

**TOWN OF VASS
BOARD OF COMMISSIONER
SPECIAL MEETING
March 23, 2015**

The meeting was called to order by Mayor Callahan at 5:30 p.m. Commissioners in attendance were Blackwell, Bridgers, Callahan, Kellis and Kosem.

The purpose of the Special Meeting was to discuss the performance of the contract for tree and brush trimming with the contractor Dave's Tree Service represented by Caleb Swope because Street Commissioner Blackwell did not feel he had fulfilled his obligation as to the contract.

Mayor Callahan asked Mr. Swope to explain how he felt he had fulfilled his obligation under the contract that the town had accepted. He explained that the contract says "The bid includes a 13' clearance over asphalt, trimming or removing trees, shrubs, or limbs for mowing accessibility." Town Maintenance Tech., Andy Layton, said that when he went around with Mr. Swope before he bid the job he explained that he would like the trees and shrubs cut back to the ditch for mowing. Mr. Swope said he assumed he meant mowing with a lawnmower and not a tractor and bush hog. There was considerable discussion as to the fact that apparently there was a different interpretation as to what "mowing" meant.

Commissioner Callahan said he had driven around and looked at the work and he had a problem with W. Maple on the side opposite of where the pine trees were cut and removed. He said that area was not touched. Andy Layton said that when he went around with Mr. Swope again he pointed out a limb on Lincoln Ave. that needed to be cut and the left hand side of Robinson Lane had not been touched. Mr. Swope agreed those were areas he needed to finish.

Mayor Callahan asked Mr. Swope how much he thought it would cost to go back over the streets and cut back to the ditch so that Andy could cut with the tractor and bush hog without getting hit by tree limbs. Mr. Swope said an additional \$1,000. Commissioner Blackwell said we had another quote that would have included this in the quote for all streets for \$5,000.

Commissioner Kellis made a motion that we approve another contract for \$1,000 to cut the trees to a height of 13' and remove other brush to the ditch line on all streets listed in the original contract with the understanding that Mr. Swope would also finish up the areas on Lincoln, Robinson Lane and W. Maple that were in the original contract. Commissioner Bridgers felt that we did not need to spend an additional \$1,000 and that we should just let him finish the areas that were included in the original contract. After considerable discussion, a vote was taken on Commissioner Kellis' motion and it passed 3 to 2 with Commissioners Bridgers and Blackwell opposed.

Mr. Swope said he would send another contract outlining what was to be done for the additional price. Andy was to review the contract and go over it with Mr. Swope before the contract was approved by the Finance Officer and before any work was to be started. Also Andy would see

that the work performed was according to the new contract and give approval for payment to the Finance Officer.

Mr. Swope than stated he felt he need to be paid for the work he had already performed. He asked for the \$4501 in the original contract and to withhold the \$287 that was in the added contract regarding trimming the junipers at the railroad bridge until he completed the work on Lincoln, Robinson and W. Maple. Board members agreed to that payment.

Adjournment

Commissioner Bridgers made a motion to adjourn at 6:10 p.m. Motion carried unanimously.

Henry E. Callahan, Mayor

Josephine Smith, CMC
Deputy Clerk