

**MINUTES OF A REGULAR MEETING
OF THE COUNCIL OF THE
TOWN OF SWINK
HELD
June 8, 2009 (Monday)
Two Audio Tapes Available – Regular Meeting
One Executive Session Tape**

CALL TO ORDER:

A regular meeting of the Town Council of the Town of Swink was called to order by Mayor Pro-Tem Lytle on Monday, June 8, 2009 at 7:10 pm.

PLEDGE OF ALLEGIANCE:

Mayor Pro-Tem Lytle led the Pledge of Allegiance.

ROLL CALL:

Town Clerk Clodfelter called roll.

Present:	Cox	Headlee
	Lytle	Piquette
	Stone	Wallace

Also in attendance were:

Phillip Malouff, Attorney
Rick Dell, Public Works Director
Terry Clodfelter, Clerk

Absent:

Cordova

AUDIENCE:

Mary Jane Maddux, La Junta, CO

CONSENT AGENDA:

Mayor Pro-Tem Lytle requested comments regarding the Consent Agenda, which consisted of:

- ◆ *Minutes of the May 11th and May 26th Regular Meeting*
- ◆ *Disbursement List*
- ◆ *Public Works Director Report*
- ◆ *Clerks Report*

◆ *Librarian Report*

Council member Headlee moved to accept the Consent items, Council member Wallace 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 had a balance of \$ 2725.76 Clodfelter stated that the baseball games have started and she is in the process of registering for Ceramics. A tournament will be held this weekend in Swink for the Girls 10 Under. Due to other conflicts Swink Girls 10 and under will not participate in this tournament.

B. *Financial Committee – Update*

Wallace stated that the committee will meet with the representative from workmen’s comp, Ed McFarland, this month. She also stated that the committee advised the clerk to order the new Neptune Water Meter reader and it was budgeted this year. Dell asked for help with a 10 year projections. Wallace stated that we will be increasing the 5% every year as we have in the past. A meeting with the financial committee will be schedule for Monday, June 15, 2009 at 5:30 pm.

C. *Rick Dell – Board Reports*

Dell stated that everything is in his monthly report. He stated that he attended a CO-RAD meeting last week. He talked with Jason Meyer, GMS and he will help with the paper work on applying for the grant and we should receive the paperwork in the next few weeks. Stone stated that we should form a CO-RAD committee. Stone stated that he talked with several people at the meeting on this issue and feels that we need to set up a meeting with Mr. Mike Beck. Dell stated that his license will be on line when reports are filled out and he does not want to do anything to jeopardize his licenses. Malouff stated that trustees needs to step back and let Dell do the technical part and the trustees handle the financial part. Lytle asked if we need to hire someone else. Dell stated that we

have hired GMS. Dell stated that he will need assistance on the financial help with CO-RAD.

Maintenance Building / Fire Department

Clodfelter stated that the ground breaking for the new maintenance building was held on May 24, 2009. She stated that Lee Merkel, Chief Eveatt, Trustee Piquette, Mayor Pro-tem Lytle, Mr. Hanagan and Eveatt Babb from the Fire Department attend the ground breaking along with Dell and Ponderosa Contractors and herself. Dell stated that the floor for the building was poured on Tuesday and the building will be here next week.

CO-RAD – Update

- A. **CO-RAD’S Regional Meeting – June 4th – Update (Stone & Dell)**
- B. **CO-RAD’S Committee**

Both items covered under Dell’s Report.

Old Business:

- A. **2009 Annual Celebration – Update**

Piquette stated that she received a donation from La Junta Trading. Clodfelter talked about the American by Horseman. She stated that they will be in the parade and will try to be here for some of the events during the day. Piquette stated that she would help with the parade line up at 9:30 am. Stone stated that we need help with contests, judges etc. Clodfelter stated that she thinks it would be nice if the trustees walked or rode in the parade

New Business

- A. **Council Pay**

Clodfelter read a statement from Cordova regarding council pay. Malouff stated that council needs to put restriction and limitations on the about of meetings a council can miss as the pay comes from the public funds and it would be unwise to develop a plan that says you get paid no matter what. Lytle asked if we need to pursue this matter. Cox asked about voting if you attend the meeting via telephone. Wallace stated that a council does a lot of extra work

with out attending the regular meeting and not get paid for that month. Malouff stated that it needs to be a meeting with written minutes and maybe have it where you can miss up to two (2) per year. Stone asked if the person could vote by telephone. Malouff stated that you can and according to the current ordinance Wallace should have been paid for that meeting. Malouff stated that he will have something in writing if Council lets him know what they want. Tabled until next month.

Council member Piquette moved to pay Wallace for the month that she attend by via telephone, Council member Headlee seconded, Wallace abstained from voting. Motion passed

B. Community Center – Rental Cost

Clerk stated that we are currently charging \$40.00 for deposit and \$35.00 for rent of the Community Center. She feels that we need to raise the cost and also make a decision on not returning the deposit if someone cancels after renting the building. Malouff stated that we need to look at the agreement. Clerk will type a draft and give to Malouff and council. Tabled until next month.

C. Liquor License Cost

Clerk stated that when she attended a liquor class and the state inspector informed her that we could raise our rates. Clerk stated that if council decides to change the rates it will have to be done by an ordinance. Malouff stated that this is a big money maker for big cities and it is up to council to change or leave the fee at the current rate. Council decided that we would not change the rates at this time.

D. Annual Planning Meeting

Clerk stated that she has e-mailed Lee Merkel about August 29th for the 5-10 year planning session and is waiting for a reply from him. Tabled until next month.

E. Extra trash pick up

Wallace asked about the extra trash pick up that appears on the water bills. Dell explained that this is when the maintenance crew has to stop and pick up branches, etc. The crew measures the trash and the Town charges by cubic foot. Wallace asked about other people putting trash on your property. Dell stated that we do not

know who the trash belongs to and we have to charge the resident for it. Malouff stated that this is a trespassing law when people place their trash in your container. Dell stated that the neighbors need to talk to each other and find out who the trash belongs to.

F. Spray Trees

Cox asked if the trees had been sprayed. Clerk stated that if a flag appeared in your yard the trees were not sprayed and if anyone was missed she can call and Rich's and he would come back and spray them.

G. Executive Session

Council Member Piquette moved to go into executive session at 8:25 pm 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 was made by Piquette with all council members, Mr. Malouff, Rick Dell and Terry Clodfelter, Council member Wallace second the motion. The motion passed unanimous.

The time is now 9:07 pm, and the executive session has been concluded. The participants in the executive session were Council members, Mr. Malouff, Rick Dell and Terry Clodfelter. 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.

See none the next agenda item is to adjourn the meeting.

Adjourn

Mayor Pro-Tem Lytle adjourned the meeting at 9:07 pm.