

RECORD OF PROCEEDINGS

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REGULAR MEETING December 13, 2011

CALL TO ORDER

The Regular Meeting of the Board of Trustees of the Town of Elizabeth was called to order on Tuesday, December 13, 2011, at 7:05 PM by Mayor H. Clay Hurst.

ROLL CALL

Present were Mayor Hurst, Trustees Cynthia Nunnelee, Reed Smith, Paul Schwarzkopf, Angela Ternus, and Rachel White. Trustee Diana Robins was absent. Also present were Town Administrator Trudy Peterson, Police Chief Michael Phibbs, Public Works Director Michael Gibbs, Town Planner Stacey Yarrington, Town Clerk Serena Carter, and Deputy Town Clerk Sandy Tweedy.

The Mayor led the group in the Pledge of Allegiance.

UNSCHEDULED PUBLIC COMMENT- There was no public comment.

AGENDA CHANGES- Administrator Peterson requested an Executive Session to discuss strategies for a possible purchase of the Banner Building. Mayor Hurst stated that we would add an item, New Business 9g, Discussion on the Potential Purchase of the Banner Building, and vote to see if the Board wanted to go into Executive Session.

MINUTES

Minutes of the Regular Meeting of November 22, 2011- It was noted that Trustee Ternus was omitted from the Roll Call vote, but was present at the meeting. Typos were noted and corrected on page 1 of the Regular Meeting Minutes, and on page 4 of the Minutes, the Mayor's motion on Committee Holiday appreciation was changed to clarify that the Downtown Advisory Committee and Tree Board would be provided refreshments at their last meeting in December.

MOTION: Trustee Nunnelee moved to approve the November 22nd minutes as amended. Trustee Ternus seconded the motion. The vote of those Trustees present was unanimously in favor. Motion carried.

Minutes of the Special Meeting of November 30, 2011- Trustee Nunnelee questioned the statement about the surplus going back into the Trust or refunded. Administrator Peterson felt that was a correct statement.

MOTION: Mayor Hurst moved to approve the Minutes of the Special Meeting of November 30, 2011. Trustee Nunnelee seconded the motion. The vote of those Trustees present was unanimously in favor. Motion carried.

BILLS

Administrator Peterson noted for the Board that the top of page 23 was cut off. The bill for Haulaway should be \$47.56. The Board also questioned the final paycheck to David Stahl. They were advised that it was for one pay period plus two weeks of vacation, as directed by Attorney Hoffmann.

MOTION: Trustee Nunnelee moved to approve the December 2011 Bills. Trustee White seconded the motion. Voice votes indicated ayes with Trustee Schwarzkopf casting a negative vote. Motion carried.

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Administrator Peterson advised the Board that after discussion with staff, she had changed the arrangement of the room and welcomed any suggestions.

COMMITTEE REPORTS

Kari May- Downtown Committee Annual Report- Kari May, 35697 Cheyenne Trail, reported on the Downtown Advisory Committee's (DAC) this year's activities. Members include herself, Nora Nikkel, Frank Conte, Kathy Novak, Susette Frausto, and Connie Lewis, the newest merchant on Main Street, is interested in joining the Committee. The second year of the Farmer's Market saw more vendors coming in. They added a Flea Market on the last Saturday of each month. DAC was also responsible for having the banners posted along Highway 86 and Main Street. The Committee decorated and donated a tree for the Olde Christmas Festival. They are currently working on a brochure listing all the business on Main Street as well as other areas of interest in the Town. They are also working on placing Historic Plaques on 14 businesses throughout Town.

NEW BUSINESS

Consideration of Approval of Disposition of \$12,462.84 in the Colorado Water Resources and Power Development Authority Loan - Administrator Peterson advised the Board that the Town had unused loan funds from the 2008 loan. The funds can be returned to the Authority and applied towards the loan or, if the Board so desired, they can be used for the wastewater project at the Gold Creek Wastewater Treatment Plant or the Running Creek Lift Station. Public Works Director Gibbs had provided Peterson with details on three projects that the funds could be used for. Option B1 is to install an improved security fence and monitoring system at the Running Creek area if the Town plans to open it up to public use. Option B2 is to purchase a trailer mounted jetting system to clean the system lines annually. This will save the contractor costs the Town incurs every year. Option B3 is to modify the south window system at the Gold Creek Treatment plant so the operator has a better view of the entire system without having to leave the office SCADA system. The Board discussed each option and each Board member was polled on their preferences.

MOTION: Trustee White move to approve the disposition of the \$12,462.84 for the purchase of a jetter or components thereof. Trustee Smith seconded the motion.

AYES: Nunnelee, Ternus, White, Smith Hurst

NAYS: Schwarzkopf

Motion carried.

Consideration of Approval of Agreement with HRS Water Consultants, Inc. for Work on Denver Wells- Administrator Peterson stated that the project to drill a new Denver Well has been approved and preliminary discussion with the state engineer indicates that we should not need to get a new decree. By approving this agreement, it will authorize HRS to begin the permitting process. HRS has already hand carried the application to the State and it should take 30 to 45 days before we get the approved permit. The contract is to have HRS prepare the well permit, application, prepare bid documents, hold the bid opening, make a recommendation on a drilling contractor to the Town, and oversee the project at a cost of \$28,370.

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MOTION: Trustee White moved to approve the agreement with HRS Water Consultants for work on the Denver Well at a cost not to exceed \$28,370. Trustee Nunnelee seconded the motion.

AYES: Nunnelee, Ternus, White, Schwarzkopf, Smith, Hurst

NAYS: None

Motion carried.

Consideration of Approval of Resolution 11R22 a Resolution to Adopt the 2012 Budget - Mayor Hurst advised the public that the Board had held four workshops to discuss the proposed budget. Administrator Peterson reported that there had been some problems with the linkage in the document and some of the figures were not carried over properly. In the General Fund, the revenues and expenses for 2010 do not match the audit so the carryover is incorrect. The Street Fund has the same issue. Peterson stated that she believes the figures for the 2012 proposed budget are correct and should be approved as presented. Staff will revised the 2010 figures to match the audit and corrections to the narrative will be made before the final copy of the 2012 Budget is available to the public. The Board had received revised copies of the Resolutions with the correct figures to be approved.

MOTION: Trustee White moved to adopt the 2012 Budget, Resolution 11R22. Trustee Nunnelee seconded the motion.

DISCUSSION: Mayor Hurst stated FOR THE RECORD that at the Public Hearing, June Jurcewsky, Susette Frausto and Ken Peter had concerns with the proposed budget. Trustee Schwarzkopf stated that he did not plan to vote to approve the budget because he does not agree with the PIF distribution. He agrees that it would be nice to have a new building for the Town Hall but would like to see the debt paid off rather than acquire additional property.

AYES: Nunnelee, Ternus, White, Smith, Hurst

NAYS: Schwarzkopf

Motion carried.

Consideration of Approval of Resolution 11R23 a Resolution Appropriating Sums of Money – Mayor Hurst stated since the budget had been approved, the Board must now authorize the expenditures of the budget.

MOTION: Trustee White moved to approve Resolution 11R23, as provided in the packet. Trustee Ternus seconded the motion.

AYES: Nunnelee, Ternus, White, Smith, Hurst

NAYS: Schwarzkopf

Motion carried.

Consideration of Approval of Resolution 11R24 a Resolution to Set Mill Levies- Administrator Peterson stated that the assessed valuation has gone down from prior years. Staff did both the TABOR calculations and the 5.5% property tax limitations. Because the property tax was at

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21.000 mills when TABOR came into effect, the Town must take a temporary mill levy reduction to stay within the limits. The mill levy cannot be increased without going to a vote of the people.

MOTION: Trustee White moved to approve Resolution 11R24 to set the mill levy for the year 2012. Trustee Nunnelee seconded the motion.

AYES: Nunnelee, Ternus, Schwarzkopf, White, Smith, Hurst

NAYS: None

Motion carried.

Discussion and Possible Action Regarding Employee Insurance- Administrator Peterson stated that the Board had discussed employee health insurance at the budget meeting. Because several employees opt to take the Town's plan only to get the H S A contribution benefit, she felt that by offering those employees a similar \$1,000 cash contribution, it would save the Town money over the year. In order for those employees to get the cash contribution, they would have to provide proof of insurance coverage to the Town that they are covered by another provider. A brief discussion was held on what types of programs were available; whether it is a cafeteria plan or flex account. Some plans are taxable whereas the H S A is not, so we would need to be sure that all employees receive the same benefits. The Town Clerk will research plans and if she can't find something that is pre-taxed, she will come back to the Board for further direction.

MOTION: Trustee White moved that if an employee opts out of the Town provided insurance Plan that provides a \$1,000 H S A contribution, that we pay \$1,000 to a similar flex or cafeteria plan; provided they supply a certificate of insurance through another agency. Trustee Smith seconded the motion.

AYES: Ternus, White, Smith, Hurst

NAYS: Nunnelee, Schwarzkopf

Motion carried.

ADDED ITEM:

Discussion on Possible Purchase of Banner Building -

MOTION: Mayor Hurst moved to go into Executive Session to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to CRS 24-6-402(e) regarding the possible purchase of the Banner Building. Trustee White seconded the motion.

AYES: Nunnelee, Ternus, White, Smith, Hurst

NAYS: Schwarzkopf

Motion carried.

The Board will adjourn to Executive Session after Staff Reports

STAFF REPORTS

Administrator Peterson reported that in the future, she plans to have all the staff reports

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combined into one, but for now, they will remain the same as before. She advised the Board that there had been a waterline break Saturday morning.

Public Works Director Gibbs continued with the report on the waterline break. He stated that the SCADA system had noted that there was an increase in gallons being pumped but they could not locate the leak until they got the report from a citizen. Gibbs advised the Board that even with having to cut the concrete, they were able to get in and fix the leak and restore service in ten hours. By staff doing most of the work and the venders he now uses, the total bill was around \$4,600. A similar incident on Garland Street back in 2006 cost the Town \$8,000 to get service restored.

Chief Phibbs had nothing to add to his written report. Mayor Hurst had a question about the 2012 ECCA Budget. Chief Phibbs stated that since the Town uses the same New World Record Management System as Douglas County dispatch, we pay for a percentage of the system based on the number of calls specific to us.

Public Works Director Gibbs had nothing to add to his written report.

Town Planner Yarrington had nothing to add to her report. Trustee White thanked the DAC for decorating the tree for the Holiday Festival.

There were no other reports.

Trustee White thanked Administrator Peterson for the copy of the Chamber's 2012 budget.

CORRESPONDENCE

The Town received a thank card from the Public Works Department for the gift cards. Also, a CD from Corey Stark, from the Elbert County Office of Emergency Management. Directed to the Town Administrator.

Administrator Peterson advised the Board that she would be bringing the renewal of the lease for the Gesin's property to the December 27th meeting. The leasee is asking for a multi-year contract.

Mayor Hurst adjourned the Regular Meeting to go into Executive Session at 8:58PM.

The Regular Meeting was reconvened at 9:45PM.

The motion to adjourn the meeting at 9:47PM was made by Trustee Smith, seconded by Trustee White. There were no objections. The meeting was adjourned.


Mayor H. Clay Hurst


Deputy Town Clerk, Sandra K. Tweedy, CMC