

STATE OF COLORADO  
COUNTY OF HUERFANO  
CITY OF WALSENBURG  
Regular Session Meeting  
September 1, 2009 6:00 p.m.

Mayor Sheldon called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited. Council members present were: Larry Patrick, Edie Flanagin, Susan Blake (arrived at 6:05), Bruce Quintana, David Mockmore, Erin Jerant, James England, and James Moore. Others present were City Administrator Alan Hein, Assistant Administrator Beth Neece and Deputy City Clerk/Treasurer Lori Sheldon. City Attorney Dan Hyatt arrived at approximately 6:45.

**APPROVAL OF MINUTES**

Mayor Sheldon asked for a motion to accept the minutes from the August 18th Regular City Council meeting. Councilman Moore asked for a clarification of wording in the "Citizen's Forum" portion of the minutes. A motion was made by Edie Flanagin, seconded by James Moore, that the minutes from the August 18<sup>th</sup> Regular City Council meeting be accepted as amended. Motion carried on a Roll Call vote of 8-0.

**Committee Reports**

**Finance Committee** Chairman Larry Patrick reported that the committee met Monday (August 31<sup>st</sup>) evening with Council members Moore, England and Mockmore present along with Assistant Administrator Beth Neece, Finance Director Krystal Vigil and himself. The committee went over the RFPs for a new auditor for the City of Walsenburg. One application was received from a firm in Greeley (Watkins and Schommer). They are willing to do the audit for a cost of \$15,000.00 including travel and hotel costs. This is less than we have been paying. Staff was directed to check their references. Mr. Hein reported that he had checked their references and handed out packets from the accounting firm. The cities they checked with gave them very high praise. The recommendation of the committee is that we go with this firm since their references are good. Edie Flanagin made a motion, seconded by Mayor pro tem Quintana that we engage Watkins and Schommer, Inc. as the auditor for 2009 financials. Motion passed on a roll call vote of 9-0.

Discussion on the heat for the train depot was held. Administrator Alan Hein had checked out the cost of heaters, having them hard-wired and the cost of heat tape for the pipes with San Isabel. It was estimated at a cost of about \$2,700.00. We've since talked about it and today (September 1<sup>st</sup>) the number of heaters may be reduced to 3 instead of 4 and the cost of hard-wiring may be less and this will bring the costs down. The Chamber, City, and possibly the Tourism Board are to work to share the cost of the heaters. The project will allow the Chamber and the Tourism Board to maintain offices in the depot for the winter time.

The CDBG grant application for the sewer line has been sent forward. However the Governor has pulled money from state agencies to help balance the budget so Walsenburg may have to compete harder for the money.

A discussion was held on the proposal from Rocky Mountain HMO for continuing the City's health coverage. There will be a rate increase of about 5.13 percent which is far lower than anticipated. The matter is on the agenda for later.

The committee got a report from the Administrator (Alan Hein) and Finance Director (Krystal Vigil) as they continue to work on the concerns as far as problem areas on cash flow.

Winter and the wet summer have taken their toll on gas and water sales and the worsening economy has hurt our sales tax revenue so they're working on necessary adjustments and will bring forth some ideas on that in the next couple of weeks. Councilman Jerant asked if it was "dire". Mr. Hein replied that he would not call it dire but that the finances need to be seriously looked at.

**Parks and Recreation Committee** Chairman Bruce Quintana reported that the committee has not met for a couple of weeks. The next meeting will be on September 21<sup>st</sup>. He has spoken with Danny Martinez (parks manager) and he has assured Chairman Quintana that winterization (of the water park) is ongoing and he is making sure everything is operational for next year. He is still waiting for a report on the finances and would prefer to wait until the numbers are final before reporting on this aspect. Mayor Sheldon expressed regret that the water park had to close early as there is a large class reunion happening on Labor Day weekend.

**Safety Committee** Chairman Erin Jerant reported that the next committee meeting will be held on September 21<sup>st</sup> at 6:00 p.m. There was an employee in-service on Friday (August 28<sup>th</sup>).

**Public Resources Committee** Chairman Edie Flanagan reported that the committee met on August 24<sup>th</sup> at 5:00 p.m. In attendance were (Councilmen) Erin Jerant, James England, and Larry Patrick, (Mayor) Edi Sheldon, (Assistant Administrator) Beth Neece, (Administrator) Alan Hein, and Bill Knowles & David Rinehart from the press and Ray Fisher, a concerned citizen from La Veta. They opened the proposals to sell the Kincaid property. That is on the agenda later on.

They talked about the round-table meeting set up by Al Tucker. Several council people were there and many people from the community. They discussed the possibility of supplying treated water for domestic use only to the homes in River Ridge if the money is available. There was another meeting with Al Tucker this morning (September 1<sup>st</sup>) which went very well also. That's going to be an on-going project to solve (issues) with our raw water line.

The wastewater treatment plant is on the agenda later.

One of the items that came up in the last council meeting was the request from the Masonic Cemetery for additional monthly allocation of water. No representatives were present at that meeting so the committee would like to set up a meeting. Chairman Flanagan would like to do a walk-through of the cemetery during the next Public Resources meeting on September 8<sup>th</sup> at 5:15. Councilman Jerant said she walked through recently and it looks like there's very little that's watered routinely and it has been told to her that it's watered maybe once a week. She believes there must be a leak. Brian Orr volunteered to notify the members of the cemetery committee of the meeting.

Mr. (Ray) Fisher attended the meeting to offer his services to help with proposals or grants. He's very interested in the Gateway Project. He would also like to offer help with cleaning up "dump sites" around town.

The next meeting will be on September 8<sup>th</sup> at 5:15.

Mayor pro tem Quintana notified the council that the tape from the prior Public Resources committee meeting was blank and asked that administration take charge of making sure the machines are working and that the meetings are being recorded properly. Deputy Clerk Sheldon replied that she had checked a tape that was recorded after the one in question and that it was fine. There was some discussion regarding possible causes for the malfunction. Mayor Sheldon

asked staff to check it out.

Councilman Jerant was happy to report “speaking of dump sites” that the “drug house” on 6<sup>th</sup> Street has been demolished.

## **REPORTS**

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

**Meeting with Al Tucker:** Mr. Hein reported that the meeting this morning (September 1<sup>st</sup>) was very productive. There was a representative from Petroglyph. Mr. Tucker, Mayor Sheldon and several Council members and staff attended. One of the first areas that needs to be taken care of is the engineering study. They came to the consensus that they would phase it out into two options. One would be pumping the water back up into the La Veta Area. The other would be to build a water treatment plant up in the La Veta area and let gravity control the flow down. The main project is putting the pipe in the ground. Three action items came out of the meeting. One of the action items is to make sure that we would be allowed to install our utility within the state right-of-way on Highway 160. Mr. Hein took care of that this afternoon and we will be allowed to do that. Part of the engineering study will be what, where and how they would let us accommodate this. The second action item was to look into possible funding sources for the engineering portion of the project by TetraTech (the engineer on the project). He should have numbers on that by the end of this week. The third item was for Mr. Tucker to set up a meeting with State officials – people involved in different opportunities for grants. The meeting is tentatively scheduled for September 22<sup>nd</sup> in Denver. There is a meeting scheduled with Petroglyph regarding funding for the engineering study on September 9<sup>th</sup>.

**Martin Lake Valve Replacement:** The Miriam Ditch, which is where the water will be discharged, is several weeks ahead of schedule and is 90% complete. As of this week, the Division of Wildlife is officially going to take care of the cofferdam. CIRSA is on board with what we need to do as far as the liability for that project. We don't see any problem at all with beginning the drawdown on October 1<sup>st</sup>. Councilman Jerant reported that she had talked to John Branstetter and that the Division of Parks would like to start the drawdown right after Labor Day because it takes between 45 and 60 days to draw down that lake. She suggested that Mr. Hein call Mr. Branstetter.

**Safeway Store Parking Lot Renovation:** This is a go. It's just a matter of scheduling our people to do what they need to do. Our goal is to get that all taken care of before November 1<sup>st</sup>. Permits are in place and we're ready to go.

**Grant Status:** The hearing to close out the wastewater (plant) engineering grant was held this evening so we're well on the way to taking care of that. The USDA grant and loan for the Northlands has come to be under review. There are a couple of areas of concern that have been brought up that are being addressed. The CDBG grant status has changed. The Governor has moved \$20 million away from energy impact funds in order to balance the budget. This will drive organizations looking for other funding into (applying for) CDBG money which is available. Lee Merkel (from DOLA) and Mary Ann (Romero) from COG and the City are all working together to make sure the grant application is proper in order to secure that funding. The railroad building grant has been submitted. We're waiting to hear if we're going to receive funding for that. There are a couple of potential grants that are out there that we're looking into. One of them is the Main Street program for doing work on sidewalks, trees, lighting, streetscape, etc. There's a seminar that we're planning on sending some representatives to. Mr. Hein has been involved in this program before and says that it's a great program that will help us get a lot

accomplished.

**Paperless Operation for City Council:** We are currently doing research on this and a report will be given to council soon by our IT person. Councilman England asked about how long it would take for laptops to pay for themselves if we go paperless. Mr. Hein replied that this is part of the research we're doing.

Brian Orr from The Huerfano Journal asked for clarification regarding the funding for the raw water line engineering. Mr. Hein confirmed that Petroglyph may help fund the engineering portion of that project by Tetra Tech.

**Chief of Police** Chief Baldonado asked to postpone his report for later in the meeting.

### **Unfinished Business**

The first item is regarding the substitute water supply plan. There are copies of letters from Beorn Courtney from Headwaters Corporation (our water engineering firm) in the packet asking for us to approve her position stated in the letters. Mayor Sheldon asked if Alan or Beth would explain the content of the letters and went on to say that they are regarding the substitute water supply plans for the (Walsenburg East) well and other outside water that we supply. Mr. Hein said that "that pretty much covers it". Councilman Flanagin remarked that it is a really good report because it summarizes all of our water rights. A motion was made by Edie Flanagin, seconded by Erin Jerant and Mayor pro tem Quintana that we approve the letter and explanation of our Substitute Water Supply Plan request to the State and Mr. Wolfe who is the head of the State Engineering Firm - Water Resources Engineering. Motion passed on a roll call vote of 9-0.

The next item was regarding the auditor. It was voted on earlier in the meeting.

The next item is regarding the fence line for the wastewater treatment plant. Mayor Sheldon asked if this was the final step to complete the annexation. Beth Neece replied that it still has to be zoned by the Planning and Zoning board. The planning and zoning meeting is before the next Council Meeting so it will be on the agenda for the next meeting. Mayor Sheldon asked if we have established a plan to meet with the Correas. Melanie Correa was in chambers so a meeting was set for September 8<sup>th</sup> at 6:00 during the Public Resources committee meeting (after the cemetery meeting). Ms. Correa asked what information she should bring to the meeting. Councilman Flanagin asked that she bring a legal description of her property. Ms. Correa asked about the river and their land on the other side of it. Mayor pro tem Quintana asked if it was all one parcel. When Ms. Correa confirmed he replied that the river would be included in her legal (description).

The next item is the RFP for the Kincaid. Councilman Flanagin stated that they had opened three proposals, plus one from the previous ad, in the Public Resources meeting. One of the proposals was rejected because the broker is an employee of the city. The other three proposals were read and discussed. Each of the two from the current ad met most of the criteria set out in the ad. Only Bachman and Associates gave a specific commission rate of 6%. Fuller Agency did not specify an exact rate. Ms. Flanagin quoted a policy from their brochure regarding setting rates. Based on the ad requirements, only Bachman and Associates met the criteria. Both Bachman and Fuller have excellent records. A motion was made by James England, seconded by Edie Flanagin, to accept the proposal by Bachman and Associates to represent the City in the sale of the Kincaid property. After discussion and an apology from Karen McAnally for not filling out the proposal from Fuller Western correctly and a request to reconsider them as our broker if the property does not sell during the listing agreement period with Bachman,

Councilman England amended the motion to include a contract period of 12 months. Motion passed on a roll call vote of 8-1 with the nay vote from Susan Blake. After setting a meeting with Mr. Bachman to discuss the contract (during the Finance meeting at 5:00 on the 15<sup>th</sup>) Mayor Sheldon asked Mr. Bachman to forward the contract to Dan Hyatt via email for his review.

**New Business**

It has been discussed about appointing a committee to oversee the Gateway Project. Mayor Sheldon stated that a suggestion has been made to put it under the Parks and Recreation Committee. Mayor pro tem Quintana expressed his appreciation because he would like to see it through since he has worked hard to get it this far. Since there were no objections, Mayor Sheldon officially appointed the project to the Parks and Recreation Committee.

The next item on the agenda is the health and dental insurance for the staff. The quotes are included in the packet. A motion was made by Edie Flanagin, seconded by Larry Patrick that we accept the Rocky Mountain Health Plan as presented. Councilman Jerant asked that we study this throughout the next year so that next year we may be able to save some money. Councilman Flanagin asked about the Employer/Employee division of the premium. Mr. Hein replied that the City pays 75% and the employees pay 25%. Mayor pro tem Quintana asked what the administration has done about researching other plans. Mayor Sheldon replied that Bill Cook does the research for us and that the book containing his research regarding the benefits and costs is available to look at. Mr. Hein reiterated that Mr. Cook had presented 3 or 4 options that he reviewed with staff and the Mayor and that the current plan is the best plan for the cost. Mayor pro tem Quintana asked about “infiltrating” the county health pool. Mayor Sheldon replied that, during her discussion with Mr. Cook, he pointed out that if something should happen in the market where the investment from the pool is made the self-insurance would be in jeopardy and there would possibly be no coverage. After this discussion, roll was called. Motion passed on a roll call vote of 9-0.

Councilman Jerant made a motion to 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 was seconded by Edie Flanagin. Motion passed on a roll call vote of 9-0.

**Adjournment**

At the conclusion of the executive session, with no further items on the agenda, the City Council meeting adjourned at 7:20 p.m.

CITY OF WALSENBURG

ATTEST:

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Edith T. Sheldon,  
Mayor

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Lori Sheldon  
Deputy 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.