

STATE OF COLORADO
COUNTY OF HUERFANO
CITY OF WALSENBURG
Regular Session Meeting
June 1, 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: Rick Jennings, Silvana Lind, James England, Nick Vigil, David Mockmore, Erin Jerant, Craig Lessar and James Moore. Others in attendance were Assistant Administrator Beth Neece, City Attorney Dan Hyatt, and City Clerk Lori Sheldon.

Mayor's Comments

Mayor Quintana announced a change to the agenda. The Citizen's Forum will come immediately after the Approval of Minutes, followed by an Executive Session. The remainder of the agenda will be completed as is written.

Approval of Minutes

James England moved, seconded by Nick Vigil, that the minutes from the May 18th Regular City Council meeting be approved as presented. Motion passed on a roll call vote of 9-0.

CITIZEN FORUM

Bruce Eccher from the Anchor Motel is displeased with the cost of sewer service compared to water service for the motel. He asked if the sewer rates could be changed to be based on water consumption as opposed to "per stool". Councilman England suggested that the issue be referred to the Finance Committee. Mr. Eccher agreed to attend the FC meeting on June 7th. Councilperson Jerant pointed out that the rates were set to satisfy the bond.

Larry Canard from Shell Oil submitted a "document process" to Mr. Hein several months ago regarding tracts of land for which the City owns the mineral rights. Mr. Canard would like to lease the minerals. He stated that he has spoken with Mr. Hein several times but has not been successful in getting to a point of discussion. Mr. Canard would like to get this process expedited. He handed out leases and offer letters he had prepared for Council's perusal. The offer is for \$50.00/net mineral acre on approximately 139 acres on tracts of land north of La Veta. They shot seismic out there that will be completed by the end of the year. They did a 2D shoot on 175 linear miles. They are in the process of preparing a couple more areas of interest which will create more seismic. The seismic has been comprehended and looked at but he doesn't know where they're going to drill yet. They're very excited about Huerfano County. He thinks we'll see drilling here by the end of this year or the 1st quarter of next year. They're at the point of tying up acreages in areas where they have surrounding acreage and this is an important area for them. Councilman England suggested that the City Attorney take a look at the documents. Mr. Canard stated that Mr. Hein had told him that the documents had been presented to the attorney. Mr. Hyatt said that he seemed to recall that he had seen the documents but he would have to check. It was decided to discuss the issue at the June 14th Finance Committee meeting.

Carl Tomsic from Veterans and Associates made a presentation regarding the group's desire to help support youth sports activities. They have raised in excess of \$3,250.00 to date of which they have expended approximately \$1,500.00. They raised a substantial

amount of money at a benefit dinner in March. They organized a Denver Nuggets basketball trip which was very successful. They have supported wrestling, a basketball tournament, and both volleyball and track camps. They want to start looking at supporting baseball activities. They're planning a horseshoe tournament to raise funds. They're working with the bowling alley to try to work out a bowling program for kids. Councilperson Moore asked if he had been in contact with Huerfano County Youth Services. Mr. Tomsic replied that they had been in touch with several groups that have their own agendas and that has been a little tough to overcome. He recited a long list of businesses in town that have agreed to work with them. Several Council people and audience members made suggestions to Mr. Tomsic regarding groups he could get in touch with that might be able and willing to help. Mr. Tomsic's request was referred to the Parks and Recreation committee for future consideration. Mayor Quintana and Councilperson Lind both expressed thanks to Mr. Tomsic and his group for their concern for the youth of Walsenburg.

James England moved, seconded by Nick Vigil, that Council go into Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of the City Council or any elected official; the appointment of any person to fill an office of the City Council or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Motion passed on a roll call vote of 9-0.

At the conclusion of the Executive Session, Mayor Quintana stated that the time was 7:32 and the Executive Session has been concluded. Participants in the session were Councilperson Rick Jennings, Councilperson Silvana Lind, Councilperson James England, Councilperson Nick Vigil, himself, Councilperson David Mockmore, Councilperson Erin Jerant, Councilperson Craig Lessar, and Councilperson James Moore, and City Attorney Dan Hyatt. 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. Having heard none, we are back in (regular) session.

Craig Lessar, after confirming with the Mr. Hyatt that it was all right for him to do so, moved, seconded by James Moore, that the contract of Alan Hein be discussed in a future Executive Session with Mr. Hein present. Motion passed on a roll call vote of 7-2 with the "no" votes being from Nick Vigil and Mayor Quintana.

Committee Reports

Finance Committee Chairman James England reported that the Finance Committee did not meet due to the holiday.

The next meeting will be June 7th at 6:00 following the Parks and Rec meeting.

Parks and Recreation Committee Chairman David Mockmore reported that the committee did not meet due to the holiday but that Walsenburg Wild Waters had opened with a wonderful turnout of 2 busloads of kids from Keeting Junior High school in

Pueblo on the first day. The Park made \$4977.00. Expenses were \$1240.00 with a couple of bills still outstanding, \$3737.00 is in the bank. They will keep meeting weekly to keep track of how the park is doing. Mr. Mockmore then brought up an issue of concern regarding a Council member who contacted GOCO (Great Outdoors Colorado) about closing the pool even though Council, as a group, had voted not to contact them since it was decided to open the pool for the season. Due to concerns that future funding opportunities might be jeopardized the majority of Council was not in favor of contacting GOCO and thought the issue was dead. After extensive debate, with Mr. Moore supporting his decision with correspondence from a representative of GOCO, Councilpersons Jerant and Mockmore asked Mr. Moore not to assume that he is representing them when he acts outside of the decisions made by the Council as a group, and Mayor pro tem England encouraged the citizens to “take them at their vote.”

REPORTS

Economic Development Liaison Councilperson Lind reported that Huerfano County Economic Development group met on May 26th. Present were Ed Johnson, Betty Jo Cordova, Wynelle Turner, Dick Edler, John Carlson, Mayor Don Kearns of La Veta, Kathy and Doug Doolittle, Mike and Nancy Lave, Robin O’Day, Jacque Sikes, Debbie Channel, Wayne Grogan and herself. Wynelle Turner share the minutes from a special meeting of May 25th at which Mr. Edler, Ms. Cordova, Mr. Johnson and Ms. Turner were present. At that meeting 11 people were accepted as members. They discussed forming committees for the hospital/care center to possibly negotiate between the Hospital, the Care Center, the County and the City, and a business retention committee to promote shopping locally, assess the needs and opinions of local businesses and possibly produce a monthly flier, and entertain a “Friday Night Madness” shopping experience. There was a motion that 2 candidates from the general membership be appointed to fill the 2 vacancies on the board of directors. That motion passed. That concluded the minutes from the May 25th special meeting. During the May 26th meeting, a treasurer’s report was given stating the amount of funds in the HCED checking account and the value of their CD as of February this year. The Bi-local Business Retention Committee was discussed. Nancy Lave called for volunteers. She wants to encourage locals to buy here, inform locals of the good services available and encourage businesses to work together in a spirit of cooperation. There was also discussion about offering hospitality training to local businesses, informing employees of the recreational opportunities that abound. They also discussed setting up kiosks at strategic points such as the entrances to the City. Ms. Lave informed the group the brochures would be deposited weekly at Lathrop State Park. The financial status of the apartments operated by HCED was discussed. Mr. Edler discussed the Care Center and the perceived role of HCED in bringing together all involved. There was brief discussion about challenges facing local business such as freight costs and the inability to compete with the large stores who get volume discounts. There was concern that the City does not have a plan in place for offering incentives to new businesses. Mayor Kearns stressed that there is a need for a larger population to support local businesses. The University of Phoenix meeting was poorly attended but UOP stated that even if they got 20 students they would bring computers. Monica Birrer stated that she has the 2nd floor of the library available. They do not want rent but it does need structural remodeling including reinforcement of the ceilings on the 2nd and 3rd floors which cost would be assumed by the tenant(s). The signage placed on the interstate and inside the City by the Tourism Board that directs tourists to key sites in town was discussed. There was also a meeting on May 20th. Joe Cost of USDA attended to discuss loans and grants

available and was very encouraging.

Chief of Police Chief Chamberlain reported that the police department, in conjunction with the County has been working on a Justice Assistance Grant. They got all the paperwork in. They are going to be purchasing in-car video systems from Martel Electronics. One will be installed in the K-9 unit. It is a well-tested system used by several branches of the military. They had in-car video systems that came with a couple of the Dodge Intrepids but it did not stand up to the heat of the sun and the systems melted. The grant will cover the cost of the equipment plus installation and peripherals for 2 Police Department cars and 2 Sheriff's Department cars.

Unfinished Business

New Business

James England moved, seconded by David Mockmore, that Resolution 2010 R-3
**A RESOLUTION OPPOSING PROPOSITION 101 AND AMENDMENTS 60 AND
61**

WHEREAS, state voters will have the opportunity at the November 2 statewide general election to protect the fiscal health of local government by defeating Proposition 101, Amendment 60 and Amendment 61; and

WHEREAS, during this current economic downturn the City of Walsenburg has already cut services and budgets dramatically like the leaf and limb pickup and employee layoffs; and

WHEREAS, these measures individually and collectively significantly reduce or otherwise restrict both state and local revenues in a number of different ways, including but not limited to: specific ownership taxes, telecommunication taxes, state income taxes, state-shared revenues to assist municipalities with local street and transit improvements, other state grants and loans to help local government, and property taxes; and

WHEREAS, the ability to finance long-term capital improvements like water and wastewater treatment plants, recreational projects, fire stations, and other public facilities are dramatically impaired by the restrictions on debt financing as proposed by Amendment 61; and

WHEREAS, the following services and programs in the City of Walsenburg will be limited or curtailed because of the numerous restrictions and revenue reductions proposed by these three measures. For example the paving fund and other general fund expenditures; and

WHEREAS, the City of Walsenburg is concerned about the impact these three measures will have on our ability of to work effectively with other local governments in the forms of intergovernmental agreements with LaVeta and Huerfano County; and

WHEREAS, a number of prominent individuals, newspapers and organizations including our own Colorado Municipal League are voicing opposition to these measures as not being in the best interests of Colorado and local communities; and

WHEREAS, provisions of state law do allow the City of Walsenburg to put for the this resolution as a statement of opposition to the measures known as Proposition 101, Amendment 60 and Amendment 61;

NOW THEREFORE, the City Council of the City of Walsenburg opposes Proposition 101, Amendment 60 and Amendment 61 and urges our citizens to vote against all three ballot measures.

CITY OF WALSENBURG

Bruce A Quintana, Mayor

ATTEST:

Loretta Sheldon, Deputy City Clerk

be adopted. Motion passed on a roll call vote of 9-0.

In response to a questions from Councilperson Lessar regarding whether he should amend his earlier motion to say that the buyout of Mr. Hein's contract be discussed, Mr. Hyatt stated that the original motion was general enough to encompass that so the motion would not need to be amended.

Councilperson Jerant asked whether the revision of the IT Contractor job description had been completed. Assistant Administrator Beth Neece replied that she had not yet had the opportunity to do that but that it will be revised and re-posted and the deadline extended.

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

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.