations. 2) The town agreed to pay for some classes since Eric felt he lacked education for the job as town manager. 3) Eric agreed to move to Taylor within 6 months. He has had this opportunity but it was not pursued. There are rentals he could find in Taylor and this is something they did agree to and he feels it is important. There has been lots of division with the consolidation, public perception by the Town Manager is important and he feels it needs to be worked on. 4) He has not seen Eric's vehicle at the Town Hall much even though he goes by 3 – 5 times per day. People don't have access to him if he is not here. He feels this is important to work on as they are evaluating him. Travel expenses are a concern, we are in an economy down turn, everyone else is tightening and we need to cut expenses. There are meetings that could be cut out.

Mr. Duthie: (response to Councilman Whipple) 1) Formal employee evaluations has not been followed up on. 2) In the first contract the Town of Taylor would pay half of the tuition cost per hour, this was not taken care of due to the hours spent working, 50 to 60 per week. He has in the past year taken classes through Northland Pioneer College. This was removed from the contract since it was not being utilized. 3) Eric owned a home in St. Johns and was allowed by the Council to travel until the home sold. When it sold he briefly moved into a home in Taylor but received an offer to live in a larger home at a lower cost in Snowflake while the owners were gone for 18 months. The owners returned during the consolidation debate and Eric discussed moving back to Taylor with several Council members. Some felt it would be good for him to stay in Snowflake while others felt he should be in Taylor. He received another good offer in Snowflake and took it. He has concerns about investing in a home in Taylor knowing that things could be up in the air in a hurry. He would accept an offer for a rental in Taylor if it was as good as the one he now has in Snowflake. He felt it was in his best interest to go to work and not have to be approached by people who wanted discussion or to debate at church or other events. 4) All travel is documented. In the last year he has traveled to the capitol with issues at the direction of the Council. Eric and other staff are traveling on water issues to represent and protect the town. We are the only rural community at the table on this issue. Overnight travel for most things is gone, he and/or other staff are attending meetings but leaving early and return the same day. After he was hired the new Mayor and Vice Mayor came to him and said they expected him to sit on committees in the area and asked him to attend in their place. They said if we are not at the table we don't have a say and our representation is needed.

Councilwoman Jane Lee: From the strategic planning standpoint Eric has done what he has been direct to do and she appreciates the information he gets to them. She has learned more in the last four years that has come from Eric and she appreciates that. The new Mayor after Eric was hired had said he could not handle all meetings so he assigned staff to attend.

Councilman Robin Palmer: He has had a chance to work with Eric for four years. Two years ago he got more active and knows more and from his personal perspective when he has needed help Eric has always been there. If things are out of proportion direction needs to be given. He has had Eric's help and expertise on other committees he serves on.

Mayor Tuckfield asked Eric if he is open to public comments. Eric replied that he welcomes the opportunity.

Mayor Tuckfield stated that if remarks are out of hand individuals will be asked to sit down. They

will be allowed three minutes per person.

Gary Solomon: Candidate for Town Council questioned a clause in the Town Managers contract on the 30 day procurement. He asked for clarification on some of the directions that have not been followed and for clarifications regarding the evaluations of the manager. He has been in attendance of evaluations and some have been good for our manager and some have not. He has talked to the manager several times some on friendly terms and some not so friendly. The manager has indicated that he has been moved around a lot and they do hear things about his following and if they are repeated they feel they either have received bad information or they had good information. He recognized the Council's great responsibility in this matter and asked them to please keep in mind that they only want to do the right thing for Taylor.

Attorney Sterling Solomon: (in response to Gary Solomon) Either the town or the manager can terminate the contract by breach followed by 30 days to fix the breach, if not the next step is legal action. The performance valuation (survey) is to be completed by February 1st each year. The Council started the process in early December which is not yet complete because we are waiting on comments from three people who are not associated with the Council, town staff or Mr. Duthie.

Mr. Duthie: The evaluation is performance based and up to 25 individuals are asked to participate. They are broken into four groups of five, 2 groups of Council, one group of peers, one group of staff, and one group of others. They have to be agreed upon by himself and the Council. The ICMA e-mails the 120 question survey and when returned they do the stats, analysis and rating. This guarantees an objective view. The fact that he has moved around a lot has been by his choice and no one has asked him about his history.

Ray Cox: Addressed the demeanor policy and asked if the Council knows where the 2009 Manager Contract is. He questioned Eric on what the Council's involvement is with the Taylor and Snowflake Little League's consolidating and what the monetary gain is of the two Council's combined on this. Did they take into consideration when they joined the Little League's that it would reduce the number of All Stars. He asked if joining the Little Leagues was done for finances and requested that the record show that this the first time he has address the Council in a public meeting.

Vice Mayor Jordy Fuentes: (in response to Ray Cox) The demeanor policy was put in place by Mayor Tuckfield and himself and Mr. Duthie was not involved. He is on the Board of the Silver Creek Little League and Mr. Duthie has nothing to do with the joining of the two Little Leagues. Each town has had inactive boards for the past several years. The boards met from both Taylor and Snowflake Little Leagues in December they both agreed to this unanimously. There are not enough people to run each league but if they combine their efforts they could do so. There is no monetary gain for either town in this matter and they have no involvement. By combining you have the opportunity for kids in Taylor and Snowflake to compete and our kids will be able to win and move forward to help with high school.

Mayor Tuckfield: (in response to Ray Cox) In the past years the Little League was subsidized by the town but they did not have any control.

Councilman Mark Reed: (regarding the demeanor policy) Since the consolidation vote every time someone is at the Council meetings for “Call to the Public” the Council has moved this item to the front and the agenda and no one has been turned away.

Brian Birtcher: Worked for two years with Eric when he was on the Council. He feels direction given to Eric was completed. His character is being assassinated.

Shirley Hatch: Is not real sure Eric’s contract should be renewed. Her own personal feelings are that there are things she has seen since he was hired, along with Taylor and Snowflake to consolidate. When Mr. Duthie and Mr. Watson (Snowflake’s Manager) proceeded to go to the county to contact them to get the consolidation done she was amazed at the Council she voted for. She felt they would stand up for Taylor. She does not know if she respects Mr. Duthie’s integrity. He is here for the money and she hopes when they make the decision they will think seriously. He has been looking for other jobs, we don’t have certain traditions like the Christmas Tree anymore, the Rodeo Grounds has been taken over by Snowflake and he has not done anything to help Taylor grow. When asked she stated she has not spoken with Mr. Duthie. Their group has been called names and referred to as liars but she thanked God they have protected their town. Shirley will come in and meet with Eric and she stated she will bring a witness.

Mr. Duthie: (in response to Shirley Hatch) Asked Shirley if she has ever talked to him about consolidation. The consolidation did not come from him and he did not go to the county regarding consolidation. He has been accused of rigging elections and the Christmas Tree was no longer in effect when he was hired in 2007, he was not aware of it. He never made public comments regarding consolidation, it was not appropriate for him to take sides, this needs to be handled by the voters. He was dispatched by the Council to work with the Consolidation Committee.

Vice Mayor Jordy Fuentes: (in response to Shirley Hatch) Sits on the Special Events Committee and in no way shape or form has Snowflake taken over the rodeo grounds. Snowflake does nothing without Taylor’s permission and they pay a rental for use of the rodeo grounds.

Gary Solomon: Talked to the County Supervisors and was told Eric and Paul Watson talked to them.

Mayor Tuckfield: The Council was not involved with this but Mr. Duthie was directed by the Council to get with the County and State to find out about the incorporation of two towns as this was unknown territory. Mr. Duthie was under Council direction.

Attorney Sterling Solomon: Informed the Council if they choose not to renew the contract since it automatically renews they need to note they won’t renew ending June 30th. If they choose to renew they can make a motion to renew and can discuss terms at a later date. Sterling said the Council can add a month to the contract if they want more time as long as Mr. Duthie agrees and wait until the evaluation comes in to make their vote.

A motion was made by Councilman Robin Palmer, seconded by Councilwoman Jane Lee To approve the contract for the Taylor Town Manager, Eric Duthie for the next year “yes” votes from Councilman Robin Palmer, Councilwoman Jane Lee, Councilman Jared Hatch and Councilman Mark Reed

<p>“No” votes from Mayor Debbie Tuckfield and Vice Mayor Jordy Fuentes The motion carried (4-2)</p>	
<p>ADJOURNMENT:</p> <p>A motion was made by Vice Mayor Jordy Fuentes, seconded by Mayor Debbie Tuckfield To adjourn the meeting The vote was unanimous (9:28)</p>	

I hereby certify that the foregoing minutes are a true and correct copy of the Taylor Town Council Special Meeting held on the 23rd day of February, 2011. I further certify that the meeting was duly called to order and that a quorum was present.

Dated this 24th day of February, 2011

Kelly Jones
Town Clerk
Town of Taylor