

**MINUTES OF A REGULAR MEETING
OF THE COUNCIL OF THE
TOWN OF SWINK
HELD
July 13, 2009 (Monday)
Two Audio Tapes Available – Regular Meeting**

CALL TO ORDER:

A regular meeting of the Town Council of the Town of Swink was called to order by Mayor Cordova on Monday, July 13, 2009 at 7:00 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
Rick Dell, Public Works Director
Terry Clodfelter, Clerk

Absent:

None

AUDIENCE:

Mary Jane Maddux, La Junta, CO, Kristen Abel, La Junta, CO –
Rick Blackford, Swink, CO – Verlin Hopkins, Swink, CO

CONSENT AGENDA:

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

- ◆ *Minutes of the June 8, 2009 Regular Meeting*
- ◆ *Disbursement List*

- ◆ *Public Works Director Report*
- ◆ *Clerks Report*
- ◆ *Librarian Report*

Council member Wallace moved to accept the Consent items, Council member Headlee 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 \$1977.14 Clodfelter stated that the baseball games are over and Donald Cotterman has been paid. Mary Hobbs has started the Ceramic classes. The annual pot luck and swimming party will be August 3rd starting at 5:30 pm and swimming at 6:30 pm. Clerk stated that she had a parent that registered two (2) children for the ceramic classes and due to her job the children are unable to attend and would like a refund. On the application it states “NO REFUNDS”. Clerk stated that she needs a decision from council about refunding her payment. Council feels that any refunds should be made on case by case basis and also the circumstance involved.

Council member Headlee made a motion to refund her money; Council member Wallace seconded the motion. Council stated that this policy will be review by case and circumstance. The motion passed unanimous.

Wallace talked about sponsors for other sports. She will try to get sponsors for Volleyball.

B. Financial Committee – Update

Wallace reported that the last meeting was held June 15th and nothing to report at this time.

C. Rick Dell – Board Reports

Dell asked what council would like to know as he reports everything in his monthly reports. Cordova stated that he would

just like a quick recap. Dell talked about the OCLI trash compactor.

D. CML Classes

Clerk stated that she attend the CML conference in Vail and learned a lot. If any one would like to look at some of the hand outs she has them in her office. Clerk stated that she would like to attend the IIMC conference next year in Reno, NV. This conference is for Clerks from all over. The conference was to be held in Australia, but was changed because of cost. CML is asking Colorado clerks to attend this conference and to help the Nevada Clerks organize and put this on. The cost would be around \$2000.00 and will be held in May 2010.

Maintenance Building / Fire Department

Dell stated that he met with Rob Schauer, Ponderosa Contractor on Friday and the project in on schedule. Malouff stated that we need to pay Ponderosa upfront and wait on the payment from DOLA. Clerk stated that the paperwork has been mailed to DOLA for \$104,936.00. Dell stated that once the stairs are installed the maintenance crew can start on shelves and moving things over to the new building. Headlee ask about the old shop. Dell stated that he would like to keep the old shop for storage but disconnect the utilities.

CO-RAD – Update

Dell stated that he has nothing new to report. He did state that the Quarterly report was mailed and the Engineer is on board. He also stated that a grant was applied for and GMS helped fill this out. Cordova stated that Dell did samples from each well. Cordova stated that he did talk with La Junta about mixing our water with La Junta's water. Dell asked about the rates. Cordova stated that we need to look at all the facts and the rates at a later time.

Old Business:

A. 2009 Annual Celebration – Update

Stone stated that the event was great. Lytle stated that she has donation of around \$700-1000. Stone also has a check for \$500.00. Stone stated that next year will be the big celebration

with the all school alumni. Stone also suggest that if every council member would pay \$25.00 per month, the council could pay for the fireworks. Stone also would like to have a chili cook-off or barbeque cook-off. If we have a Chili cook off Stone will sponsor it in the amount of \$300.00, this would bring people in from around the state. Lytle would like to keep it simple as we do not have the man power for to much. A meeting will be schedule with Otero Co Health Department to discuss the chili-cook off. A thank you will be mailed to JC Carrica for sponsoring the “Wind River Band”.

B. Swink Community Center – Rental Cost

Council discussed a couple of changes in the agreement. Council member Wallace moved to accept Swink Community Center Agreement with the changes and change the rate to \$50.00 for the deposit and \$50.00 for the rent, Council member Headlee seconded. The motion passed unanimous.

C. Annual 5/10 Year Planning Meeting

Clerk stated that she talked with Lee Merkel and he will be able to attend on August 1st. Council would like a few more dates. Clerk will check with Mr. Merkel and get back with council.

D. Council Pay

Cordova stated that council received a letter from Mr. Malouff regarding council pay. The discussion was should council members received pay if he/she does not attend a meeting, if he/she attends by via telephone and how many meetings can he/she miss in a calendar year. Lytle feels council members could miss up to two (2) in a calendar year and still receive your monthly payment. There was also discussion when a council member attends via telephone should it be a land line or can it be a cell phone and the cost for the council members. Stone feels we are paying for people not to attend the meeting. Mr. Malouff will work on a draft for next months meeting. Tabled until next month.

E. Ed McFarland – Workmen’s Comp

After a brief discussion the Town will stay with the current provider.

New Business

A. *Mary Jane Maddux*

Clodfelter stated that she received a letter of resignation from Mary Jane Maddux. Cordova read the letter from Mary Jane Maddux.

Council member Wallace moved to accept Mary Jane Maddux letter of resignation effective August 1st, Council member Cox seconded. The motion passed unanimous.

Clerk Clodfelter presents a plaque and gift certificate to Mary Jane Maddux for all her hard work for the Town of Swink. Clerk also stated that we will have cake after the meeting.

B. *Part-Time Clerk/Zoning Administrator*

Clerk stated that she interview five (5) people for this position and feels that Kristen Abel would be the best for this position. Kris Abel spoke to council. Cordova asked if the clerk told her about hours. Abel stated that the hours would be great and this would be her first priority. Council member Piquette moved to hire Kristen Abel for the part-time clerk/zoning administrator effective immediately at the rate of \$8.50 per hour for one (1) year, Council member Cox seconded. The motion passed unanimous. Malouff stated that we made a good choice.

Lytle stated that Clerk Clodfelter became a certified municipal clerk thru CML and feels that council should give her a raise. She stated that Clodfelter better herself and the Town of Swink by becoming certified. Lytle states the raise needs to be now as council needs to award her for her hard work like we did Arellano when he became certified. Malouff stated the money should be in the budget we can do it. Council discussed the budget for the raise. Stone stated that the money is in the budget and we are not talking a lot of money. Council Member Lytle moved to give Clerk Clodfelter a 3% raise for receiving her certification as municipal clerk effective July 1, 2009, Council member Piquette second the motion. The motion passed unanimous.

C. *Fugitive Dust*

Clerk stated that she received the fugitive dust information from Mr. Hopkins, 305 Kimble. Mr. Hopkins stated that the complaint should have been filed 3-6 months ago when dust was blowing.

He also stated that he has experience with fugitive dust. Mr. Hopkins talked about the dust area in the farm area. Mr. Hopkins stated that there are several things the owners could do. After a brief discussion Mr. Malouff will write a letter to the land owner and will try to have something for next month. Tabled until next month.

D. Arkansas Valley Fair

Clerk Received information about the Ark Valley Fair. She stated that if council would like to buy a trophy it would be \$25.00. She asked if anyone would like to attend the parade for the Town of Swink on August 14th. Mayor Cordova or Mayor Pro-tem Lytle will attend parade.

E. 2009 Audit – Grimsley and White

Cordova stated that we applied to extend the audit with the State for 60 days. Cordova also stated that we need to move \$138,519 from Colorado Trust General Fund to the Sewer Fund and \$33,000 from Colorado Trust Sewer Fund to the Sewer fund. Cordova stated that this is just paper entries. We also need to write a check for \$3052.00 due from the General Fund to the Sewer Fund. He also stated that we will not do anything until next month's meeting. Tabled until next month.

F. 2009 CIRSA Audit Report

Clerk stated that the CIRSA audit was performed and we received an 88%. Clerk stated that council should have that information in front of them.

G. Per Diem

Clerk stated that are current per diem for meals are \$30.00 per day. (\$5.00 for breakfast, \$10.00 for lunch and \$15.00 for dinner.) She stated that when she attended the Vail conference this did not cover the meals. Mr. Malouff will work on a new ordinance for the per diem. Tabled until next month.

H. Vacation Hours for Clerk

Clerk stated that she would like to take vacation next week before Mary Jane leaves us. Council stated that would be ok.

I. Shad Berg

Clerk stated that when the meters were installed the meter numbers was switched. We have been billing him for hard water when he was using soft water and we bill him soft water when he was using hard water. She stated that we need to refund \$540.79 to Mr. Berg. All council members were in agreement.

J. National Philanthropy Day

Cordova stated that the National Philanthropy Day will be November 13, 2009 in Denver. If anyone is interested in attending please let the clerk know.

K. OCLI

Clerk stated that OCLI needs for the Town to appoint a representative to the OCLI board. Council member Wallace made a motion for Dell to be the representative to OCLI and Council member Cox the alternate, Council member Headlee second the motion. The motion passed unanimous.

Adjourn

Mayor Cordova adjourned the meeting at 9:45 pm.