

TOWN OF COLLBRAN

REGULAR MEETING

September 1, 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. Collbran Job Corps Invitation
6. Delinquent Water/Sewer Accounts
7. Donate Xerox Copier
8. Approve 2009 Mid-Year Budget Amendments
9. Staff Reports
10. Mayor and Trustee Comments
11. Executive Session
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) regarding pending and potential litigation and C.R.S. Section 24-6-402(4)(e) determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators.
12. Adjournment

COLLBRAN BOARD OF TRUSTEES MEETING

Tuesday, September 1, 2009

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

The regular meeting of the Collbran Board of Trustees was called to order at 7:34 p.m. by Mayor Roland Hall. The Pledge of Allegiance was recited.

PRESENT ON ROLL CALL: Trustees Teri Appelhanz, Lee Lent, Rachel Maigatter, Sammi White, Kendall Wilcox, Mayor Roland Hall; Trustee Satterfield - absent.

OTHERS PRESENT: ; Vic Sturm, Public Works; Jeff Phillips, Treasurer; Jim Neu, Attorney; Anna Itenberg, Attorney; Adam Appelhanz, Marshal; Brad Osburn, John Blady, BreAnna Heinze, Brittany Cook, Demetria Lofton, Douglas Satterfield, Job Corps; Gene Scott

CITIZEN COMMENTS

None

ITEMS ON THE AGENDA

APPROVE MINUTES

Trustee Maigatter amended the minutes to read six months of Mesa County tax revenue was presented in the Mid-Year Budget Report. Treasurer Phillips stated the report included four months of Town tax revenue and five months of Mesa County tax revenue; however, an additional sheet not included in the report, showed the sixth month of Mesa County tax revenue but was not included in the totals of the Mid-Year Report because it was not received until July.

Trustee Maigatter moved to approve the Minutes for the Regular Board Meeting of August 4, 2009 as amended; seconded by Trustee Lent.

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

APPROVE EXPENDITURES

Treasurer Phillips answered Trustee questions. He explained the report on the DOLA Grant for the raw water improvement project. The project is now complete having reached the \$300,000 limit. The final pay request will be submitted to DOLA for final payment. Treasurer Phillips presented a modified budget (Budget 2 Journal) reflecting changes directed by the Board during the August workshop. Two budget categories were already over budget and could not be lowered, so the directed changes were not made in those categories.

Trustee Maigatter moved to approve the expenditures for August 5, 2009 through September 1, 2009 as presented; seconded by Trustee Wilcox.

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

COLLBRAN JOB CORPS INVITATION

Three student representatives from the Collbran Job Corps extended an invitation to the Board to attend and celebrate the Job Corps 45th Anniversary at the Community Relations dinner to be held September 23, 2009 at 6:00 p.m. Mayor Hall read from his Mayor's Report that the Board of Trustees had unanimously decided to declare September 23, 2009 as Job Corps Day.

PUBLIC HEARING

Delinquent Water/Sewer Accounts

One delinquent account was paid prior to the hearing.

PUBLIC HEARING OPENED – 8:03 p.m.

John Rule, whose water account is delinquent, was not present. There was no public comment. All notification requirements were properly executed.

PUBLIC HEARING CLOSED – 8:03 p.m.

Trustee Maigatter moved to shut off the water to the Rule residence if the water account is not paid in full by 5:00 p.m. on Friday, September 4, 2009; seconded by Trustee White.

ROLL CALL: Yes – Appelhanz, Hall, Maigatter, White, Wilcox

No - Lent

Motion passed

DONATE XEROX COPIER

Two organizations were interested in the old Xerox copier from Town Hall. The recipient was to be selected by drawing a name from a hat. Trustee Lent thought the Board had decided to put it in the Auditorium for Summer Rec Program use. Attorney Neu suggested the name be drawn tonight in the event there was a good reason for not putting the copier in the Auditorium. Grace Bible Church's name was drawn.

APPROVE MID-YEAR BUDGET AMENDMENTS

Attorney Neu stated a new appropriation ordinance will be needed at the end of the year to amend the budget.

Trustee Maigatter moved to approve the amendments to the budget as presented by Treasurer Phillips; seconded by Trustee Lent.

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

Motion Passed.

STAFF REPORTS

MARSHAL - Marshal Appelhanz submitted a written report.

PUBLIC WORKS – Director Sturm submitted a written report. Staff will continue to communicate with DOLA for funding to complete the play area surface. Other surface options are being explored. Eventually all utility and storm drain issues on Spring Street will have to be dealt with, but until that happens, the Board suggested cleaning the ditch or whatever can be done now to help alleviate the water drainage problem during heavy rains. Marc Laird has donated the use of his equipment at Terrell Park. Director Sturm told Trustee Maigatter he is waiting on an insurance company concerning the damage on the Plateau Creek Bridge. The bridge continues to be hit by trucks with minimal noticeable damage. Mesa County will overlay the Town section of 58.5 Road by Central Service for the cost of the asphalt.

Trustee Lent moved to approve the expenditure to have Mesa County overlay the Town section of 58.5 Road near Central Service not to exceed \$2000; seconded by Trustee Appelhanz

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

Trustee Wilcox left the meeting at 8:46 p.m.

ATTORNEY- Attorney Neu had no report.

CLERK- Memos from the Clerk were included in the packet concerning the DOLA Recycle Tire Grant.

MAYOR/TRUSTEE COMMENTS

Trustee Lent asked about Town regulations concerning buried tanks in Town. He stated an individual had a problem with a neighbor's old oil field tank being used for irrigation water storage on Wagon Wheel Court. Trustee Lent was concerned about the oil field fluids previously in the tank. He then stated the individual was concerned about the water that was spilling out of the tank and souring the ground. Attorney Neu said if the individual is concerned about the spillage onto his property rather than contaminates, this was a private trespass matter and he would not advise the Board to use Town funds to have legal counsel investigate.

Trustee Appelhanz stated a citizen who received a letter concerning a code violation wanted the Town to investigate before issuing a letter requesting code compliance. Attorney Neu advised if the Town had the resources to investigate then they would, but since the Town does not have the resources a letter is sent. Discussion followed concerning code enforcement responsibility, Mayor Hall will look into protocol and the difference in the Board's understanding of the code and job descriptions to determine how to handle future code violations. Trustee Maigatter reported on the Community Counts meeting she attended. Mayor Hall read his submitted written report. Purchasing Agent/Treasurer Jeff Phillips, who lives in Grand Junction, is willing to pick up supplies as needed from Grand Junction suppliers to eliminate re-imbusement costs to other employees.

Trustee Maigatter moved that from this point forward Jeff Phillips will pick up any supplies needed for the Town on his way from work to be reimbursed for his mileage from his house to the vendor to Town; seconded by Trustee Lent

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

Deputy Clerk Karen Eisenach is approved to attend a notary training class. Attorney Neu will talk to Marshal Appelhanz and look into a public intoxication ordinance and increasing traffic violation fees. After much discussion concerning the Mayor's request for office space for the Mayor and Trustees to conduct day to day business in a confidential manner, the Board directed the Mayor to speak with employees about moving office space. The Mayor stated he could justify the need because he lives at Town Hall. There were no Board comments concerning the 2010 Census. No decisions were made with regard to the tennis courts. Mayor Hall read selected paragraphs from a letter received from an anonymous group opposing the construction of an evaporation facility near DeBeque. Trustee White offered additional information for need and location of The Plateau Facility. The Board felt they did not have enough information to support or reject.

The Board recessed briefly and returned to regular session at 9:55 p.m.

EXECUTIVE SESSION

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) regarding pending and potential litigation and C.R.S. Section 24-6-402(4)(e) determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators.

Trustee Lent 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) regarding pending and potential litigation and C.R.S. Section 24-6-402(4)(e) determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; seconded by Trustee Maigatter.

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

The Board went into Executive Session at 9:56 p.m. Those in attendance were Trustees Appelhanz, Lent, Maigatter, White, Mayor Hall; Attorneys Neu and Itenberg.

The Board returned to the Regular Meeting at 11:04 p.m.

ADJOURNMENT

Trustee Maigatter moved to adjourn the meeting at 11:04 p.m.; no second

ROLL CALL: Yes – Unanimous
Motion Passed.

October 6, 2009
Approved

Edith Ann Power
Town Clerk

