

TOWN OF COLLBRAN

AMENDED AMENDED AMENDED AMENDED

REGULAR MEETING

June 2, 2009

7:30 p.m.

Collbran Town Hall

AGENDA

The Board of Trustees may take action on any of the following agenda items as presented or modified prior to or during the meeting, and items necessary or convenient to effectuate the agenda items.

1. Regular Meeting Call to Order, Pledge of Allegiance, Roll Call
2. Citizen Comments - (For issues NOT on the Agenda. Please limit comments to 3 minutes.)
3. Approve Minutes
4. Approve Expenditures
5. Approve DOLA Grant Funds for Terrell Park Playground Recycling Project
6. Approve Mesa County Building Inspection Service Contract
7. Ordinance No. 4, Series of 2009 (Adopting Town Purchasing Policy)
8. PUBLIC HEARING
Delinquent Water/Sewer Accounts
9. Staff Reports
10. Mayor and Trustee Comments
11. EXECUTIVE SESSION for conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-401(4)(b) regarding pending litigation.
12. Adjournment

COLLBRAN BOARD OF TRUSTEES MEETING

Amended
Tuesday, June 2, 2009

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 Roland Hall. The Pledge of Allegiance was recited.

PRESENT ON ROLL CALL: Yes – Trustees Lee Lent, Rachel Maigatter, Ed Satterfield, Sammi White, Mayor Roland Hall
Trustees Teri Appelhanz and Kendall Wilcox were absent.

OTHERS PRESENT: Karen Eisenach, Deputy Clerk; Vic Sturm, Public Works; Jeff Phillips, Treasurer; Jim Neu, Attorney, Amber Flores, Summer Recreation Director, Joe Flores, Summer Recreation Assistant, John Blady, Thomas Fisher, Regional Service Director for Mesa County, Rick Lucas, Emily Currier.

CITIZEN COMMENTS

John Blady thanked the Public Works Department for using the camera to find the blockage in Little Glen Ditch. The blockage has been cleared. He also wanted the Board to be aware that when the Bike Path was built, it collapsed the pipe along Little Glen Ditch where it dumps into Grove Creek. Trustee Lent disputed the location. The Town may be requested at some point to fix the problem. Mayor Hall appointed Trustee Lent to attend the Little Glen Ditch Users Association's meeting on Monday, June 8, 2009 at 7:00 p.m. at the Grand Valley Bank meeting room.

ITEMS ON THE AGENDA

APPROVE MINUTES

Trustee Lent moved to approve the minutes for April 7, 2009 Regular Meeting, April 13, 2009 Special Meeting, May 5, 2009 Regular Meeting, and May 20, 2009 Special Meeting as presented; seconded by Trustee Satterfield.

ROLL CALL: Yes –Hall, Lent, Maigatter, Satterfield, White.
Motion Passed.

APPROVE EXPENDITURES

Treasurer Phillips answered questions concerning certain items on the expenditures. Trustee Lent asked about the Schmueser Gordon Meyer bill. Director Sturm stated they are still within their \$86,000 budgeted amount.

Trustee Satterfield moved to approve the expenditures for May 6, 2009 through June 2, 2009 as presented; seconded by Trustee Maigatter.

ROLL CALL: Yes – Hall, Maigatter, Satterfield, White.
No - Lent
Motion Passed.

Treasurer Phillips mentioned that the Board wanted to review the water and sewer funds allocations. Trustee Maigatter stated that state law says some things do and do not have to be included in the water and sewer funds, and we must follow state law. Trustee Satterfield stated the wages of the seasonal worker should not come from the sewer and water funds because the duties include mowing and weed eating. Mayor Hall mentioned that the enterprise funds need to be in the black so we can receive more grants. Attorney Neu noted that it also depends on the auditor and what he will certify. Mayor Hall stated he will speak with the auditor next week.

Trustee Phillips noted that the Springs project is complete, so he will be submitting a final request for funds from DOLA.

APPROVE DOLA GRANT FUNDS FOR TERRELL PARK PLAYGROUND RECYCLING PROJECT

The Town received a DOLA Grant for the recycled tire pour in place in the Terrell Park play area; however, an additional \$3,817.87 needs to be allocated. Director Sturm stated he spoke with GOCO, and the \$3,817.87 can come out of the savings from the Terrell Park Sprinkler Improvements which was under budget.

APPROVE MESA COUNTY BUILDING INSPECTION SERVICE CONTRACT

Attorney Neu noted that this is an annual contract the Town enters with Mesa County Building Department for inspections.

Trustee Maigatter moved to approve the Mesa County Building Inspection Service Contract; seconded by Trustee Lent.

**ROLL CALL: Yes –Hall, Lent, Maigatter, Satterfield, White.
Motion Passed.**

ORDINANCE NO. 4, SERIES OF 2009 – ADOPTING TOWN PURCHASING POLICY

Attorney Neu presented a purchasing policy to the Board. There was discussion about amount limits each department can spend. The Board decided to table this for a Workshop scheduled Monday, June 15, 2009 at 7:00 p.m.

PUBLIC HEARING – DELINQUENT WATER/SEWER ACCOUNTS

The public hearing was cancelled due to the delinquent account being paid in full.

STAFF REPORTS:

SUMMER RECREATION DIRECTOR- Written report submitted. Director Flores stated the flyers have been mailed and people are still signing up for activities. The first and second swim lessons sessions are full and only 2 seats are available for the third session. Bananas Fun Park and Lincoln Park swim day are full. They are working with the Chamber of Commerce for the 4th of July activities.

MARSHAL- Written report submitted. Marshal Appelhanz informed the Board that next month's expenditures will have a bill from Mesa County Animal Control. Someone impounded a dog from Collbran, stating that is was okay with the Town. However, staff did not know the Marshals had not impounded the dog. After clarification, it was too late and the person who took the dog to Animal Control could not be found to pay the bill. Marshal Appelhanz asked if he could solicit quotes to work on the evidence room. The Board told him to bring the quotes to the workshop on Monday, June 15, 2009.

PUBLIC WORKS-Written report submitted. Director Sturm stated he is working with CIRSA and the Schuman's to cover the claim for the sewer main leak in their home. There were enough funds in the GOCO grant to pay for the cost of installing a 2" meter at Terrell Park for the new sprinkler system. The Town did not receive the State stimulus funding. The water and sewer project's priority rating went from a 3 to a 5. Director Sturm is working with USDA Rural Utilities for a grant on the same project. All the engineering work that was done for the stimulus grant will be used for the USDA grant. Director Sturm asked the Board if horses can be fenced at the Fairgrounds to eat the grass down. The Board stated they did not like that idea because of liability issues.

ATTORNEY-Attorney Neu presented the judge's order on the past employee's litigation. The judge found in favor of the Town that our severance packages with past employees was valid. The judge found in favor of Eric Lloyd and Shirley Nichols for health insurance coverage for a total amount of \$5,986.24 plus interest and costs. The judge found in favor of the Town against Bruce Smith. However, the judge did order the Town to pay reasonable attorney's fees to the past employees. There are some issues concerning these fees that will be presented to the Board during the executive session later on the agenda. Attorney Neu noted to the Board that Attorney Hanlon is working on the water rights portfolio; however, his mother passed away so he has other issues to deal with right now.

Trustee Satterfield motions to send Attorney Hanlon flowers due to the loss of his mother; seconded by Trustee Maigatter.

**ROLL CALL: Yes -Hall, Lent, Maigatter, Satterfield, White.
Motion Passed.**

CLERK-Absent due to illness.

MAYOR/TRUSTEE COMMENTS

TRUSTEES-Trustee Lent asked the Town to send a thank you letter to Mesa County for the street sweeping.

MAYOR-Mayor Hall submitted a written report. He asked the Board to consider putting a time limit on agenda presentations. He also asked the Board to only speak with the Town Attorney when he is at a Board meeting because his time is expensive. Mayor Hall recommended the mid-year budget report be postponed until the August 4, 2009 Regular Meeting so that a full six months of expenditures will be reported. Mayor Hall also asked Attorney Neu about a request from employees for Clerk Power to do some light duty work at home and setting up a computer for her. There was discussion about her recovering properly if she is working and about the security of a computer at her home. The Board agreed that she needs a doctor's release to do even light duty at home. Mayor Hall stated he would contact Attorney Neu about that issue before he made his decision.

EXECUTIVE SESSION

PENDING LITIGATION - For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S, Section 24-6-401(4)(b) regarding pending litigation.

Trustee Maigatter moved to go into Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402 (4)(b); seconded by Trustee Lent.

**ROLL CALL: Yes –Hall, Lent, Maigatter, Satterfield, White.
Motion passed.**

The Board went into Executive Session at 9:43 p.m. Those in attendance were Trustees Lent, Maigatter, Satterfield, White, and Mayor Hall; Deputy Clerk Eisenach; Attorney Neu.

The Board returned to the Regular Meeting at 9:57 p.m.

Trustee Maigatter moved to come out of Executive Session; seconded by Trustee Satterfield.

**ROLL CALL: Yes –Hall, Lent, Maigatter, Satterfield, White.
Motion passed.**

ADJOURNMENT

Trustee Lent moved to adjourn the meeting at 10:00 p.m.; seconded by Trustee Maigatter.

ROLL CALL: Yes –Hall, Lent, Maigatter, Satterfield, White.

July 7, 2009
Approved with Amendment



H. Eisenach
Deputy Clerk