

**MINUTES OF A REGULAR MEETING
OF THE COUNCIL OF THE
TOWN OF SWINK
HELD
January 12, 2009 (Monday)
Two Audio Tapes Available – Regular Meeting
One Audio Tape – Executive Session**

CALL TO ORDER:

A regular meeting of the Town Council of the Town of Swink was called to order by Mayor Cordova on Monday, January 12, 2009 at 7:02 pm.

PLEDGE OF ALLEGIANCE:

Mayor Cordova led the Pledge of Allegiance.

ROLL CALL:

Town Clerk Clodfelter called roll.

Present:	Cordova	Cox
	Headlee	Lytle
	Piquette	Stone
	Wallace	

Also in attendance were:

Phillip Malouff, Attorney	Join the Meeting at 7:05 pm
Rick Dell, Public Works Director	Join the Meeting at 7:15 pm
Terry Clodfelter, Clerk	

Absent:

None

AUDIENCE:

Mike Steeves, La Junta Tribune Democrat, Sandra Kirk, Swink, CO – David Kirk, Swink, CO – Steve Swedhin, La Junta, CO – JC Carrica, Swink, CO – Debbie Schandelmeir, Swink, CO – Jeff Ballard, Wind River Band, La Junta, CO – Jean Ballard, La Junta, CO – Gilbert Jaramillo, Swink, CO

CONSENT AGENDA:

Mayor Cordova requested comments regarding the Consent Agenda, which consisted of:

- ◆ *Minutes of the December 8, 2008 Regular Meeting*
- ◆ *Disbursement List*
- ◆ *Public Works Director Report*
- ◆ *Clerks Report*
- ◆ *Librarian Report*

Council member Wallace moved, Council member Piquette seconded, to approve the Consent Agenda. The motion passed unanimous.

Audience Participation

None at this time

Committee/Boards/CML Reports/Class

A. Swink Recreation Update – Clodfelter

Clodfelter reported that the Swink Recreation Program has a balance of \$ 4571.93. Clerk stated that we have 91 children register for basketball this year. She stated that we have four (4) K-2 teams, one (1) team for each of the following grades, boys 3rd and 4th, boys 5th and 6th, girls 3rd and 4th and girls 5th and 6th grade. Clodfelter stated that we will have two home games, one will be January 10th and the second will be February 14th. Clerk stated that she attend two (2) meetings last week. One meeting was with coaches and the second meeting was with the parents of the 5th and 6th grade girls. Clodfelter stated that we needed to figure out if the parents wanted 1 or 2 teams and who was going to be the head coach for this group.

NOTE: MR. Malouff arrived at 7:05 pm

B. *Financial Committee – Update*

Wallace stated the budget was mailed in and that the financial committee did not meet last month. Clodfelter reported that she did a spreadsheet for council for interest income that the Town of Swink received last month. She stated that council members should have received the spreadsheet in their package. She stated that for November at Colorado Bank and Trust the interest earned was \$102.31 and the total interest earned for the year was \$1469.76. She also stated that for the month of December at First National Bank the Town earned interest of \$815.32.

C. *CML Annual Conference – June 16-19, 2009*

Cordova stated that he would like for a council member to attend the CML Annual Conference this year. Clerk stated that she talked with CML and we will probably get a letter that will waive the fee for two (2) people to attend. Clodfelter also stated that clerks attend these meetings and is also very beneficial for them and she would like to attend. She stated that the cost of motel/hotel will be around \$159.00 and up.

Old Business:

A. *New Maintenance Building – Update*

Cordova stated that Aaron Eveatt, La Junta Fire Department called and wanted a meeting with a couple of council members. He stated that Mayor Pro-tem Lytle, Clodfelter and he attend this meeting with Chief Eveatt. Dell stated that he has a drawing for the council members to look at. The drawing consists of the addition to the fire station. Dell stated that there will be a 10' alley way between the two (2) buildings. Cordova also ask if Dell talked with the fire department. Dell stated that he has talked with them and also submitted them the drawing. Dell stated that council members have a RFP that was e-mail to council with their package last week. Cordova asked if you could pie shape the office off the current building. Dell stated that the more turns you have the more money you will spend. Cordova stated that the La Junta Fire Department will also help with the cost. The RFP was also given to council. Cordova stated that Dell will be in charge of this project. Malouff stated that he has looked at the RFP and it is ready to be hand out. Dell stated that he talked with Lee Merkel, DOLA, and he will have the Clerk e-mail the RFP and the drawing

for him to look at. Malouff stated that we can open the bids on March 2nd or wait until the regular board meeting. Council advised the clerk to put the RFP out this week.

B. 2009 Annual Celebration - Update

Stone report that a committee meeting was held about 2 months ago. He stated that the committee will try to raise money for the celebration. Stone stated that Lance Valliant will be hired to run the event during the day. Jeff Ballard, Wind River Band, would like to know if a decision has been made to hire a band for the street dance. He stated that he attend a meeting a few months ago where he informed council about the cost and the advertisement his band would do. Stone stated that Lance Valliant will perform all day and also perform at the street dance for \$1000.00. Carrica stated that he has heard the Wind River Band and they are great. He stated that maybe we could get a donation to pay for the band. Stone stated that the big celebration will be in 2010. Mr. Ballard stated that he would like to be considered for the band for 2010.

New Business

A. Resolution 2009-2 Compliance with the Red Flag Rules

Malouff stated that this is a function from the Federal Government concerning identity theft. He stated that it has been demand that the town takes steps to prevent identity theft. The resolution states that we will try to stop identity theft. Council member Lytle moved, Council member Wallace seconded, to approve and adopt Resolution 2009-2 Compliance with the Red Flag Rules. The motion passed unanimous.

NOTE: Dell arrived at the meeting at 7:15 pm.

B. Ordinance 2009-4 – Zoning – Carrica and Town of Swink

Debbie Schandelmeir addressed the council concerning the zoning for the property for Mr. Carrica and for the Town of Swink. She stated that the zoning board recommends that the zoning be changed to a C-1. Cordova asked if this was all the property or do we need to do more. Malouff stated that this property is the only property that the council can consider tonight. Council member

Wallace moved, Council member Headlee seconded, to approve and adopt on 1st reading Ordinance 2009-4 The Zoning for JC Carrica and the Town of Swink to a C-1. The motion passed unanimous.

C. *Grimsley and White – Engagement Letter for the 2008 Audit*

Cordova explained that the Town of Swink received an engagement letter from Grimsley and White for the 2008 audit for the amount \$8500 – \$10,000 to complete the audit. Council member Piquette moved, Council member Wallace seconded, to sign the engagement letter from Grimsley and White for the 2008 audit. The motion passed unanimous.

D. *Employee Raise – Mary Jane Maddux and Linda Scott*

Council discussed the hourly rate of Mary Jane Maddux and the monthly rate for Linda Scott. Cordova also asked about doing an evaluation performance for both of them. Council members stated that none of them know what they do. Council member Wallace moved, Council member Lytle seconded, to give Maddux a 4 % raise and give Scott a 4% raise for 2009. The motion passed unanimous.

E. *Credit Card/Debit Card*

Clerk explained that last month it was brought up as an ATM Machine. This is not what she was asking. She was asking about a credit card/debit card for the Town of Swink as a lot of residents have asked about using a debit/credit card. Council advised the Clerk to get more information for next month. Table till next month.

F. *Handicap Sidewalk – Front of the Town Hall and the Post Office*

Clerk stated that she had a resident asking about making the sidewalk in front of the Town Hall and the Swink Post Office handicap accessible. Cordova stated that Rocky Ford has made most of their downtown area handicap accessible and Rocky Ford used grants. Dell stated that the Post office is handicap at the back door as the front door still has a step to get into the building. Cordova stated that it would be nice if the Town of Swink business area was handicap accessible. Table for more information.

Information

A. *Thank-you card – First National Bank*

Cordova read a thank you card from the First National Bank.

B. *Dog Clinic*

Clerk stated that the annual dog clinic will be February 21, 2009 from 8:30 – 12:00 noon at the Swink Community Center. Ark Valley Animal Hospital will be hosting the clinic again this year.

C. *GOCO Grants*

Clerk stated that she will meet with a GOCO representative concerning grants on Thursday for the park area. Stone will also meet with them.

D. *Modern Woodmen of America*

Clerk stated that she received a telephone call from Shelly Van Landingham last week concerning a donation from Modern Woodmen of America. An e-mail from Ms. Van Landingham was attached with your package. Clodfelter stated that this would be in conjunction with Arbor Day in April.

E. *Annual Celebration*

Council member Stone asked JC Carrica if he would like to donate the money for the Wind River Band. Mr. Carrica stated that he would pay and book the band. Lytle was worried about losing the crowd during the set up time between the bands. There was discussion about moving the dance across the highway in front of Mr. Carrica's property and having a separated trailer for both bands. Mr. Carrica also stated that if the weather turns off bad the dance could be moved inside the shed. Clerk stated that the committee needs to let her know when and where the meetings are so she can post them. Stone stated that the next meeting will be Friday at 7:00 pm at the Hogg Stopp.

F. *Surveillance Cameras*

Mrs. Kirk and David Kirk addressed their surveillance cameras that they have at their home. She stated that the next door neighbors, Mr. Rightmeyer has complained about the cameras. David Kirk stated that the cameras are not coming down. He stated that he has check out the legal aspects of the cameras and he is complying with all the laws. Cordova stated that council members will be going into executive session to discuss this matter.

Executive Session

- A. *Clodfelter Evaluation – December 26, 2008*
- B. *Vacation Hours – Policy Manual*
- C. *Surveillance Cameras*

A motion was made to go into executive session for discussion of personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees and for a conference with the Town attorney for the purpose of receiving legal advice on specific legal questions under C.R. S. Section 24-6-402(4)(b) was made by Lytle at 7:55 pm. with Cordova, Cox, Headlee, Lytle, Piquette, Stone, Wallace and Attorney Phillip Malouff,. Second by Wallace Motion carried.

The time is now 8:22 pm, and the executive session has been concluded. The participants in the executive session were Cordova, Cox, Headlee, Lytle, Piquette, Stone, Wallace and Attorney Phillip Malouff. 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 Meeting Law, I would ask that you state your concerns for the record.

Seeing none, the next agenda item is the evaluation of Clerk Clodfelter

A. *Clodfelter*

Council member Lytle moved, Council member Wallace seconded, to give Clodfelter a 4 % raise effective on December 26, 2008 (anniversary date). The motion passed unanimous. Evaluation will be tabled until next month.

Other Information

A. *Pot Holes*

Council Member Cox asked about pot holes. Dell will get them fixed.

B. *N. Swink Drive Railroad Crossing*

Cordova asked Dell to put sand at the Railroad Crossing at N. Swink Drive.

C. *Signs*

Cordova stated that street signs have been budget and Dell stated that he would start to work on getting prices.

D. *Meeting in Pueblo West*

Dell stated that he would be attending a meeting in Pueblo West in the morning and Arellano and Gribble will be attending the meeting in the after next week.

E. *Park Area*

Stone stated that he would like to see more dirt at the new park area. He stated that he feels we need to double the amount we have now.

Adjourn

Mayor Cordova adjourns the meeting at 8:27 pm.