

COLLBRAN BOARD OF TRUSTEES MEETING

Tuesday, December 9, 2008

SPECIAL MEETING

7:30 p.m. Collbran Town Hall

The special meeting of the Collbran Board of Trustees was called to order at 7:30 p.m. by Mayor Brad Osburn. The Pledge of Allegiance was recited.

PRESENT ON ROLL CALL: Yes - Trustees Teri Appelhanz, Roland Hall, Lee Lent, Rachel Maigatter, Ed Satterfield, Mayor Brad Osburn Trustee Wilcox arrived at 7:46 p.m.

OTHERS PRESENT: Edith Ann Power, Clerk; Vic Sturm, Public Works Supervisor; Jeff Phillips, Treasurer; Mike Wilkerson, Deputy Marshal; Rick Lucas

CITIZEN COMMENTS

NONE

ITEMS ON THE AGENDA

APPROVE MINUTES – November 5, 2008 Regular Meeting

Trustee Lent moved to approve minutes of the November 5, 2008 Regular Meeting; seconded by Trustee Hall.

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Osburn, Satterfield
Motion passed

APPROVE BILLS AND EXPENDITURES

All questions were answered by Treasurer Phillips. Jeff Wendland will be asked to submit a letter of understanding to provide auditing services for the next three to five years.

Trustee Satterfield moved to approve bills and expenditures for 11/6/08 through 12/09/08; seconded by Trustee Maigatter.

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Osburn, Satterfield
Motion passed

APPROVE RESOLUTION NO. 12, SERIES OF 2008

AMEND COMMUNITY FEE SCHEDULE

VIN inspections are now handled by Mesa County Sheriff Department.

Trustee Satterfield moved to approve Resolution No. 12, Series of 2008; seconded by Trustee Appelhanz.

ROLL CALL: Yes – Appelhanz, Lent, Maigatter, Osburn, Satterfield, Wilcox
No - Hall
Motion passed

APPROVE INDEPENDENT CONTRACTOR AGREEMENT

TK CONSULTING, INC. – WATER/WASTEWATER OPERATOR

TK Consulting, Inc. contract is increased \$1200 per year. Trustee Satterfield stated that the Board did not have a lot of choice since no one else is licensed to do it.

Trustee Maigatter moved to approve the 2009 Independent Contractor Agreement with TK Consulting, Inc.; seconded by Trustee Satterfield.

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Osburn, Satterfield, Wilcox
Motion passed

**APPROVE DOLA GRANT UTILITY INFRASTRUCTURE UPGRADE, PHASE I BID
RAW WATER COLLECTION**

T & K Excavating, a local contractor, submitted the lowest bid of \$133,725.84. The greatest price difference in the bids is in the cost of laying the pipe.

Trustee Lent moved to approve the DOLA Grant Utility Infrastructure Upgrade, Phase I Bid to T&K Excavating; seconded by Trustee Wilcox.

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Osburn, Wilcox
Abstain – Satterfield
Motion passed

APPROVE END OF YEAR BONUSES

Trustee Lent proposed postponing bonuses until the budget was final. Attorney Hanlon explained these would be from the 2008 budgeted amount and no additional appropriation would be necessary. Trustee Wilcox felt the Marshal and Deputy were overworked and deserved an extra amount. Attorney Hanlon clarified that Trustee Appelhanz has a vote by excluding Marshal Appelhanz from her decision. Thank you cards will be sent to persons who volunteered for the Town in 2008.

Trustee Appelhanz moved to approve a \$1000 end of year bonus to each full-time employee excluding Marshal Appelhanz, a \$1500 bonus for the Deputy Marshal, and a \$200 end of year bonus for each part-time employee; seconded by Trustee Wilcox.

ROLL CALL: Yes – Appelhanz, Osburn, Satterfield, Wilcox
No – Hall, Lent, Maigatter
Motion passed

Trustee Wilcox moved to approve a \$2000 end of year bonus for Marshal Appelhanz; seconded by Trustee Satterfield.

Trustee Satterfield felt both officers deserved the same amount.

Motion Amended:

Trustee Wilcox moved to approve a \$1500 end of year bonus for Marshal Appelhanz; seconded by Trustee Satterfield.

ROLL CALL: Yes – Osburn, Satterfield, Wilcox
Abstain – Appelhanz (Conflict of Interest)
No – Hall, Lent, Maigatter

Tie vote; Motion failed

Mayor Osburn expressed the dedication and hours worked by Marshal Appelhanz. Attorney Hanlon again clarified that the funds were already appropriated for 2008. Trustee Lent felt all employees should receive an equal bonus.

Trustee Lent moved to approve a \$1000 end of year bonus to each full-time employee, and a \$200 end of year bonus for each part-time employee; seconded by Trustee Satterfield.

ROLL CALL: Yes – Lent, Osburn, Satterfield, Wilcox
No – Hall, Maigatter
Abstain – Appelhanz Conflict of Interest

Motion passed. Trustee Lent's intent was to replace the prior approved motion made by Trustee Appelhanz.

APPROVE UNPAID 6-MONTH WAGE INCREASES

Mayor Osburn read CMC 3.04.030 concerning probationary periods. Evaluations for all employees were completed and presented through March 31, 2008 which included the probationary periods for two employees; however, no action was taken. This is a housekeeping issue to clean up unfinished business which was not dealt with.

Mayor Osburn moved to approve payment of the 6-month probationary salary increases of 10.7% due Karen Eisenach and Vic Sturm each retroactive to their respective anniversary dates to be paid immediately including the previously approved and awarded 5% COLA increase.

There was considerable discussion concerning the personnel manual and the approval of job descriptions. These 6-month probationary periods ended prior to development and approval of job descriptions and initiation of the personnel manual. Trustee Satterfield felt a 2% salary increase was the intent with the approval of the job descriptions. Vic Sturm did not receive a salary increase in his employment position. He applied for and received, several months after his probationary period, the position of Public Works Supervisor with additional responsibilities at the salary level of that position. The last employee to receive a 6-month probationary increase received 10.7%.

Trustee Satterfield moved to approve payment of the 6-month probationary salary increases of 2% due Karen Eisenach and Vic Sturm each retroactive to their respective anniversary dates to be paid immediately including the previously approved and awarded 5% COLA increase; seconded by Trustee Wilcox.

Motion Amended:

Trustee Satterfield moved to approve payment of a salary increase of 2% with satisfactory performance evaluation for Karen Eisenach retroactive to her 6-month probationary anniversary date; seconded by Trustee Wilcox.

ROLL CALL: Yes –Hall, Lent, Maigatter, Satterfield, Wilcox, Osburn
No – Appelhanz

Motion passed

Town of Collbran Board of Trustee Special Meeting
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Trustee Satterfield moved to approve payment of a salary increase of 2% with satisfactory performance evaluation for Vic Sturm from 12/4/07 through 5/27/08; seconded by Trustee Maigatter.

ROLL CALL: Yes –Hall, Lent, Maigatter, Satterfield, Wilcox, Osburn
No – Appelhanz

Motion passed

APPROVE INSURANCE BENEFITS

Tabled until December 12, 2008 Special Meeting

APPROVE SALARY INCREASES

Tabled until December 12, 2008 Special Meeting

PUBLIC HEARING

2009 BUDGET

PUBLIC HEARING OPENED

APPROVE ORDINANCE NO. 9, SERIES OF 2008

**SUPPLEMENTAL APPROPRIATION OF FUNDS FOR FISCAL YEAR
ENDING DECEMBER 31, 2008**

Trustee Lent moved to approve Ordinance No. 9, Series of 2008; seconded by Trustee Appelhanz.

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Osburn, Satterfield, Wilcox
Motion passed

APPROVE RESOLUTION NO. 11, SERIES OF 2008

CERTIFICATION OF 2009 MILL LEVY

Trustee Satterfield moved to approve Resolution No. 11, Series of 2008; seconded by Trustee Appelhanz.

ROLL CALL: Yes – Appelhanz, Lent, Osburn, Satterfield, Wilcox
No – Hall, Maigatter

Motion passed

The Board will further their discussion on the budget and continue this public hearing on Friday, December 12, 2008 at 7:30 p.m.

PUBLIC HEARING CONTINUED

SCHEDULE JANUARY TRUCK ROUTE WORK SESSION

Mayor Osburn will contact Davis Farrar and representative from SGM before setting a date which may be in February. Other options or variations of the truck route will be explored.

STAFF REPORTS:

Marshal: No report

Public Works: Bids for snow removal were obtained from two contractors. Mark Laird submitted the lowest bid.

Trustee Maigatter moved to contract with Mark Laird for snow removal on an on-call basis for two trucks and one loader at an hourly rate of \$170; seconded by Trustee Appelhanz.

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Osburn, Satterfield, Wilcox
Motion passed

Attorney: Attorney Hanlon recommended that the Board have Labor Law Attorney Santo investigate and answer their questions concerning unpaid comp time for approximately \$1000 to \$1500. The Board agreed by consensus. No legal council will be present at the December 12, 2008 meeting.

Administrator: No report.

COMMENTS FROM MAYOR AND TRUSTEES

Trustee Satterfield suggested an ordinance to set an annual 2% salary increase for every employee with favorable evaluations to be presented at the January meeting. The annual increase would cease when the employee reached the top of their salary range.

The Mayor will work with the Clerk and Attorney Santo to complete the personnel manual.

ADJOURNMENT

Trustee Lent moved to adjourn the meeting at 9:27 p.m.; seconded by Trustee Appelhanz.

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Satterfield, Wilcox, Osburn
Motion passed

Approved

Clerk