

STATE OF COLORADO
COUNTY OF HUERFANO
CITY OF WALSENBURG
Regular Session Meeting
September 15, 2009 6:00 p.m.

Mayor Sheldon called the meeting to order at 6:15 p.m. The Pledge of Allegiance was recited. Council members present were: Larry Patrick, Edie Flanagin, Susan Blake, Bruce Quintana, David Mockmore, Erin Jerant, James England, and James Moore. Others present were City Administrator Alan Hein, Assistant Administrator Beth Neece, Deputy City Clerk/Treasurer Lori Sheldon and City Attorney Dan Hyatt.

Mayor Sheldon asked for a motion to change the order of the agenda to move Item F (the contract for Bachman and Associates) to above committee reports. Motion was made by James Moore, seconded by Susan Blake, to move item 8F up on the agenda above committee reports. Motion passed on a roll call vote of 9-0.

APPROVAL OF MINUTES

Mayor Sheldon asked for a motion to accept the minutes from the September 1st Regular City Council meeting. David Mockmore made a motion, seconded by Susan Blake that the minutes from the September 1st Regular City Council meeting be accepted. Motion carried on a Roll Call vote of 9-0.

The contract for Bachman and Associates was discussed at this point. Councilman Patrick addressed the changes that were recommended in the Finance Committee meeting. The first was that the price for the Kincaid Ranch be set at \$849,000.00. Also, if Bachman feels they have an interested buyer at the end of the contract period, the contract will be extended 60 days instead of 120 days. Mr. Mockmore will talk to the current (lessees) about showing the property. Councilman Moore asked that the contract be modified to state that the agent takes the position as a seller's agent as opposed to a "transaction buyer." Mr. Bachman had explained the reason for that in the Finance meeting to the satisfaction of the committee and other council people present so that will remain as is. Mayor Pro Tem Quintana requested that it be understood that it had also been discussed that the price be set at \$879,000.00. Mr. Bachman thinks that it will sell more easily if the price is under \$850,000.00. Councilman Jerant made a motion, seconded by James England, that the contract from Bachman and Associates be accepted with the changes being located on line 148 – changing 120 to 60 calendar days, and line 215 – changing the price to \$849,000.00 and authorizing the Mayor to sign the contract. Motion passed on a roll call vote of 5-4 with nay votes from Mayor Pro Tem Quintana, Councilman Moore, Councilman Mockmore, and Councilman Blake. Councilman Jerant asked about who takes care of all the forms included with the contract. Mayor Sheldon set a meeting with Mr. Bachman and Beth Neece for 10:00 on Friday (September 18th) to go over the contract and ancillary documents. On the advice of Dan Hyatt another motion was made by Erin Jerant, seconded by Edie Flanagin, that Mayor Sheldon be authorized to sign any ancillary documents accompanying the contract. Motion passed on a roll call vote of 9-0.

Committee Reports

Finance Committee Chairman Larry Patrick reported that the committee met this evening

prior to the Regular City Council meeting. The contract with Bachman and Associates was discussed.

Discussion on the Petroglyph consideration donation was held. Mr. Hein will have something on that in his report.

A work session was set for Tuesday, September 29th at 6:00 p.m. to discuss the preliminary budget.

Parks and Recreation Committee Chairman Bruce Quintana reported that the committee will meet on September 21st and he will have a report at the next Council meeting.

Safety Committee Chairman Erin Jerant reported that the next committee meeting will be held on September 21st at 6:00 p.m. There will be an employee in-service on (Friday) September 25th at 8:30 a.m.

Public Resources Committee Chairman Edie Flanagan reported that the committee met on September 8th at the Masonic Cemetery. Further details will be discussed later in the agenda. They also met with the Correas and that will also be discussed later in the meeting.

CITIZEN FORUM

Will Sheldon gave a presentation in response to questions that have arisen over the current relationship he has entered into with City Administration on some development projects: He began working with (City) administration when he volunteered as a grant writer to aid in the effort to complete the grant application and proposal to CDOT for the Transportation Enhancement funds to finance the rehabilitation of the Train Depot. Mr. Sheldon interfaced with a number of key people from CDOT about the necessary steps to take to ensure that the City's submittal was successful. He helped to locate a Colorado Project Architect who is familiar with historical renovations to oversee the accuracy of the CDOT submittal and to participate on the project. He also contacted the mayor of Manzanola to obtain a copy of their CDOT submittal from several years back when they applied for the same funding to renovate their depot. Mr. Sheldon also assisted in compiling all the necessary information to make a preliminary application to the (Colorado) Historical Society for the depot's designation as an historic building. He assisted in preparing the grant application to the Historical Society to pay for the initial assessment of the depot building which resulted in a \$14,000.00 award. As a result, the City's current \$198,000.00 submittal to CDOT is ranked number one regionally for consideration of funding. The City should be notified regarding CDOT's decision in early October. When Mr. Sheldon heard that Mr. Hein was seeking an individual(s) to dedicate additional time and effort to assist in ongoing funding for development projects for the city, he requested a meeting with him. He made a proposal to Mr. Hein indicating he would appreciate consideration as a candidate in this effort with the understanding that the city did not have the budget to offer any formal compensation or benefits for this work. He indicated to Mr. Hein that he would be satisfied with building any administrative fees directly into the budgets of grant proposals which he prepared on behalf of the city. Mr. Sheldon assured that this is an accepted course of action and an accepted practice by nearly all state, federal, and private funding agencies and this makes it possible for grant writers to make a living. Mr. Sheldon reached an agreement with Mr. Hein and City administration to assist in developing a charter of projects to pursue. Mr. Hein initially

outlined the following initiatives: Implementing and researching the feasibility of developing an Economic Development Association; researching and submitting Walsenburg's application to the Colorado Community Revitalization Partnership, which is also a first step to enter into the Colorado Downtown Development Initiative; also, to pursue ongoing fund sourcing and preparation and submittal of grant proposals and applications; and to provide administrative oversight and accurate and timely reporting of all approved grant applications to ensure that the City has the ability to go after funds again. To date Mr. Sheldon has helped to oversee the timely submittal of the CDOT transportation enhancement grant, he has provided continuous interface with the necessary state funding agencies and developed relationships in that area, he's assisted with the narrative on the historical society grant application, he's done initial research on submitting the city's application to the Colorado Community Revitalization Partnership, which will be an exceptional effort in helping to rehabilitate our downtown area and provide ongoing support to local businesses in addition to helping recruit and to develop an environment to foster new small business growth. Mr. Sheldon has also laid the groundwork for the initial economic development effort. He estimates that he has volunteered several hundred hours in his efforts to date. He's happy to do this with the understanding that he can ultimately look at receiving his compensation in the manner outlined but also, just out of the desire, as a citizen of this area, and having his own personal stake and love for the area and wanting to see it prosper. He wanted to take the time to interface with council members to let them know, as an individual and a citizen, where he was coming from in his association with the City.

After his presentation he took questions from council and press. Mayor Pro Tem Quintana asked how he got seven (several) hundred hours in without his knowing about it. Mr. Sheldon started to reply that it was over approximately 6 months. Mr. Quintana reiterated his question, wanting to know how Mr. Sheldon worked 6 months for the City without his knowing about it. Councilman Jerant interjected that Mr. Sheldon doesn't work for the City. Mr. Quintana said he understands that but that Mr. Sheldon has worked on projects that he had no knowledge of up until a couple of days ago. Mr. Hein began to reply that Mr. Sheldon was volunteering his time in helping staff. Mr. Quintana reiterated that he didn't know about it. Councilman Jerant said that she thinks not very many of them (Council) knew about it. She thinks that, if Mr. Sheldon can do a good job, then write the money in and make a living. The main thing she objects to is being questioned about who the grant writer is and why he has an office at the building (City Hall) and not being informed so not being able to answer the questions. Mr. Sheldon clarified that for the majority of hours that he volunteered he was not officing at City Hall or using any City resources. He said that when he volunteered on the CDOT submittal he was strictly volunteering. Any preparation he worked on was using his own computer and supplies. He did not utilize any City resources during that time. Mr. Quintana reiterated that they should still have been aware of what Mr. Sheldon is doing. Ms. Jerant said again that her objection is that she had no knowledge and it makes everyone look bad when confronted by citizens and not have any answers. It makes it look like administration is doing things behind their backs. She believes that Council should be informed by administration about everything that is going on before it happens. They're not opposed to the concept, they're opposed to the lack of knowledge. Mr. Quintana inquired of Mr. Hein why it took place the way it did. Mr. Hein replied that it was oversight on his part. His objective at the time was to secure some funding and he thought he had the latitude to do that. Ms. Jerant replied that he has the latitude but that he needs to tell them what's going on. Mr. Hein replied that it's a learning curve. He apologized for any hard feelings and assured that he wants to be completely transparent with his

administration and he tries very hard to do so and that it won't happen again. He reiterated that he thought he had the latitude to bring in volunteers to help us with these special projects. Councilman Patrick, while agreeing that Council should have been informed, thanked Mr. Sheldon for volunteering and hopes that it will benefit the City in the long run. Mr. Sheldon agreed that he hopes that it will be a mutually beneficial situation and he looks forward to doing everything in his power to positively affect change and working to support City initiatives. Mayor Pro Tem Quintana asked what City resources Mr. Sheldon is utilizing at this time. Mr. Sheldon replied that he is using a computer, telephone and some space while he's working on these projects. Councilman England asked Dan Hyatt if he had anything to add. Mr. Hyatt asked several questions in order to clarify that Mr. Sheldon has not been compensated up to this point and that going forward he expects to be compensated out of the administrative fees built into the grants. Mr. Sheldon said that the CDOT grant was the first submittal where the administrative fees were included should the grant be awarded. Mr. Hyatt's concern is that, as a non-compensated volunteer there was no issue about whether Mr. Sheldon was an employee or a contractor. As soon as he started working in administrative fees on behalf of the city for compensation the need arose to define his role. Mr. Hyatt thinks we need to have a contract between the City and Mr. Sheldon for each grant that Mr. Sheldon works on. He will draft a "fill in the blanks" contract for that purpose. Also, under IRS rules, independent contractors must provide their own equipment. He's concerned that Mr. Sheldon is working in the office and using a City computer and other City tools and that issue needs to be resolved. He said that he doesn't think use of office space from time to time is a concern as long as it's not dedicated exclusively to Mr. Sheldon. Mayor Sheldon expressed the point that, in order for the City to have copies of whatever documents, etc. Mr. Sheldon produces on behalf of the City, the City would need to provide the means to transfer that data to the City for their records. After more clarification by Mr. Hyatt regarding the laws covering independent contractors, a motion was made by Edie Flanagan, seconded by James Moore, to have Mr. Hyatt draw up a contract for an independent contractor for grant writing. Before the vote was taken, Councilman England asked about whether these would be exclusive grants that only Mr. Sheldon would work on or would we get into a legal gray area if he's working on grants that are also being worked on by COG or other grant writers. Mayor Sheldon wanted to clarify that the only grants we've contracted with COG for are the Northland grants. After further clarification by Mr. Hyatt he said that it's an administrative issue to make sure that doesn't happen. Mayor Pro Tem Quintana asked about a discussion held about 9 months ago about handling grants in-house by ourselves. Mayor Sheldon stated that we do not have the staff to do that. He replied that he knows that but that she made the comment that we shouldn't go outside. Mayor Sheldon clarified that she thought we should handle the grants here because of the fact that COG only agreed to do the Northland sewer grants and they're not agreeing to do anything else as they have their hands full because they're writing for Las Animas County as well as for Huerfano County. She said that in terms of what was happening, it became apparent that we needed to do something with the depot building. All this evolved because of the fact that we needed money to repair the roof and we're going to need ongoing work, including plumbing and tuck pointing on the bricks outside, etc. She further stated that this evolved because administrative staff didn't have time to do it. Mr. Quintana replied that this took place approximately 3 months after that discussion. Mayor Sheldon said that it's basically an offshoot of the discussion to handle the stuff here. The other topic was doing things to the sidewalks on Main Street, etc. She reiterated that we don't have the resources for that. We can put the men to work to meet the match requirements for grants and

we can put people to work in here supplying facts but nobody has the time to do all that. Those grants are tough (to do), as we know from applying for the NSP2 program. It was tough pulling that together in those 2 or 3 days. The vote on the motion was taken at this point and it passed on a roll call vote of 7-1 with a nay vote from Mayor Pro Tem Quintana and an abstention from Mayor Sheldon (since Mr. Sheldon is her son). Councilman Moore complimented Mr. Sheldon on his presentation. Councilman England asked Mr. Hein if we would consider using other grant writers who might be interested in helping us secure funding. Mr. Hein replied that he had brought that up 4-6 weeks ago when we were looking at getting funding for the raw water line and soliciting grant writers to help us. Mayor Sheldon made a statement in order to clarify that grant-writing is a real specialty and she had suggested at an earlier time a couple of grant writers but their specialty was not municipal grants but medical grants. Also, some grant writers want to be paid up front. She knows of 3 people in the La Veta area who do grant writing and one of them has pitched his services but he wanted to be paid \$3,000.00 up front. It's tough to find people who will do grant writing on this basis. Mayor Pro Tem Quintana asked if it requires an RFP. Mayor Sheldon replied that it does not but that we could probably put an ad in the paper but it requires a certain set of skills. David Rinehart from the La Veta Signature asked Mr. Sheldon about his prior experience. Mr. Sheldon replied that he had never worked directly for a municipality but that he had done fund solicitation for a variety of municipalities through engineering firms that he has worked for – one in Denver and one in Connecticut and he has about 12-15 years of experience in this area. Mr. Rinehart then asked when it came about that his business card contains the City's address and phone number. Mr. Sheldon replied that, although he is operating under his own practice, he had asked Mr. Hein to provide some space for him to work and a reachable phone in order to accomplish the set goals. Part of the success in doing this type of work is to be reachable on a consistent basis professionally by funding agencies. That was a request Mr. Sheldon made in order to maintain a professional appearance.

REPORTS

Administrator Alan Hein reported on the following:

Martin Lake Valve Replacement: There was a meeting today (September 1st) with the Engineer. The plans will be submitted to the state tomorrow. We plan to let the job out for bids on October 15th, prior to the approval. The job will not be awarded until the state approves the plans. The drawdown will begin on October 15th. That project is currently ahead of schedule.

The New Grocery Store: Mr. Hein met with Mr. Brown last week. Mr. Brown has applied for a small business loan through a state or federal organization. The first preliminary round of that was very positive. They are going into the second round for approval and it looks good that he will get funding. The EPA (report) that he has been concerned about for several months has been cleared verbally. He is waiting for the official written clearance on that. We are working with Mr. Brown and the state for access into that property.

Railroad Building Grant: We have been funded for the structure assessment \$13,646.00.

Raw Water Line Status: We had a meeting with Petroglyph. They are willing to donate the \$70,000.00 that's required for the study for that project. They requested at the time of the meeting that the City would add on to that study a study to see what effect the brine, which is the by product of the RO (reverse osmosis) process, would have on the wastewater treatment plant and what effect it would have on the effluent from the plant. That was a request from them and they offered to sponsor it. It's an ongoing process with them for the different options available to them for future disposal of that product. There is a meeting in Denver on September 23rd that

we're going to attend. Al Tucker is driving this. It's to meet with federal and state agencies in an attempt to secure funding for this project.

Wastewater Treatment Plant: The design has been approved by the state. It will be put out for advertisement next week. The project will be let by the 1st of November.

Safeway Parking Lot: That project has started. We have an agreement with Safeway that we will be reimbursed for our services rendered on that. That project will take about a month.

Councilman Jerant asked about reading in the paper about whether the board owners at River Ridge respond to Al Tucker's lack of being any part of them. He doesn't live there. He's not speaking for them. Mayor Sheldon responded that there was a Letter to the Editor from Bruce Hopke. Councilman Flanagan replied that Mr. Tucker is not doing it on behalf of River Ridge. Mayor Sheldon said that we've gone beyond the River Ridge issue. The last meeting that was held at the Community Center was to be a solution-finding meeting. River Ridge is still not wanting to participate in finding solutions. We've gone beyond that. She stated (in that meeting) that we can't come up with any solution other than annexing them and they replied that they do not want to be annexed. Councilman Jerant asked about Al Tucker's role and whether he's just a concerned citizen. Mayor Sheldon replied that he set up this meeting with the woman (from the Water Quality Control Division of CDPHE) who was supposed to come down for the round table. Her superior actually came down and suggested that if Petroglyph was going to come to the table with assistance, we should probably talk to them about getting future money. At that point the only solution we could come up with was to put a clean water line back up toward La Veta to remedy our situation on the raw water line and that would give them the opportunity to hook on and get treated water out at River Ridge. That's the only connection there is there. Al Tucker is acting as a facilitator and has no connection with the city. Councilman England said that he had spoken with the man in charge of River Ridge recently and the primary concern that the citizens of River Ridge had in the annexation was tax on top of tax. Mayor Sheldon pointed out that they would have to come to the city and asked to be annexed and they're not in favor of doing that. Councilman England replied that a lot of them did not understand and were thinking "eminent domain". Once it was explained to them he thinks they're more receptive to tying into City water as a way to get their property values up or having a farm that can be useful. Mayor Sheldon replied that annexation was only suggested as one solution to the problems out there. Someone from River Ridge had complained in the meeting that the City was not bringing any solutions to the table. Mayor Sheldon had replied to him that we had offered water from the water haul system. Mr. England responded that he has heard nothing but thanks for offering that to them at a very dire point but they were concerned about some issues that needed to be explained a little better. Mayor Sheldon said that she had told them that they have to come to the city and petition to be annexed. Since there is no contiguity with their piece of property so it would have to be a special circumstance called a flagpole annexation. All of it is moot at this point since they do not want to be annexed.

Chief of Police Chief Baldonado was not in attendance.

Ranch Manager Butch Corsentino expressed concern about Petroglyph dumping their briny water into the sewer plant. Mayor Sheldon reassured him that it's just a study at this point. He asked about the boundary line at the Kincaid Ranch. Mayor Sheldon referred him to Eric Bachman who has a good map of the ranch. He asked about leasing the pasture up there this

year. He said that there is a lot of feed up there. Mayor Sheldon said that we've let it out for 6 or 7 months a year in the past. Councilman Patrick stated that, if we're going to lease it we need to have the lease stipulate that if it's sold that they have 30 days (or something similar). Councilman Moore pointed out that we already have a "locked in" lease on the house on the property that is set until May so if a lease on the pasture would run during the same time frame it would not be an issue. Mayor Sheldon stated that the lease would probably have to be with the contingency that if the property is sold (the lessee's would be required to vacate). Councilman Flanagin asked that we check with Mr. Bachman to see if he thinks having cattle on the property would be a positive or negative selling point. Mayor Sheldon said she would discuss it with him at her meeting with him on Friday and that it can be put on the agenda for the October 6th meeting.

Marvin Davis wants to put about 50 head of cattle on the west side of the north pasture for a month or two. Butch and Bill Ugolini want to put 19 head (7 for Butch and 12 for Bill) on the east side of the north pasture. Butch recommends \$15.00/head. There is some concern that the pasture is fragile and Butch doesn't want to over-graze it. There is also a concern about water since the well is over its permit and it is not known where that water has been going. Mayor Sheldon said that we have applied for the substitute water supply plan for that well. Councilman Jerant stated her belief that Council should take our ranch manager's recommendation. "He knows the land and knows what would be ruined and what wouldn't." After more discussion about the well being out of permit and the augmentation for the overage, a motion was made by Erin Jerant, seconded by Edie Flanagin, to authorize staff to advertise for bids for the hay pasture between November 1, 2009 and April 1, 2010. Motion passed on a roll call vote of 9-0.

Reports

After reading of the treasurer's report by Deputy Treasurer Lori Sheldon, a motion was made by Susan Blake, seconded by Larry Patrick to accept the Treasurer's Report. Motion passed on a roll call vote of 9-0.

Mayor Pro Tem Quintana asked Mr. Hein about the Code Enforcement report and how the clean up of weeds, etc. is coming along. Mr. Hein replied that Mr. Mondragon is diligently working on it and making good progress. He asked if any of the cases have gone to court. Mr. Hein replied that there have been several. Councilman Flanagin said her neighborhood is looking much better. Mr. Quintana also asked about some motor homes that were parking on a lot around a church. Some neighbors expressed concern about that lot becoming a campground once a summer. He asked if there is any ordinance regarding this issue. Mr. Hein replied that he would have staff research it. Councilman Jerant asked who, other than Mr. Mondragon, enforces the ordinances. Mr. Hein replied that the police do. She is concerned that perhaps the police are not familiar with all of the ordinances. She has had to call them several times about semi trucks parking and leaving their engines running for excessive amounts of time even though that is against an existing ordinance. Councilman Blake then asked about the codification of the ordinances. Mayor Sheldon replied that the Planning and Zoning Committee has been charged with reviewing the ordinances they have responsibility for. She said that they have been codified and are in the book in the office. Mr. Hyatt stated that it needs to be adopted. Several Council Persons asked if it exists in electronic format so they can all review it before adopting it. Staff was directed to locate (or create) an electronic copy and to make copies for each council person to review. Mr. Hyatt suggests setting a time limit, like 30 days, in which everyone should review the book. It was decided to put it on the agenda for the October 20th meeting.

Unfinished Business

Water for the Masonic Cemetery – Councilman Jerant would like this to be put on the October 20th agenda to give council the opportunity to meet with the whole cemetery board. They seem receptive to that. Councilman Flanagin is going to be gone until October 15th and the next Public Resources meeting is not until October 26th. The cemetery has used 874,000 (actually 723,000) gallons per month which is (in total) less than the 250,000 gallons/month allocation (even though they went over that number between June and July). Mr. Ridge was angry because he got a bill for that period and then a red tag. Ms. Flanagin's suggestion is that we wait until the end of the watering season and bill if they go over 1,000,000 gallons. She also suggests that maybe we can find ways – through grants, etc. – to help them find ways to improve their water system. She would like to meet with them at the regular Public Works meeting on the 26th. Councilman Jerant asked if we could meet with them outside of that meeting so they would not have to listen to everything else on the agenda. It was decided to put them first on the agenda for that meeting. They asked Lori Sheldon if it would be possible to set up a special rate or billing period to deal with a single quarterly or annual billing. She replied that even if it's not possible in the system we can probably work out a way to keep track of those 3 bills in order to avoid red tagging.

The next item is the approval of the Martin Valve Engineering application. Councilman Flanagin made the motion, seconded by David Mockmore, that the application to the state for the Martin Valve Engineering and authorize the Mayor to sign it. Motion passed on a roll call vote of 9-0.

Mr. Doyle from RE-1 was invited by the Mayor to speak at this point as he had been waiting since the beginning of the meeting. He wanted to thank David (Harriman) and his crew for all the work they have done at the sports complex. Mayor Sheldon asked him about the date for Homecoming. He replied that it's on October 3rd with the parade being on Friday the 2nd.

The next item is the letter from Headwaters Corporation to the Coler Minority Shareholders. A motion was made by David Mockmore, seconded by James England to approve the letter for the Headwaters Corporation to the Coler Minority Shareholders. Motion passed on a roll call vote of 9-0.

Next is the letter of engagement from Watkins and Schommer (auditors) for the 2009 audit. Councilman England asked Mr. Hyatt if he's had a chance to review it. Mr. Hyatt replied that he had and it's a standard letter of engagement with no changes needed. Larry Patrick made the motion, seconded by Bruce Quintana and David Mockmore, that the letter of engagement from Watkins and Schommer be approved and that the Mayor be authorized to sign it. Motion passed on a roll call vote of 9-0.

Mayor Sheldon asked Councilman Flanagin to report about the meeting with the Correas about the fence line at the water treatment plant. Ms. Flanagin said that it was a good meeting with Mrs. Correa. We suggested, and she agreed in principal, that we should write up a new agreement that says that as long as the property belongs to the Correas and there has been no exchange of property with heirs or if the property is sold, the property fence line may stay where it is but at the time of exchange or sale the fence line will be moved to its proper location. A motion was made by Edie Flanagin, seconded by Susan Blake that staff and Mr. Hyatt be authorized to write up the agreement with the Correas authorizing them to use the property until

such time as the property is either sold or exchanges hands and to have the Mayor sign it and to have staff record it at the courthouse. Motion passed on a roll call vote of 9-0.

New Business

The first item was the 2010 Quote from CIRSA. Councilman Flanagin asked if the reason the quote is so much higher is because of the added boiler coverage. Beth Neece replied that the boiler coverage is separate. She said that we're still working with CIRSA to get the price down. Part of the problem is that several of our vehicles are over-valued. The issue for now is we either need to accept or reject it by October 1st. Councilman Flanagin asked if there are any other entities from whom we can get insurance. Ms. Neece replied that we probably could not do that by October 1st. It is a preliminary quote. There is still some leeway for adjustment. Getting our vehicle values in line (replacement cost instead of original cost) will help. She anticipates that we can get the premium (or contribution) down but probably not to last year's level. Councilman Jerant pointed out that there is a stipulation that we can withdraw if we find an alternative. Attorney Hyatt asked if they offered an equity credit this year. Ms. Neece replied that we have an equity credit but they didn't offer it. Erin Jerant made the motion, seconded by James Moore, that we approve CIRSA as our primary insurer and to authorize the Mayor to sign and return the preliminary quote. Motion passed on a roll call vote of 9-0.

The next item is the contract with Tetra Tech for the raw water line preliminary engineering report. Councilman Moore asked Mr. Hyatt if he had reviewed it. Mr. Hyatt replied that he had and he doesn't have any issues with it. Councilman Jerant posed a question about whether we need to have an agreement with Petroglyph prior to approving the agreement with Tetra Tech. Mr. Hyatt replied that it is a legitimate concern and if we approve the agreement with Tetra Tech first and Petroglyph does not pay, then the City will be obligated to cover that cost. Councilman Patrick made the point that the study needs to occur either way. Mr. Hyatt also stated that doing a Supplemental Budget Appropriation is necessary to deal with the donation coming in from Petroglyph and going back out to Tetra Tech. It should not be done until the City is sure about where the money is coming from, i.e. make sure the agreement with Petroglyph is completed or that the check has been received. A motion was made by James England, seconded by Erin Jerant to approve an agreement with Petroglyph for a donation from them of \$75,000.00 to cover the cost of the Preliminary Engineering Report by Tetra Tech and to have the Mayor sign it. Motion passed on a roll call vote of 9-0. After clarification regarding the dates on attachment A, a motion was made by James England, seconded by Edie Flanagin, to approve the contract for the Preliminary Engineering Report and to authorize the Mayor to sign all necessary documents. After further clarification regarding special assumptions, the vote was taken and the motion passed on a roll call vote of 9-0.

The final item is the liquor license renewal application for Uptown Liquor. James England made the motion, seconded by Bruce Quintana to approve the retail liquor license renewal for malt, vinous, and spirituous liquor for Uptown Liquor. Motion passed on a roll call vote of 8-1 with the nay vote from Susan Blake.

David Rinehart asked a question of Mayor Pro Tem Quintana regarding the \$174,000.00 deficit on the financial report for Walsenburg Wild Waters. Mr. Quintana replied that there are monies coming from grants and we're waiting on those numbers so we can give a final number.

Mayor Sheldon asked if there was any other business to come before council. She asked for

a motion to adjourn. A citizen (Keith Mosier) spoke up and asked how he would go about getting a police officer demoted or fired. She replied that he would have to come as a citizen but it has to go through administration first. He asked how and she referred him to Mr. Hein and Chief Baldonado.

Adjournment

Meeting adjourned at 8:30.

CITY OF WALSENBURG

ATTEST:

Edith T. Sheldon,
Mayor

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.