

STATE OF COLORADO
COUNTY OF HUERFANO
CITY OF WALSENBURG
Regular Session Meeting
May 18, 2010 6:00 p.m.

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

MAYOR'S COMMENTS

Mayor Quintana expressed his appreciation for the public's interest in the Finance, Parks and Recreation, and City Council meetings.

APPROVAL OF MINUTES

Mayor Quintana asked if there were any comments or questions for the May 4th Regular City Council meeting. James England asked for a correction of the date of the Town Hall meeting under Unfinished Business from January to May. James England moved, seconded by Silvana Lind, that the minutes be accepted as corrected. Motion passed on a roll call vote of 9-0.

James England asked for a correction on the May 10th Special Meeting minutes to scratch "pro tem" from "Mayor pro tem Quintana" under New Business. James England moved, seconded by James Moore, that the minutes from the May 10th Special City Council meeting be approved as corrected. Motion passed on a roll call vote of 6-0 with 3 abstentions based on absence from the meeting from Erin Jerant, David Mockmore, and Nick Vigil.

COMMITTEE REPORTS

Finance Committee Chairman James England reported that the Finance Committee met on Monday, May 17th at 5:30. Those in attendance were himself, Mayor Quintana, Councilpersons Rick Jennings, Silvana Lind, Nick Vigil, David Mockmore, Erin Jerant, Craig Lessar, and James Moore. Also in attendance were City Treasurer Jacque Sikes, City Administrator Alan Hein, Assistant City Administrator Beth Neece, Larry Patrick from the Huerfano World Journal, Renee Rinehart from the Signature, and Alicia and Charles Bryant and members of the *Citizens for a Better Walsenburg*. Mr. England expressed his appreciation that the members of this group come to City meetings and also encouraged them to share their opinions with the School board and County Commissioners also. Items on the agenda were as follows:

- ◆ Documentation on City Loans – They were presented with documentation on all long-term City Loans. One is due to be paid off this year. The longest term is the waste water treatment plant due to be paid off in the year 2032. This is on the agenda later.
- ◆ Staff was instructed to look further into the uniforms for employee savings and set up a test run on 2-way radios for feasibility and quality and the possibility that we may still have some of the old radios left over from when the police department used 2-way radios.

- ◆ They were updated on Franchise fees. Staff was directed to get in touch with Qwest for updates and with the City attorney to get a Franchise agreement in writing with Qwest.
- ◆ The report that was scheduled from the CPA was moved to the June 7th meeting. They were presented with a relatively long document last night and the CPA will be at the June 7th meeting to, hopefully, put some of the questions to rest.
- ◆ They were updated on cost savings – generally on layoffs so far.
- ◆ They were also updated on comp time. They were assured that that will be drawing down as the Martin Lake valve project is brought to completion.

Parks and Recreation Committee Chairman David Mockmore reported that the Committee met after the Finance meeting with the same people in attendance.

- ◆ A brief recap was given of the Wild Waters meeting that was held on the previous Wednesday. Administrator Alan Hein reported that he had interviewed 3 applicants and had hired Ms. Colette Wahl who started yesterday (May 17th). She is contacting all the vendors and will begin interviewing and hiring lifeguards and concession people this week. Administrator Hein reported that work had been completed on preparing the pool for opening by a firm from Colorado Springs and that they'll be back to configure the temperature gauge for shutoff when the pool reaches the desired temp. Right now it is not working, it shuts off too early. On the 28th of this month a group of students will spend most of the day at the pool. The following day will be the Grand Opening of the pool, weather permitting. Discussion is still going on about the entry fees and that will be discussed tomorrow morning at another pool meeting.
- ◆ The Administrator gave the thumbs up on all the parks. They're ready to be enjoyed by everyone.
- ◆ Alicia Bryant reported that she has received a \$500.00 donation from San Isabel Electric toward the new skate park which will be at City Park on West 7th. She also mentioned that Grandote had offered to have a golf tournament as a fund raiser for the skate park. Mr. Mockmore asked Councilman Lessar to chair a committee to organize a golf tournament for the fundraiser. He is going to work with Alicia and her other committee to hold possibly two tournaments, one in Walsenburg and one in La Veta.
- ◆ Chris Galvan offered his services to the Wild Waters concession for training employees in dealing with customers and in inventory. Mr. Mockmore expressed his appreciation and stated that any volunteerism from any member of the community would also be appreciated. The goal – to be profitable at Wild Waters for 2010.

CITIZEN FORUM

Nancy Lave asked Council to pay ½ of the insurance bill for the Black Diamond Jubilee. The full cost is \$1,347.37. David Mockmore moved, seconded by Erin Jerant, that the City pays 50% of the insurance cost (\$672.68.) for the Black Diamond Jubilee. Motion passed on a roll call vote of 9-0.

REPORTS

Liaison to the Huerfano County Economic Development group **Silvana Lind** gave a detailed report on the most recent meeting of HCED.

- ◆ Al Tucker, Edi Sheldon, Mike Sheldon, Robin O'Day, Michael Aragon of Trinidad Economic Development, Allison Cortner of Southern Colorado Economic

Development District, Loretta Kennedy – Southeast Regional Director of the US House of Representatives, members of the Walsenburg Chamber of Commerce, HCED members Dick Edler, Wynelle Turner, Betty Jo Cordova, Ed Johnson in addition to probably 30 in attendance.

- ◆ Linking an Economic Development website with the Chambers of Commerce websites and other entity websites in the county in order to give maximum exposure was discussed. Laura volunteered to research other ED websites, to generate ideas and to focus the possible content of a future HCED website. She will report back at the next meeting. Wynelle Turner offered to bring an old ED brochure to the next meeting that could help in designing a new one. There was a suggestion that a “Tourist Guest Book” highlighting local attractions could be produced and distributed to local hotels and B&B’s.
- ◆ The by-laws of the existing organization were discussed. The Chairman did not want to share the amended by-laws with the expanded group present. He wants to hear what the new group wants to accomplish before being allowed to join. The assembled group was told there were no funds and that the old group had dwindled to 5 members. Al Tucker asked if new members would be accepted and was answered in the affirmative. HCED currently meets quarterly. Edi Sheldon pointed out that according to the old by-laws they were to meet twice monthly. They were told by the Chairman that the amended by-laws changed the voting committee from 14 to 9. However, according to Pete Fraser from South Central Council of Governments, as of 4/19/10 HCED did not have a quorum and so did not have the authority to amend the by-laws and the old by-laws would stand. There is also no record of the group filing the necessary forms with the IRS as a 501(c)(3) group. Al Tucker clarified the present membership status and possible vacancies per the old by-laws. HCED was not in good standing with the Secretary of State’s office from 2002-2005 although they are as of this year.
- ◆ Allison Cortner shared a 6-county booklet as an example of what could be created for our own ED group. Ms. Lind requested copies of her business funding center brochures as well as a copy of the booklet. She asked if there was an opportunity to invite members of her organization to meet with our banks, chambers and businesses in an effort to introduce funding resources to county businesses and Huerfano leaders. She said she’d be happy to do that. While funds in the business funding center are currently earmarked for Las Animas and Otero counties, we could talk with a gentleman who could have Huerfano County included in that funding group.
- ◆ At the close of the meeting it was agreed to re-convene on May 20th. Since then Ms. Lind has learned that there was an effort on the part of the Chairman to recruit previous members to volunteer for the voting committee. Among those in attendance at the May 5th meeting and who were willing to volunteer were those who represented chambers of commerce, City Council, business leaders and others – a good cross section. The Chairman indicated that anyone filling out an application for membership would be thoroughly screened. Someone in attendance stated that HCED should only ask for name, address and telephone number. There is a move to obtain records from the Secretary of State and the IRS in addition to minutes. HCED wants to change the date of the next meeting to the 19th. Although there was obviously a good deal of dissention between the old and new guards, the good attendance of many citizens and county leaders eager to join the ED group bodes well for a dynamic group

in the future. Since writing her notes she has learned that HCED has opted out of participating in the meeting on May 20th. The meeting will be held and it's likely they will proceed in forming a new group.

There was some discussion following the report about how funding opportunities would be affected if there are two groups vying for them. Ms. Lind said that would have to be worked out with the State ED people.

Treasurer's Report Treasurer Jacque Sikes reported that as of the End of April the account balance is \$8,624,325.57. James England moved, seconded by James Moore, that the Treasurer's Report for March be accepted as presented. Motion passed on a roll call vote of 9-0.

Police Chief

- ◆ Chief Chamberlain started by saying that the YTD calls for service in the current statistics are not correct. When dispatch changed to the new system they're using now it started logging calls for service in a different manner. They're still working out the bugs and trying to get accurate reports. It was explained to him that if there are secondary, tertiary, etc. calls made for assistance on the original call, all of the calls are logged separately.
- ◆ He then went over the statistics report.
- ◆ The answer to a question from the last meeting – he has not been able to locate an emergency action plan. He will be getting with Administration to work on putting one together. He did find an emergency operations ordinance but it is more for a local disaster situations such as weather emergencies, etc. Councilperson Lind asked if he had received any guidelines from the Department of Homeland Security regarding things like bomb threats. Chief replied that he had not seen anything but that he will contact DHS in order to get started on making a plan.

Councilman England commented on how nice it was to see officers out on foot in town when he was out and about on Sunday morning.

Administrator Alan Hein reported on the following:

Martin Lake Valve Replacement: There was a meeting Monday on-site prompted by the State Parks and Recreation people. They have been putting a lot of heat on the State engineers because they would like to have the lake full enough by Memorial Day to open it for recreational purposes. The State came out and attempted to do a final inspection on Monday. The deficiencies they found were: there was not enough riprap placed around the intake structure. There was a discrepancy – there was a change order and the State has not honored that. The project has been held up the last couple of days ordering and waiting for the riprap to be delivered to the site. They're planning on placing the riprap today and tomorrow and call for another inspection Friday. Also, one of the valves did not seat properly. It had seated properly prior to the inspection but on the day of the inspection it would not seat. It has a little bit a seep. They figure that it's in the gasket. We're going to call a representative of the company that makes the valve and have them come take a look at it and get it fixed. The other two valves are working fine. In response to a question from Councilman Moore regarding how this affects the release

of water into the lake, Mr. Hein replied that the earliest we would be able to start releasing water would be Friday of this week. Councilperson Jerant said that she had talked to John (Brandstatter) and he thought it would be OK because they just replaced the pipe with a larger one. They think they can take up to a foot per day (the maximum allowed by the State).

Wastewater Treatment Plant: Mr. Hein has done everything he can possibly do in negotiating with the engineer and the contractor. The numbers were off at the finance meeting. He worked most of the day and handed out corrections this evening. We are a couple of hundred thousand dollars short of funding the total project.

Grocery Store Status: Mr. Hein has been in contact with the State. All that's required by the City is they need a set of engineered plans for the street and the infrastructure. He's been in the process of trying to contact the engineer who originally started that project to have him go ahead and finish the design work on the infrastructure. Once he gets that and that is reviewed by the State then they'll give a notice to proceed to the City to get started on our work. The contractor (GTC) came in and talked with Mr. Hein yesterday. They're planning on starting the project on the first of June. They're planning on putting in their silt fences first, which is a requirement, and then putting in the storm water containment. They're planning on starting to move dirt around the middle of June.

Councilman Lessar asked about who is responsible for the costs involved in the problems at Martin Lake. Mr. Hein replied that the valve leaking is not the responsibility of the City. We will have to absorb part of the cost of the riprap. Fortunately the contractor has their own mine where the mine and crush the rock themselves so the price is about 1/3 of what we would have to pay an independent supplier. A lot of that is the responsibility of the contractor, it does not fall back on the City. We are over budget with the project but there are enough funds to finish it.

Monthly Reports

- ◆ There were no questions regarding the items under tab E (Sales Tax Report, Utility Billing Aging, Red Tag and Disconnect Log, Overtime Report, Treated vs. Billed Report, Fuel Consumption).
- ◆ Regarding tab F (Bank Reconciliation Report, Monthly Expenditures, Transfers for March) Councilman Moore asked about the expenditure on the Gateway Project. Mayor Quintana and Mr. Hein replied that it was for the engineer's plans. Mr. Moore asked if it was budgeted for. Mayor Quintana replied that it was budgeted for about 8 months ago. Mr. Moore asked if we were already obligated to complete this process with them. Mayor Quintana replied in the affirmative.
- ◆ There were no questions regarding the reports in tab G (Summary of Financial Status, Fund Summary, Balance Sheet)
- ◆ There were no questions regarding the report in tab I (Paid Invoice Report)
- ◆ Erin Jerant moved, seconded by James Moore that all the items in tab E be approved. Motion passed on a roll call vote of 9-0.
- ◆ James England moved, seconded by Silvana Lind that all the items in tab F be approved. Motion passed on a roll call vote of 5-4 with the "no" votes from Erin Jerant, Craig Lessar, James Moore and Mayor Quintana.

- ◆ James England moved, seconded by James Moore that all the items in tab G be approved. Motion passed on a roll call vote of 6-3 with the “no” votes from Erin Jerant, Craig Lessar, and Mayor Quintana.
- ◆ Craig Lessar moved, seconded by David Mockmore that the item in tab H be approved. Motion passed on a roll call vote of 9-0.

Unfinished Business

The first item is the wastewater treatment plant. Councilperson Jerant asked where we’re going to get the other \$190,000.00. Mr. Hein replied that the discussion today was that this job is going to last until the next budget year. There will be some funding available through the capital improvement fund. An estimate would be around \$100,000.00. The engineering is time plus material so the less we utilize them or the less travel time they have to Walsenburg from Denver the more savings we could have on that item. He can see possible savings of \$50,000.00 to \$100,000.00. If you go back and look at the information that was provided by Tetra Tech, they’ve got some big money on their travel expenses and inspections. It’s overkill on their part. If we can get them to come down for critical inspections and then take video or photos of the rest and send that to them prior to laying the concrete that will save money in travel expenses. In response to a question from Mayor Quintana about the fines if the project is not completed, Mr. Hein said that he talked with DOLA today and it could be up to \$10,000.00 per day. Councilperson Jerant asked if the State is aware that we are having financial difficulties. Mr. Hein replied that they are aware because he talked to them about phasing the project and they would not agree to that. In answer to a question from Councilperson Lind about when the State might start assessing fines, Mr. Hein replied that they will not assess any fines as long as we are attempting to remedy the situation. If the Council decides not to build it, then the State will come down on us. In response to a question from a citizen regarding the scaling back of the size of the plant, Mr. Hein replied that the State would not allow that. The lavatory will not be built at this time because we will still be able to use the one at the old facility but that is the only change from the original design. Jacque Sikes asked if gas was included in the estimate of losses from the closing of the prison or if it was just water. Mr. Hein replied that gas was included. Chuck Martinez asked if there will be a new lab. Mr. Hein replied that there will not. Mr. Martinez expressed concern that the old lab will not be sufficient for the new tests that are required. Mr. Hein replied that he is planning on contracting out the operation of the plant – this will be a cost saving endeavor to the City. He has done this before and it works out very well. A citizen asked if he would be outsourcing a job and reducing staff. He replied that he will not be getting rid of an individual by contracting this out. His big concern is certification (you need a B operator) and we don’t have anyone who is certified to run it at this time.

James England moved, seconded by David Mockmore, that we proceed forward with the wastewater treatment plant, that \$5,200,084.00 be allocated including \$4,952,184.00 to be paid to Moltz Construction, \$247,900.00 to be paid to Tetra Tech Engineering Services and that the Mayor and staff be given permission to sign the necessary paperwork. Motion passed on a roll call vote of 8-1 with the “no” vote being from Craig Lessar.

New Business

James Moore moved, seconded by Erin Jerant, that the liquor license (number 26-57410-0000) renewal application for malt and vinous liquors for Saralynn Smircich and

Eleanor Smircich d/b/a Corine's Mexican Food be approved. Motion passed on a roll call vote of 9-0.

The final item, the Contract with Paradigm for public awareness, per PUC regulations was postponed.

Adjournment

With no further items on the agenda, the City Council meeting adjourned at 8:10 p.m.

CITY OF WALSENBURG

ATTEST:

Bruce A. Quintana,
Mayor

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.