

COLLBRAN BOARD OF TRUSTEES MEETING

Tuesday, February 3, 2009

REGULAR MEETING

7:30 p.m. Collbran Town Hall

The regular meeting of the Collbran Board of Trustees was called to order at 7:32 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 7:33 p.m.

OTHERS PRESENT: Edith Ann Power, Clerk; Vic Sturm, Public Works Supervisor; Jeff Phillips, Treasurer; Jim Neu, Attorney; Sandy Karp, Anna Itenberg, Leavenworth & Karp; John Blady, Frank Jones, Sammi White, Emily Currier, Rick Lucas

CITIZEN COMMENTS

Former Mayor John Blady requested information concerning a lawsuit against the Town and asked if he was individually named. Attorney Neu explained it was the same lawsuit pending since Mr. Blady was mayor, the sequence of events since, and that only the Town was named; however, he could possibly be called as a witness.

ITEMS ON THE AGENDA

APPROVE MINUTES

A typographical error of 2008 rather than 2009 was corrected.

Trustee Satterfield moved to approve the minutes for January 6, 2009 as corrected; seconded by Trustee Maigatter.

ROLL CALL: Yes – Appelhanz, Hall, Maigatter, Osburn, Satterfield, Wilcox
Abstain – Lent - because he was absent from the January 6, 2009 meeting.

Motion passed

APPROVE EXPENDITURES

Trustee questions were answered by Treasurer Phillips. A Caselle Budget Worksheet, to be used through the course of the year for budget to expenditure comparisons, was presented for the Board's review. Treasurer Phillips presented information concerning training he will attend. The Town has expended the first \$100,000 of the DOLA Infrastructure Upgrade Grant. Remaining expenditures will be reimbursed through the Grant. It was clarified that the Board had approved employee Sam's Club cards in the past. The pre-engineering report for water and sewer projects is complete; however, Mayor Osburn stated the stimulus funds previously thought to be available are now a 0% interest loan which the Town will not pursue at this time.

Trustee Satterfield moved to approve the expenditure for January 7, 2009 through February 3, 2009 as presented; seconded by Trustee Appelhanz.

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

STAFF REPORTS:

MARSHAL- The Marshal and Deputy are attending fire training through May.

PUBLIC WORKS - The new snow plow blade is installed. The DOLA Grant project at the raw water area is going very well. Supervisor Sturm praised T&K Excavating and Gary Lawrence for their work on the project. Source Gas will be contacted to gravel the muddy alleys torn up by their line replacements throughout Town. Trustee Lent suggested Mesa County will sweep Town streets for fuel costs and/or operator wages.

ATTORNEY – Attorney Neu’s report will be presented during the Executive Session.

MAYOR/ADMINISTRATOR – Mayor/Administrator Osburn resigned as Mayor and as Administrator effective 8:00 p.m. February 3, 2009. He thanked the employees saying they were a great bunch to work with. He stated he had no idea how much they did and he has come to appreciate everything that is done for the people of the Town. He also thanked the citizens. He then turned the meeting over to the Mayor Pro Tem. Mayor Pro Tem Hall stated he would take the responsibility until such time a mayor is appointed by the Board. Mayor/Administrator Hall said he realized the Town has lost two mayors in a period of one year and he is committed to finding the problem associated with mayor resignations. Attorney Neu explained that protocol would be for the Mayor Pro Tem to take the Mayor position if willing. Mayor Hall was willing to take the position, but felt it was a Board decision. Trustee Satterfield stated the Board had already voted when they selected him as Mayor Pro Tem. Mayor Hall accepted the responsibilities until the next election. An ad will be published in the PV Times and posted for letters of interest to fill the Board vacancy.

MAYOR/TRUSTEE COMMENTS

Trustee Maigatter read a statement prepared by Mayor Hall (attached).

Trustee Maigatter moved to begin searching for a qualified, part-time and/or contractual Town Administrator as the Board deems necessary and/or appropriate. One who among other desirable attributes is familiar with grant applications and associated acquisitions. One who is qualified by degree and/or related practical experience. Able to manage most every day town matters and to take care of town business that may be high tech, sensitive in nature, and beyond the normal scope of subordinate staff responsibility; seconded by Trustee Lent.

ROLL CALL: Yes – Appelhanz (for feelers ONLY), Hall, Lent, Maigatter, Osburn, Satterfield, Wilcox

Motion passed

The motion is only for proposals. Mayor/Administrator Hall would like to have someone hired by June or July of 2009; however, an administrator position was not included in the 2009 Budget. He noted that former Mayor/Administrator Osburn had expressed for some time the problems involved with time commitment for the combined position. The Town cannot afford a full time position and may not be able to afford a qualified person. It was clarified by former mayors that former Mayor Blady resigned for medical reasons, former Mayor Jones was defeated in the municipal election, and Mayor Osburn resigned due to employment opportunities and increased responsibilities rather than due to problems as expressed by Mayor Hall. A second workshop to discuss the Employee Handbook was scheduled for Tuesday, February 17, 2009 at 6:30 p.m.

EXECUTIVE SESSION ON 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 24-6-402(4) (b).

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 – Appelhanz, Hall, Lent, Maigatter, Satterfield, Wilcox

Motion passed

The Board went into Executive Session at 8:30 p.m. Those in attendance were Trustees Appelhanz, Lent, Maigatter, Satterfield, Wilcox; Mayor/Administrator Hall; Clerk Power; Attorneys Neu, Karp, and Itenberg.

The Board returned to the Regular Meeting at 9:38 p.m.

Mayor/Administrator Hall sought to select a Mayor Pro Tem. Because the public, before departing the meeting room, had been told the Board would not be taking any action following the Executive Session, Attorney Neu advised the selection should be postponed until the March Board meeting. Trustee Satterfield felt a full Board should be seated when the selection is made.

ADJOURNMENT

Trustee Maigatter moved to adjourn the meeting at 9:47 p.m.; seconded by Trustee Lent.

ROLL CALL: Yes – Unanimous

Approved

Clerk