

TOWN OF COLLBRAN

SPECIAL MEETING

April 13, 2009

7:00 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. Special 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. Employee Evaluations
4. Rocky Mountain Health Plan
2009 Plan Renewal
5. Approve Resolution No. 3, Series of 2009
A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF COLLBRAN, COLORADO
ADOPTING THE TOWN OF COLLBRAN EMPLOYEE HANDBOOK EFFECTIVE MAY 1, 2009
6. Approve Ordinance No. 3, Series of 2009
AN ORDINANCE OF THE TOWN OF COLLBRAN, COLORADO REPEALING AND REENACTING TITLE
3, "ADMINISTRATIVE AND PERSONNEL," OF THE COLLBRAN MUNICIPAL CODE.
7. Mayor and Trustee Comments
8. Adjournment

COLLBRAN BOARD OF TRUSTEES MEETING

MONDAY, APRIL 13, 2009

SPECIAL MEETING
7:00 p.m. Collbran Town Hall

The special meeting of the Collbran Board of Trustees was called to order at 7:18 p.m. by Mayor Roland Hall. The Pledge of Allegiance was recited.

PRESENT ON ROLL CALL: Yes - Trustees Teri Appelhanz, Sammi White, Lee Lent, Rachel Maigatter, Ed Satterfield, Kendal Wilcox, Mayor Roland Hall.

OTHERS PRESENT: Karl Hanlon, Town Attorney, Emily Currier

CITIZEN COMMENTS

None

ITEMS ON THE AGENDA

EMPLOYEE EVALUATIONS

Trustee Satterfield had questions about the Town Administrator position and whose responsibility it is. Trustee White stated that the minutes reflect that the Mayor became Administrator. Mayor Hall stated that Mayor Osburn made that decision on his own. Attorney Hanlon responded that Ordinance No. 3, Series of 2009, to be discussed later in the meeting, will define the Town Administrator. There was discussion as to the Town Clerk, Town Treasurer, and Town Attorney being appointed positions and not "at-will." Trustee Satterfield stated that the Town Clerk should be doing the employee evaluations due to the fact that the Town seems to be switching Mayors every six months. Trustee Maigatter stated that the Department Heads did their subordinate employees' evaluations and the Town Clerk did the Department Heads' evaluation. There was discussion regarding job descriptions and developing one for the Town Administrator because Ordinance No. 3, Series of 2009 says the Town Clerk takes on the Administrator's duties in the absence of an Administrator. Attorney Hanlon stated that the job description for Town Clerk needs to be changed to state that the Town Clerk will act as Town Administrator in the absence of one.

Trustee Maigatter moved to approve the Employee Evaluations as submitted by Mayor Hall; seconded by Trustee Lent.

**ROLL CALL: Yes - Lent, White, Hall, Maigatter, Wilcox, Satterfield
Abstained - Appelhanz**

Motion Passed.

ROCKY MOUNTAIN HEALTH PLAN - 2009 PLAN RENEWAL

Attorney Hanlon stated that the best way to approach this is to approve a group plan coverage, then the Board needs to vote on what percentage of benefit the Town is going to pay. There was discussion about our current plan rolling over, so that all employees are covered.

Trustee Maigatter moved to approve the Rocky Mountain Health Plans Classic 50/80 coverage; seconded by Trustee Wilcox.

ROLL CALL: Yes – Maigatter, Wilcox, Satterfield, Lent, White, Hall
Abstained – Appelhanz

Motion Passed.

Mayor Hall stated we need to discuss the percentage the Town is going to pay. There was discussion about paying 100% for the employee or 80% for employee and dependents.

Trustee Satterfield moved to approve the Town paying 80% of the premium and the employee paying 20% of the premium for health, dental, and vision for employee and dependents because the Board froze the wages; seconded by Trustee Wilcox.

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

Motion Passed.

APPROVE RESOLUTION NO. 3, SERIES OF 2009

***A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF COLLBRAN COLORADO
ADOPTING THE TOWN OF COLLBRAN EMPLOYEE HANDBOOK EFFECTIVE MAY 1, 2009.***

Attorney Hanlon discussed some changes to the Employee Handbook. CIRSA had comments about the Employee Handbook. Attorney Hanlon spoke with Mr. Santo regarding some changes, such as, formal evaluations will be done periodically, Section 108 Consent to Search will be taken out entirely, Section 109 Separation from Employment/Appeal Process will be deleted. There was discussion about the maximum accrued days of paid vacation at 15 days, which applies to brand new employees and employees who have worked here for 20 years. Attorney Hanlon pointed out that this is a use it or lose it system, and employees cannot buy out any unused time at the end of the year. Trustee Appelhanz also asked about those employees who already have more than 15 days of vacation time accrued. Attorney Hanlon stated he will add to the Employee Handbook that employees in excess of the 15 day cap can keep their hours and accrue additional hours. As for Holidays during unpaid leave, Trustee Maigatter stated that this is so employees who take a vacation during a Holiday do not get paid for the Holiday. The Town does not qualify for FMLA, so the language to say we do not qualify will stay in the manual. As for paid holidays, the Handbook replaces Colorado Day with Columbus Day and employees can choose to take the day after Thanksgiving off instead of Veterans Day. Under personal leave, it will be at the sole discretion of the direct supervisor. Based on the vote of 80% paid by employers and 20% paid by employee, Attorney Hanlon will make those changes. There were questions regarding being disloyal to the Town. There were changes made to the dress code. Trustee White asked who determines if an employee is wearing too much make-up or their hair too long or short. The Board reiterated that the Department Head determines that. Attorney Hanlon stated that the dress code list is provided as a guideline; however, the Department Head determines the appropriate attire. There were minor clerical errors that will be changed as well.

Trustee Lent moved to approve Resolution No. 3, Series of 2009; seconded by Trustee Satterfield.

ROLL CALL: Yes – Hall, Maigatter, Wilcox, Satterfield, Lent
No – White
Abstained - Appelhanz

Motion Passed.

APPROVE ORDINANCE NO. 3, SERIES OF 2009

AN ORDINANCE OF THE TOWN OF COLLBRAN, COLORADO REPEALING AND REENACTING TITLE 3, "ADMINISTRATIVE AND PERSONNEL," OF THE COLLBRAN MUNICIPAL CODE.

With the adoption of the Employee Handbook, then changes need to be made to Title 2 of the Town of Collbran's Municipal Code. Attorney Hanlon explained the modifications of Ordinance NO. 3, Series of 2009. According to Colorado State Statutes, the Town is required to appoint the Town Clerk, Town Treasurer, Town Attorney, and Municipal Judge. However, the Town may also appoint an administrator. Attorney Hanlon noted that the Ordinance states that in the absence of a Town Administrator the Town Clerk will act as the chief administrator with the duties of the Town Administrator.

Trustee Satterfield moved to approve Ordinance 3, Series of 2009 with the correction stated at this meeting; seconded by Trustee Maigatter.

ROLL CALL: Yes – Lent, Hall, Maigatter, Wilcox, Satterfield
No – White
Abstained - Appelhanz

Motion Passed.

COMMENTS FROM MAYOR AND TRUSTEES

Mayor Hall stated the Board needs to work on getting the Administrator's position going. Mayor Hall also stated that the Public Works Supervisor wants to increase the Seasonal Employee's wage. Trustee Satterfield stated that he does not want to give a part time employee a raise when the full time employees have not received a raise. The last item Mayor Hall wanted to discuss was the GPS trimble to be purchased with a portion of the \$47,200 from the Delta Petroleum violation. Attorney Hanlon stated that the agreement is non-binding as to the trimble, but it must be spent on a parking lot or curb. The Board can spend the money anywhere it decides.

Trustee Maigatter moved to not purchase the Vector trimble that was originally put in the expenditures and re-allocate the funds to infrastructure improvements; seconded by Trustee Lent.

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

Motion Passed.

Trustee White asked about the conclusion on the Town Clerk's compensation hours. Attorney Hanlon stated that Trustee White could contact him to find out the results of the executive session.

ADJOURNMENT

Trustee Lent moved to adjourn the meeting at 9:14 p.m.; seconded by Trustee Maigatter.

ROLL CALL: Yes - Appelhanz, Hall, Lent, Maigatter, Satterfield, Wilcox, White

June 2, 2009
Approved



K. Eisenack
Deputy Clerk