

STATE OF COLORADO
COUNTY OF HUERFANO
CITY OF WALSENBURG
Regular Session Meeting
October 21, 2008 7:00 p.m.

Mayor Sheldon called the meeting to order at 7:00 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 Lou Taylor. Others present were City Administrator Eric Pearson, City Clerk/Treasurer John E. Zgut. City Attorney Daniel Hyatt was absent.

APPROVAL OF MINUTES

The minutes of the October 7, 2008 meeting were accepted on a motion by Larry Patrick, seconded by Lou Taylor. Motion passed on a Roll Call Vote of 9 to 0.

Mayor Sheldon read a proclamation naming October, 2008 Domestic Violence Awareness Month.

City Administrator Eric Pearson introduced the various Department heads who attended the second meeting in October to answer any questions that City Council might have from the reports in item 9b of the agenda. Present were: Daniel Martinez Jr., Gerry Sandoval, Gabe Gaytan, Joe J. Corsentino, David Harriman, Richard Tenorio, Leonard Mondragon, Beth Neece, Krystel Vigil and Chief Baldonado. Several questions from City Council members were fielded by the various Department Heads

Committee Reports

Finance Committee Chair Larry Patrick reported on 2 meetings for his Committee, one was how the city might use the money saved by the county taking over the dispatch services. Regular Finance Committee meeting was held the 20th at which the natural gas rates were discussed about which there is a resolution later in the meeting to be approved. Heard a report from Finance Director Krystel Vigil on her training trip to Salt Lake City; had an update of the history of recent city finances including due to and due from, medical entries, and utility billing improvements. Patrick noted there is a budget work session on October 29 at 5:00 p.m. and another on November 5, 2008 at 5:00 p.m.

Parks and Recreation Committee Chair Bruce Quintana met with a discussion on whether to expand the present concession building or erect a new one. Mr. Quintana admonished one local paper whom he did not name as over-reporting the amount lost at Walsenburg Wild Waters Park for the 2008 season. Those final figures may not be in until February, 2009. It was definitely not \$60,000 as reported. There were concerns about how the Walsenburg Golf Course is being run and that will be an ongoing discussion as some board members approached the County, City, Town work session with a request for funds.

Safety Committee/ADA Committee Chair Lou Taylor held a meeting on October 8, 2008 at which the concerns of the current dispatchers about job retention and pay were discussed. October 3, 2008 is the next scheduled Safety Committee meeting for all employees. Taylor announced November 13, 2008 will be his next scheduled Committee meeting.

Public Works Committee Chair Edie Flanagin noted her Committee had a long meeting at which a conference call with water attorneys Tim Beaton and Marjorie Sant over current issues; discussed Mike McFadden's gas rate recommendations, ranch manager contract, and cemetery

water usage. There will be a meeting with the various cemetery representatives on the next Public Works Committee meeting November 5, 2008 at 4:30 p.m. An infrastructure report is being completed. City Administrator Eric Pearson asked Superintendent Tenorio about his sewer section report. Indications were that the report will be ready by the November 5 meeting.

Citizen Forum

No citizens came forth at this meeting.

REPORTS

City Clerk John E. Zgut gave **Treasurer's Report** as presented by Finance Director Krystal Vigil at the end of September, 2008 as: **\$8,677,770.83**. A motion to accept the treasurer's Report by Larry Patrick, second by Susan Blake was passed on Roll Call Vote 9 to 0.

Expenditures for September, 2008 as reported were approved on a motion by James England seconded by Erin Jerant and passed on Roll Call Vote of 9 to 0.

Manager report: several topics were touched on in earlier reports such as Finance Director, and the 1.56% increase in the 2009 gas rates *to this point in time*. There are about 150 persons on budget billing; the phases of the ranch well are nearly complete: line locations, the homes, and the extensions. New agreements will soon be offered by the city on these items.

Chief Baldonado noted they are in the testing phase with a couple of applicants and an employment offer may be made next week.

Ranch manager Butch Corsentino noted he had received no bidders on the **barn repair**. The entire **hay crop** has been sold for 2008 season; he has a few more dollars to collect before he can fully report to City Council.

Unfinished Business

Larry Patrick made a motion to adopt **Ordinance 977** on first reading and to order it published in full was seconded by James England. Motion passed on a Roll Call Vote of 9 to 0.

A motion to set a Public Hearing date for the 18 November 2008 at 6:45 p.m. was made by Erin Jerant, the seconded by Edie Flanagan. Motion passed on a Roll Call Vote of 9 to 0.

James England made the motion to introduce Ordinance 979, vacating an alley on West 4th St. with Susan Blake seconding. On Roll Call Vote, motion passed on Roll Call Vote of 8 to 1 with Bruce Quintana voting no.

The **awarding of pasture bids** was asked to be **postponed** as only one bid for the La Veta pasture was received with no bids for the Walsenburg East Ranch pasture received to date. The bids will be advertised for two more weeks and the award will be done at the November 4, 2008 meeting with the time of usage pro-rated for the lateness of the opening of the bids.

New Business

James England made the motion to approve renewing **the beer and wine liquor license** for **Crown Lanes**, at 222 Main Street, Walsenburg. Erin Jerant seconded the motion. Motion passed on a Roll Call Vote of 9 to 0.

A motion to post pone the discussion of a **Christmas Bonus** to city employees to the **Finance Committee meeting on November 3** was made by James England and seconded by Larry Patrick. Motion passed on a Roll Call Vote of 9 to 0.

A motion to approve the **contract for the ranch manager** as presented and to authorize the mayor to sign was made by Erin Jerant, seconded by Lou Taylor and passed on Roll Call Vote of 9 to 0.

A motion to approve **Resolution 2008 R-23, setting gas rates for the 2008-2009 heating**

season with numbers and dates corrected was made by Erin Jerant and seconded by James England. Motion passed on a Roll Call Vote of 9 to 0.

RESOLUTION NO. 2008 R-23

WHEREAS the City Council of the City of Walsenburg is authorized by law to set rates for the sale of natural gas to the consumers of Walsenburg Utilities, and

WHEREAS, pursuant to Ordinance No. 926 natural gas rates are increased or decreased by Resolution the City Council of the City of Walsenburg; and

WHEREAS, the cost of natural gas to Walsenburg Utilities has increased slightly and said increases are passed on to the consumers on a dollar per dollar basis; and

WHEREAS, a comprehensive rate analysis was conducted by Mike McFadden, the City’s gas rate consultant, and he has recommended gas supply rates be increased by approximately 1.56% as shown below for the upcoming heating season,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WALSENBURG, COUNTY OF HUERFANO, AND THE STATE OF COLORADO:

- 1. The rates for use and sale of gas to the consumers of the City of Walsenburg gas supply system shall have a monthly price as set forth below:

Customer charge	\$5.55 per month
Delivery charge	\$.21288 per ccf per month
Gas supply charge	\$.62262 per ccf per month

- 2. The rates for use and sale of natural gas to the Town of Aguilar for their resale to Aguilar gas system customers shall have a monthly price as set forth below:

Customer charge	\$5.55 per month
Delivery charge	\$.06631 per ccf per month
Gas supply charge	\$.62262 per ccf per month

- 3. The above rate shall become affective November 1, 2008.

Adopted and agreed on this 21st day of OCTOBER 2008.

CITY OF WALSENBURG

ATTEST:

Edith T. Sheldon, Mayor **ATTEST:**

John E. Zgut, City Clerk

Larry Patrick made the motion to approve **Resolution 2008 R-24**, Forgiving the due to and due from balances found with in the City of Walsenburg. James England seconded the motion. Motion passed on a Roll Call Vote of 9 to 0.

RESOLUTION NO. 2008 R-24

PROVIDING FOR THE TRANSFER OF WATER FUND CASH TO THE GENERAL FUND TO ZERO DUE TO/FROM ACCOUNTS IN THE CITY OF WALSENBURG’S BALANCE SHEET

WHEREAS the City of Walsenburg has had for several years unreconciled and unbalanced Due to/ Due From Accounts in their City Balance Sheets for all funds; and

WHEREAS, these Due to/ Due From balances create assets and liabilities for the respective Balance Sheet funds

that may or may not accurately reflect the funds Fund Balance; and

WHEREAS, the City's independent auditor has stated that these balances must be brought to zero and has recommended that the City Council for the City of Walsenburg adopt a resolution forgiving these balances; and

WHEREAS, the Finance Department for the City of Walsenburg has worked to balance these balance sheet accounts by transferring required funds among the balance sheet accounts: and

WHEREAS, after making all the fund transfers as provided by these accounts there is a remaining Due to balance in the Water Fund that must be transferred to bring all of these subject funds to a zero balance,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WALSENBURG, COUNTY OF HUERFANO, AND THE STATE OF COLORADO:

The Finance Officer is authorized to immediately transfer funds from the Water Fund to the General Fund in the amount of \$39,864.93 crediting Miscellaneous Revenue in the General Fund to acknowledge the transfer and receipt of these funds.

Adopted and agreed on this 21st day of OCTOBER 2008.

CITY OF WALSENBURG

ATTEST:

Edith T. Sheldon, Mayor **ATTEST:**

John E. Zgut, City Clerk

Larry Patrick made the motion to approve **Resolution 2008 R-25**, expanding the water haul to county residents who can prove their wells have been contaminated by methane from drilling wells. Erin Jerant seconded the motion. Motion passed on a Roll Call Vote of 9 to 0.

RESOLUTION NO. 2008 R-25

EXPANDING THE CITY OF WALSENBURG WATER HAUL SERVICE AREA TO PROVIDE WATER TO HUERFANO COUNTY RESIDENTS EXPERIENCING METHANE GAS INFILTRATION TO THEIR WELLS

WHEREAS the City of Walsenburg (City) has an established water haul system providing potable water to residents living outside the City's water system; and

WHEREAS the City's currently defined water haul area is specifically limited to the 81089 area code; and

WHEREAS, the City is aware that some residential properties located within the County of Huerfano (County) have experienced methane gas contamination in their drinking wells; and

WHEREAS, the City was approached by some of the County property owners currently outside the City's defined service area and having methane contaminated wells to request our water haul service; and

WHEREAS, the City wishes to assist these County residents to have potable water,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WALSENBURG, COUNTY OF HUERFANO, AND THE STATE OF COLORADO:

Effective immediately, the City will expand its water haul service area to the entire County with the following conditions.

- 1) The water haul service area is expanded to the entire County but individual houses are eligible on a case-by-case basis and must have a methane gas problem with their well and show proof that their specific residence has a methane gas problem.
- 2) No residence outside the County shall be eligible for Walsenburg Water Haul service.
- 3) All residences in this expanded service area shall be subject to all the requirements, restrictions and penalties currently defined within the City's water haul policy including availability of water.

- 4) Residences in this expanded service area shall be required to sign an agreement with the City as already established for current water haul customers

Adopted and agreed on this 21st day of OCTOBER 2008.

CITY OF WALSENBURG

ATTEST:

Edith T. Sheldon, Mayor ATTEST:

John E. Zgut, City Clerk

The **Regional Building Authority Board** passed their **by-laws** and City Council was asked to approve these rules. A formal motion was not needed, only recognition that the rules were promulgated.

Edie Flanagan made the motion to introduce and approve **first reading of Ordinance 980, a peddler Ordinance requested for a long time by the City Clerk**. Erin Jerant seconded the motion. Motion passed on a Roll Call Vote of 9 to 0.

Adjournment

City Council meeting adjourned at 9:06 p.m.

CITY OF WALSENBURG

ATTEST:

Edith T. Sheldon,
Mayor

John E. Zgut,
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.