

COLLBRAN BOARD OF TRUSTEES MEETING

Tuesday, January 8, 2008

REGULAR MEETING
7:30 p.m. Collbran Town Hall

The regular meeting of the Collbran Board of Trustees was called to order at 7:30 p.m. by Mayor Frank Jones. The Pledge of Allegiance was recited.

PRESENT ON ROLL CALL: Yes - Trustees Ed Satterfield, David Schuman, Rich Sharples, Roland Hall, Lee Lent, Rachel Maigatter, Mayor Frank Jones

OTHERS PRESENT: Edith Ann Power, Manager/Clerk; Jim Neu, Town Attorney; Adam Appelhanz, Marshal; Joe Fox, Public Works; Vic Sturm, Land Use; Mike Wilkerson, Deputy Marshal; Kris Melnikoff

CONSENT AGENDA

MINUTES: *December 4, 2007 Regular Meeting; December 12, 2007 Special Meeting*

Trustee Schuman moved to approve the minutes of the December 4, 2007 Regular Meeting and the December 12, 2007 Special Meeting as presented; seconded by Trustee Lent

ROLL CALL: Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

BILLS AND EXPENDITURES

Manager Power noted that expenditures for December but not billed until January will be noted at the next meeting as expenditures of December 31, 2007. Trustee Maigatter questioned the Companion dental and vision benefit expenditure which was discussed with the Board in relation to the Budget. The discussions and motions for approving the budget at the budget hearing were restated. Trustee Maigatter had questioned the benefits; however, Trustee Satterfield moved to approve the budget as is. The only amendment to the budget was to approve a 5% salary increase immediately with a remaining 20% amount to be reserved for salary increases in the future. The decision by Manager Power to go forward with the dental and vision benefit was based on the discussion, approval, and the amendment to the budget.

Trustee Maigatter asked why bills and expenditures are not published and stated per C.R.S. 31-22-01 publication is required quarterly. Staff stated they would do what is necessary to comply. Manager Power explained the CCOERA disbursement for the Trustee stipends.

Trustee Maigatter moved to approve the bills and expenditures excluding the dental and vision; seconded by Trustee Hall

Trustee Sharples questioned if a penalty would be assessed if the employees are required to cancel the coverage. Manager Power explained it was a very reasonable cost with adequate coverage for a small group. Trustee Lent suggested the employees pay the total cost.

ROLL CALL: Yes - Hall, Lent, Maigatter

No - Jones, Satterfield, Schuman, Sharples

Motion failed

Trustee Sharples moved to approve the bills and expenditures as presented with more clarification on dental and vision; seconded by Trustee Schuman

ROLL CALL: Yes - Hall, Jones, Satterfield, Schuman, Sharples

No – Lent, Maigatter

CITIZEN COMMENT

Gene Striklan, Anna Lopez, and Dick Stites spoke. Marshal Appelhanz explained to Doris Auchenbach the tagged vehicle on her street will be towed as soon as the towing company is available. Mike Ralston suggested workshops be published in the local newspaper.

ITEMS ON THE AGENDA

DCP PRESENTATION – GAS PIPELINE INSTALLATION

Representatives from DCP Mainstream spoke concerning the proposed natural gas pipeline to be constructed on the north side of the valley. Max Hall, project manager, displayed maps showing the proposed 12 miles of a 24-inch pipeline and discussed the proposed timeline from mid summer to end of year. This pipeline will be built on the north side of the Town's raw water source. DCP will proceed with the required permitting process which the Town can monitor with regard to the springs property.

APPOINT MAYOR PRO TEM

Trustee Lent moved to appoint Roland Hall to serve as Mayor Pro Tem; seconded by Trustee Maigatter

ROLL CALL: Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

APPROVE AUDITOR CONTRACT

Staff had received proposals from other auditing firms. Jeff Wendland presented a very competitive bid and had experience working with small municipalities. It would be preferable to work with one auditing firm for at least three years.

Trustee Lent moved to accept the audit proposal from Jeff Wendland, CPA for year ending December 31, 2007, not to exceed \$12,000; seconded by Trustee Satterfield

Manager Power is authorized to execute the contract.

ROLL CALL: Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

PUBLIC HEARING

DELINQUENT WATER/SEWER ACCOUNTS

Public Hearing was canceled as all delinquent accounts were paid in full prior to the meeting.

APPROVE RESOLUTION NO. 1, SERIES OF 2008

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF COLLBRAN, COLORADO REITERATING A REGULAR TIME AND DATE FOR THE REGULAR MEETING OF THE BOARD OF TRUSTEES AND A PERMANENT PLACE OF NOTICE

Trustee Sharples moved to approve Resolution No. 1, Series of 2008; seconded by Trustee Schuman

ROLL CALL: Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

APPROVE RESOLUTION NO. 2, SERIES OF 2008

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF COLLBRAN AUTHORIZING THE USE OF MAIL BALLOTS FOR THE REGULAR MUNICIPAL ELECTION SCHEDULED FOR APRIL 1, 2008, AND DELEGATING AUTHORITY TO APPOINT JUDGES FOR THE ELECTION

The April election will include a lodging tax, publishing ordinances and resolutions by title only, and election of Trustees and Mayor.

Trustee Satterfield moved to approve Resolution No. 2, Series of 2008; seconded by Trustee Maigatter

ROLL CALL: Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

APPROVE ORDINANCE NO. 1, SERIES OF 2008

AN ORDINANCE OF THE TOWN OF COLLBRAN, COLORADO, AMENDING SECTIONS 9.03.01(a) AND (b) AND 9.13.010(a) AND (b) OF THE COLLBRAN MUNICIPAL CODE REGARDING WATER AND SEWER RATES

Trustee Lent voiced his misunderstanding about the directive from the Board to draft the proposed ordinance. Trustee Sharples expressed his disappointment that the Board could not agree on increasing rates to balance the enterprise funds and move forward. Staff reiterated that this increase will not bring the enterprise funds out of a deficit status.

Trustee Sharples moved to approve Ordinance No. 1, Series of 2008; seconded by Trustee Schuman

ROLL CALL: Yes - Hall, Jones, Maigatter, Satterfield, Schuman, Sharples
No - Lent

STAFF EVALUATIONS

Manager Power explained the salary recommendations presented to the Board are the result of staff evaluations. The Board at budget time in 2007 suggested having staff evaluations near budget approval. Some are annual evaluations, some are for employees completing the probationary period. The recommended increases are in line with the increases given in the past. Mayor Jones offered an available CML CD with salary comparisons from throughout the state for the Trustee's review. Trustee Satterfield suggested implementing job descriptions, a salary schedule, and personnel manual prior to salary increases. The Board set a schedule for workshops to be held the remaining Tuesdays in January for that purpose. Any salary increases will be retroactive either to the probationary employee anniversary dates or January 1 for other employees. Employees were directed to write their own job descriptions for the Board to critique. Office staff will be at Caselle training the last three weeks of January; therefore, Manager Power will not attend the workshops. The deputy marshal position was the only recommendation accepted noting even this recommendation was several thousand dollars below other comparable municipalities.

Trustee Lent moved to approve a salary increase for the deputy marshal position to \$37,433 as recommended; seconded by Trustee Schuman

ROLL CALL: Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

STAFF REPORTS

MARSHAL: Calls for service have increased in each year, most dramatically in 2007.

PUBLIC WORKS: The sander is out of service again. Parts have been ordered. The Christmas decorations have been taken down, new shelving has been built in the shop, the Azcarraga fence is progressing, and a cell tower is being installed by Mountain Radio Systems.

MANAGER:

The Manager, as directed by the Board, presented information gathered from several authorities (a municipal finance instructor, experienced municipal administrator, DOLA finance technical assistant, deputy state auditor, state auditor, Mesa County finance director, and two independent municipal auditors) concerning the allocation of employee hours and benefits to the General Fund rather than the Enterprise Funds. Each reiterated the same conclusion. All Enterprise expenses are to be charged to the Enterprise Funds, to direct staff to artificially charge services to the General Fund that benefit the Enterprise Funds is an improper use of funds and not accurate and honest accounting.

Trustee participation in land use and the source water protection plan has been very low. Office staff will be attending Caselle training in Utah three weeks in January. Trustees were encouraged to attend the widely publicized public forum with representatives from the five major energy companies working in the valley to be held January 17. Staff will meet with the producers at 4:00 pm prior to a dinner at 5:00 pm. The regular April meeting date needs to be rescheduled due to April 1 being Election Day.

Trustee Lent moved to change the regular meeting date from April 1, 2008 to April 8, 2008; seconded by Trustee Maigatter

ROLL CALL: Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

ATTORNEY: The issues to appear on the April election ballot will be approved at the February meeting. The Board directed a 7% lodging tax to be designated for the water and sewer enterprise funds. Publishing ordinances by title only will be a cost saving measure. It was agreed copies of any newly approved ordinances or resolutions may be obtained by the public at no cost for 60 days following adoption.

COMMENTS FROM MAYOR AND COUNCIL

Trustee Lent made comment to the employees.

EXECUTIVE SESSION – NICHOLS WATER LINE EASEMENT LAWSUIT

PER C.R.S. SECTION 24-6-402 (4) (b) and (e)

Mayor Jones moved to go into executive session at 10:17 p.m.; seconded by Trustee Lent

ROLL CALL: Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

The Board returned to the regular meeting at 10:47 p.m.

Trustee Satterfield moved to adjourn the meeting at 10:50 p.m.; seconded by Trustee Lent

ROLL CALL: Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

Correction: Trustee Maigatter asked why bills and expenditures are not published and stated per C.R.S. 31-22-01 publication is required **monthly**.

Approved As Corrected

Clerk