

STATE OF COLORADO  
COUNTY OF HUERFANO  
CITY OF WALSENBURG  
Regular Session Meeting  
January 19, 2010 6:00 p.m.

Mayor Quintana called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited. Council members present were: Silvana Lind, Craig Lessar, Nick Vigil, David Mockmore, James England, and James Moore. Erin Jerant was not present. Others in attendance were City Administrator Alan Hein, Assistant Administrator Beth Neece, City Attorney Dan Hyatt, City Clerk Lori Sheldon, City Treasurer Jacque Sikes and Municipal Judge James Lusero.

### **CONSIDERATION OF CANDIDATES FOR WARD 2 COUNCIL SEAT**

Mayor Quintana stated that there had been 3 candidates for this seat. One has since asked for removal from consideration. Mayor Quintana read a letter from Cathy Pineda withdrawing her letter of intent based on the confirmation she received from the Secretary of State's office that she must remain out of office for 4 years from the end of her term in 2007. This leaves 2 candidates – Larry Patrick and Rick Jennings. Mayor Quintana asked if everyone has had a chance to review their letters and asked if there was any discussion regarding the letters. Mayor pro tem England asked Dan Hyatt if there was a protocol. He remembers that the last time there were nominations for both candidates and then roll was taken with each council member issuing his vote for whichever person he was voting for. Mr. Hyatt replied that it was an acceptable methodology. James Moore nominated Larry Patrick, seconded by Silvana Lind. James England nominated Rick Jennings, seconded by Craig Lessar. The vote was then taken on the nomination for Larry Patrick and failed 3-4. The vote was then taken on the nomination for Rick Jennings and passed 5-2. Mayor Quintana then welcomed Mr. Jennings to Council.

### **CONSIDERATION OF CANDIDATES FOR DEPUTY CITY CLERK**

James England nominated Beth Neece as Deputy City Clerk, seconded by Craig Lessar. The vote was taken and passed 7-0.

### **SWEARING IN**

Judge James Lusero swore in Councilman Rick Jennings, City Clerk Lori Sheldon, City Treasurer Jacque Sikes, and Deputy City Clerk Beth Neece.

### **RECOGNITION OF SERVICE**

Mayor Quintana asked John Zgut to come forward in order to thank him for his service to the city in his former position as City Clerk. Mr. Zgut was presented with a clock in recognition of his efforts and received a standing ovation.

### **APPROVAL OF MINUTES**

Mayor Quintana asked for a motion to accept the minutes from the January 5th Regular City Council meeting. James England moved, seconded by Dave Mockmore, that the minutes from the January 5th Regular City Council meeting be accepted. Motion carried on a Roll Call vote of 8-0.

## **Committee Reports**

**Finance Committee** Chairman James England reported that the Finance Committee met on Wednesday, January 13 at 5:30. Those in attendance were himself, Mayor Quintana, City Finance Director Krystal Vigil, City Administrator Alan Hein, Assistant City Administrator Beth Neece, Councilpersons Silvana Lind, Craig Lessar, Erin Jerant, David Mockmore, and Jim Moore. Agenda items were as follows:

- ◆ Discussion of a matching donation between the City and County of \$2,000.00 each are to be put in conjunction with a \$2,000.00 grant that County Administrator John Galusha is currently working on. Funds will be used for a half price day at the County Collection Center (Waste Transfer Station) as an opportunity to better introduce the facility to the community. This item is on the agenda later for possible council action.
- ◆ The contract with the Ranch Manager was also discussed with some semantic wording changes made and is also on the agenda this evening.
- ◆ Discussion was held on a non-match non-in-kind \$10,000.00 grant from the Colorado Department of Public Health and Environment which is also on the agenda and will be covered in Mr. Hein's report.
- ◆ Discussion was held on new members to be added and authorized to sign checks. This is also on tonight's agenda.
- ◆ Discussion was held on a donation to the Walsenburg Golf Course for their silent auction. This is also on the agenda.
- ◆ Discussion was held on appointing a Deputy City Clerk for the City of Walsenburg. That has been done.
- ◆ The City reports were discussed and were released to City Council members to allow them further time to review and those will be discussed later in the meeting.
- ◆ The meeting with Hugh Hulloch from the Governor's Energy office that was originally set for February 18<sup>th</sup> at 1:00 will need to be rescheduled. He tried to reach Mr. Hulloch today and will notify staff and council when a new date has been set. Mr. Hulloch had another engagement to attend on the day (of the original meeting) and that was at the request of Governor Ritter.
- ◆ The next meeting will be held Monday February 1<sup>st</sup> at 5:30.

**Parks and Recreation Committee** Chairman Erin Jerant was not in attendance so there was no report.

**Safety Committee** Mayor Quintana stated that this is a quarterly meeting so there is no report on that.

**Public Resources Committee** Mayor Quintana stated that this committee is handled by staff and there is no update at this time.

## **CITIZEN FORUM**

Roberta Bustos from the Outreach Clinic gave a presentation on the free services they offer. They do testing for cholesterol, triglycerides and blood glucose, pulse-ox. They have programs for children. They have prescription assistance. She has sent letters to most of the businesses in town letting them know about the screenings and that they're free. She hasn't gotten good response and finds that if she goes "face to face" she gets

better results. She offered to come and do testing for staff at City Hall. Mayor Quintana asked if the service might help with our insurance costs. Ms. Bustos replied that she had had a patient who had not been able to obtain health insurance but followed recommendations and lost weight and got healthier who was then re-tested and able to obtain insurance. It was recommended that she talk to Councilman Lessar as the Chairman of the Safety committee about setting up a time to come to City Hall to allow the employees to take advantage of this program.

## **REPORTS**

**Administrator** Alan Hein reported on the following:

**Grocery Store update:** The CDBG grant for this project is in process.

**Wastewater Treatment Plant Status:** Mr. Hein met with the engineer and a representative from Moltz to put together a strategy to lower costs.

**Martin Lake Valve Replacement:** The design has been approved. There is a pre-construction meeting on Friday January 22<sup>nd</sup>.

**Best and Brightest program:** Mr. Hein wished Beth good luck.

**Pending Grants Update:** NSP2 is a no-go for now. Mr. Hein believes we will probably have to rewrite the PER for the USDA loan for the Northlands. There are too many discrepancies between the information from Accurate EngiSurv and Tetra Tech.

**Inventory of Vacant and Blighted Property:** This is part of the comprehensive plan. James England stated that a previous Council person had asked about starting an urban renewal program. Mr. Hyatt explained the pros and cons of dealing with this type of program.

**Chief of Police** Larry Baldonado reported that he will be attending a meeting with the State Patrol regarding transportation of hazardous materials and changing routes they take through Walsenburg. Some time next month State Patrol and Dispatch will go to a ICS (Incident Command System) talk. If any council persons are interested in attending, he would be happy to provide the information. He is working on the year-end reports which will be available by the 2<sup>nd</sup> meeting in February.

## **Monthly Reports**

Mayor Quintana asked if there was any discussion on reports. No one had anything. He called on Jacque (Sikes) but said he wouldn't expect a Treasurer's report yet. Ms. Sikes confirmed that she had nothing to report at this time.

## **Unfinished Business**

There were no items on the agenda.

## **New Business**

First Item is the Ranch Manager's contract. James England asked Mr. Hyatt if he had any objection to the changes in language of the agreement. Mr. Hyatt replied that he did not. Mr. England moved, seconded by David Mockmore, that the contract for the Ranch Manager – Joe J. Corsentino, be accepted. Motion passed on a roll call vote of 8-0.

Next is the Drinking Water Revolving Fund Grant. James England made a motion, seconded by Craig Lessar, that staff be instructed to proceed with the pre-planning loan planning and design and assistance grant for \$10,000.00. Motion passed on a roll call vote of 8-0.

Next is the Liquor License renewal application for Sarti's Bar. Chief Baldonado reported that there have been no violations in the prior year. James England moved, seconded by David Mockmore, that the Tavern Liquor License renewal for Sarti's Bar be approved. Motion passed on a roll call vote of 8-0.

The next item is regarding Council members being authorized to sign on the City checking account. Beth Neece reported that there have been, in the past, 3 staff and 3 Council persons but we are now down to 2 staff and 1 Council person. James England nominated Jacque Sikes, as Treasurer, to be a signer but then withdrew his motion as he is one of the Council members on the prospective list of signers. James Moore then moved, seconded by Nick Vigil, that Jacque Sikes, James England, and Craig Lessar be authorized to be signers on the checking account. Motion passed on a roll call vote of 6-0 with James England and Craig Lessar recusing themselves.

The next item is the donation to the Walsenburg Golf Course. A motion was made by Craig Lessar, seconded by Dave Mockmore, that 2 Walsenburg Wild Waters splash passes be donated to the Walsenburg Golf Course for their silent auction. Motion passed on a roll call vote of 8-0.

Next is the donation to Huerfano County offset fees for half price days at the Waste Transfer Station. Mayor pro tem England asked Mr. Hein if it has been decided which fund the donation would come from. Mr. Hein replied that we are looking into the solid waste fund and if that would materialize that would be the primary fund that we would take it out of. The secondary fund would be the demolition fund. Councilman Moore noted that the demolition fund would be an inadequate fund to take the money from due to the cost to demolish blighted properties. James England made a motion, seconded by David Mockmore to set aside \$2,000.00 to help offset Huerfano County for the half price days at the transfer station. Further discussion was held regarding which fund the money would come from. Councilman Moore expressed concern about the donation fund since the use for that fund has not been discussed and also about the demolition fund since the \$10,000.00 in that fund would be severely depleted by even a single demolition. Mr. Hein replied that he estimates it would cost between \$2,000.00 and \$3,000.00 per demolition. Mayor pro tem England suggested that the donation could perhaps be split between the different funds. Motion passed on a roll call vote of 8-0.

Finally was appointment of a representative to the Walsenburg Ditch Company. Mayor pro tem England has held this position for the past 2 years at the request of former Mayor Sheldon. The City of Walsenburg is a shareholder in the Walsenburg and Holita ditch companies. Dues include attendance at the annual shareholders' meeting and board of directors meeting to be called at the discretion of the President who at this time is John Stroh. He's offering his services to serve on the board again. He would also like Council to select an alternate. Councilman Moore asked how often they meet. Mayor pro tem England replied that it's once a year. Mayor Quintana stated that he would like to postpone designation of an alternate. James Moore made the motion, seconded by David Mockmore, that James England be appointed as the City of Walsenburg representative to the Walsenburg Ditch Company board. Motion passed on a roll call vote of 7-0 with Mr. England recusing himself.

Mayor Quintana adjourned the regular session. Mr. Hyatt informed Mayor Quintana that the motion to go into executive session has to be made during the regular session. James England made a motion, seconded by Nick Vigil, to return to regular session. Motion passed on a roll call vote of 8-0.

James England made the motion, seconded by Nick Vigil, that Council go into executive session for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Motion passed on a roll call vote of 8-0.

At the conclusion of the executive session Mayor Quintana stated: The time is now 8:01, and the executive session has been concluded. The participants in the executive session were: Councilman James Moore, Councilman Silvana Lind, Councilman James England, Councilman David Mockmore, Councilman Craig Lessar, Councilman Nick Vigil, Attorney Dan Hyatt, City Administrator Alan Hein, Assistant City Administrator Beth Neece, and himself, Mayor Bruce Quintana. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

Mayor pro tem England asked Mr. Hyatt to address a couple of items, first, discussing things that are discussed in a closed session and also about the Sunshine law and having more than 2 council persons present at a non-posted meeting. Mr. Hyatt gave a brief talk on each of these topics.

**Adjournment**

With no further items on the agenda, the City Council meeting adjourned at 8:15 p.m.

CITY OF WALSENBURG

ATTEST:

\_\_\_\_\_  
Bruce A. Quintana,  
Mayor

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Lori Sheldon  
City Clerk

The preceding minutes were prepared according to §47 of Robert's Rules of Order, i.e. they contain a record of what was *done* at the meeting, not what was *said* by the members. Tape recordings of the meeting are available for 6 months thereafter only for listening in the City Clerk's Office as well as copies of Ordinances and Resolutions.