

# December 8, 2008 Regular Board Meeting

The Town of Swink Regular Board Meeting was called to order by Mayor Cordova on December 8, 2008 at 7:15 pm with all council members present except Mayor Pro-tem Lytle and Trustee Headlee. Also absent was Attorney, Mr. Malouff and Clerk Clodfelter.

Consent agenda, which consisted of the Minutes from the November 10th Meeting, The Disbursement List, The Public Works Director Report, Clerks Report and The Librarian Report was all approved.

Asst. Clerk Maddux reported that the Recreation account has a balance of \$2905.85 and late registration for basketball will continue thru December

11th.

Financial Committee reported that Clerk Clodfelter transferred all the funds to First National Bank, except a small balance at Colorado Bank in the General Fund until all checks have cleared. She will close this account out in a couple of months.

Ordinance 2009-1 Adoption of the Budget was approved and adopted on second reading.

Ordinance 2009-2 Set Mill Levy was approved and adopted on second reading.

Ordinance 2009-3 Appropriation of the Budget was approved and adopted on second reading.

Council discussed whether an architect is needed for

the new maintenance building or just send out a Request for Proposals (RFP). Council decided that a RFP will be ready by the January meeting with all the specs.

Trustee Piquette stated that the Annual Celebration committee met and the celebration will be held on June 13, 2009. Piquette stated that committee will start working on donations from area businesses this year to help with the cost.

Mayor asked the trustees to look over the drafts for the vacation hours for the town policy manual so a decision can be made at the January meeting.

ATM machine was brought up before council.

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## January 12, 2009 Agenda

Annual Celebration—June 12, 2009

Swink Recreation-Update

Finance Committee- Update

New Maintenance— Request for Proposals— Update

Vacation Hours

Red Flag

Zoning—JC Carrica and The Town of Swink-From a R-1 to a C-1

Employee Raise for Maddux and Scott

Debit/Credit Card Machine

Grimsley & White— Engagement Letter-2009

Audit

Executive Session for Clodfelter Evaluation

Next board meeting will be February 9, 2009

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### Special points of interest:

- [www.swinkcolorado.com](http://www.swinkcolorado.com)
- Dog Clinic—February 21, 2009
- Rate Increase



# Animal Ordinance



This month we will look at animal ordinance and licenses. You may read the entire ordinance on the web site under Chapter 6. [www.swinkcolorado.com](http://www.swinkcolorado.com).

**6.04.010 Dog defined:** As used in this Chapter, the word *DOG* means any dog, bitch or whelp over six (6) months of age.

**6.04.020 License required:** The owner, possessor or keeper of any dog within the Town shall secure a license for such dog from the Town Clerk on or before the first day of March of each year or within thirty (30) days after the dog reaches the age of six (6) months. Dogs purchased, obtained or otherwise acquired subsequent to the first day of March in any calendar year shall be licensed within thirty (30) days after such acquisition. New residents of the Town shall have thirty (30) days after becoming such residents to secure a license under this Chapter.

**6.04.30 License; fee:** The annual license fee for dogs within the Town of Swink shall be five (\$5.00) for neutered males and spayed females, and ten (\$10.00) for un-neutered males and unsprayed females. Such fee at any time be changed by resolution of the Board of Trustees.

**6.04.030 Rabies vaccination required:** (a) Each owner, possessor or keeper of one (1) or more dogs within the Town shall have each dog inoculated against rabies between January 1 and March 1 of each year or have the inoculation done between January 1 and March 1 on a three-year vaccination program. The owner shall not inoculate against rabies on a two-year program

(b) The veterinarian administering the inoculation has the ultimate authority to determine whether a one-year or three-year vaccination is given.

**6.04.050 Rabies vaccination by licensed veterinarian:** The inoculation required by Section 6.04.040 shall be made by any veterinarian licensed to practice veterinarian medicine in the state.

**6.04.060 Rabies vaccination prerequisite to license issuance; license applications:** Upon application for a dog license, the applicant shall exhibit to the Town Clerk a certificate from a licensed

veterinarian that the dog has been inoculated against rabies as required by this Chapter. All applications for licenses shall be made on forms provided by the Town Clerk.

**6.04.070 Tags; issuance:** It shall be the duty of the Town Clerk to deliver or cause to be delivered to each person making application for a license, paying the license fee provided for in this Chapter and presenting the certificate or inoculation required by this Chapter a dog tag for each dog licensed and inoculated.

**6.04.080 Tags; attachment to collar or hardness**

**6.04.090 Tags; to be worn only by licensed dogs**

**6.04.110 Impoundment generally:** It is lawful for the Town Marshal and all other police officers to impound any dog which is not wearing a dog tag as provided in this Chapter and any dog which they reasonably feel to be in violation of any of the provisions of this Chapter, whether such dog is wearing a dog tag or not. It shall be lawful for the Town Marshall or any police officer to go upon private property for the purpose of catching any dog to be impounded.

**6.04.120 Impoundment; notice to owner or keeper of dog**

**6.04.130 Impoundment; procedure for release of dog**

**6.04.140 Impoundment; disposal of unclaimed dogs**

**6.04.150 Impoundment; redemption fees**

**6.04.160 Interference with Town Marshall or police officer performing duties**

**6.04.170 Instigating or encouraging dog fights prohibited**

**6.04.190 Running at large prohibited:** It is unlawful for any owner, possessor or keeper of any dog in the Town to permit the same to run at large within the Town. A dog shall be deemed to be running at large when off or away from the premises of such owner, possessor or keeper, or his or her agent or servant or a member of his

or her immediate family, either by leash, cord or chain, not more than ten (10) feet in length.

**6.0.200 Vicious Dogs:** No person shall own, keep, possess or harbor a vicious dog within the Town. For the purposes of this Section, a *vicious* dog is defined and declared to be a dog that unprovoked bits or attacks human beings or other animals either on public or private property, or in a vicious or terrorizing manner approaches any person in an apparent attitude of attack upon the streets, sidewalks or any public ground or place.

**6.04.210 Confinement of biting dogs:** The owner, possessor or keeper of any dog which has bitten or is suspected to have bitten any person or which is suspected of having rabies shall immediately notify the Town Marshall or any police office of such fact.

**6.04.220 Establishment and operation of pound**

**6.04.230 Notice or knowledge of violation not necessary for prosecution of owner or keeper**

**6.04.240 Violation; penalty**

**Number of Dogs permitted, penalties, exemptions, removal of dog feces, etc please see Ordinance No. 2008-6 that was passed on October 13, 2008.**

## Chapter 6.08—Keeping of Hard Hoofed Animals and Fowl

**6.08.010 Definitions:** For the purpose of this chapter, the works set out in this Section shall have the following meanings:

*ANIMAL or ANIMALS* includes any cattle, horses, mules, sheep, goats, swine or other hard-hoofed animals.

*FOWL* included chickens, ducks, geese, turkeys, guineas, pigeons, and like fowl.

*Person* means any person, persons, firm, partnership, corporation or associations.

**6.08.020 Animals prohibited:**

(a) No person shall permit an animal, rabbit or fowl kept or maintained by such person to be at large within the corporate limits of the Town.

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# December Board Meeting Continue from Page 1

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This item will be brought back up next month as it was not an ATM machine it is a Debit/Credit Card Machine.

A thank you note was read from Mrs. Lesar for flowers.

Dell talked about the CO-RAD letter that was received.

Mayor advised that Senator Salazar will be in La Junta on December 15, 2008.

The evaluation for Clerk Clodfelter was tabled till the January meeting as all the evaluation from trustees were not turned in to the Mayor. Trustee Stone would like to have Clodfelter's job description e-mailed to all council members.

Mayor Cordova adjourn the meeting at 8:15 pm.

## Rate Increase Effective January 1, 2009

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Resolution No. 2009-1 Rate Increase was passed and adopted on 1st reading on November 10, 2008.

**WHEREAS**, Section 13.04.250 of the Swink Municipal Code authorized the Board of Trustees to adopt rate changes for soft and hard water, trash pick up and sewer by resolution;

**WHEREAS**, the Board of Trustees has determined it would be in the best interest of the Town of Swink to modify the rates changed for soft and hard water, trash pick up and sewer.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Town of Swink as follows:

- A. Soft Water will have an increase of 5%.
- B. Hard Water will have an increase of 5%
- C. Trash pick-up and Sewer will have an increase of 5%.
- D. This resolution shall be effective on January 1, 2009.

DATED this 10th day of November, 2008.

BY: Sandy Lytle

Mayor Pro-Tem

ATTEST: Terry Clodfelter

Clerk

Effective January 1, 2008 these will be the following rates:

**Soft Water** for the 1st 1000 gal will be \$8.75 and 5.30 after the 1st 1000 gal bill on 1000 gal increments.

**Hard Water** will be \$19.67 for the 1st 7000 gal.

\$1.15 for the next 13,000 gal

\$2.31 for the next 10,000 gal

\$4.62 for the next 10,000 gal

\$6.93 over 40,001 gal

**Trash** will be \$18.04 per month

**Outside of Town**—Residential will be \$26.52 for trash services

**Outside of Town**—Businesses will be \$10.94 per dump (once per week)

**Sewer** will be \$16.54 per month

The minimum bill will be:

Soft \$ 8.75 1000 gal

Hard \$19.67 7000 gal

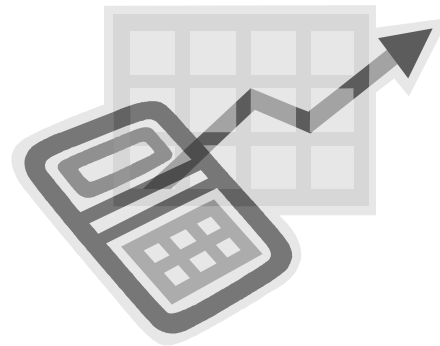
Trash \$18.04

Sewer \$16.54

Tree \$ 1.70

Total \$64.70 per month—this is the minimum for soft and hard water usage.

If you have any questions, please call Terry at 719-384-7155.



## TOWN OF SWINK

Town of Swink  
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Swink, CO 81077

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[www.swinkcolorado.com](http://www.swinkcolorado.com)

**Business Hours:**  
Monday 2:00 p.m.—7:00 p.m.  
Tues-Thurs 8:00 a.m.-1:00 p.m.  
Closed on Friday  
After Hours please call **469-8868**

We hope to have a section in the next issue titled "ASK A COUNCIL MEMBER". Please send your letters to the Town Clerk.

### Current Water Restriction:

Water restrictions were lifted for the Town of Swink at the May 12, 2008 meeting. You may water anytime and as long as you would like.

## CALENDAR OF EVENTS

- January 1, 2009 Town of Swink will be closed for New Year's Day
- January 12, 2009 Town of Swink Council Meeting—7:00 p.m.—Public Invited
- January 23, 2009 Read Water Meters
- February 7, 2009 Dog Clinic—Swink Community Center
- March 1, 2009 All dogs must be licensed with the Town of Swink

### Swink Recreation

We are always in need of commissioner's, coaches, help with the concession stand, score keepers, etc. for our basketball season. Please call Terry to volunteer your time. We appreciate all your help.

### Swink Sr. Citizens

- January 8, 2009 Lunch at Swink School
- January 12, 2009 Birthday Party
- January 15, 2009 Board Meeting at 9:00 am
- January 26, 2009 Potluck Dinner
- Every Monday and Thursday—Coffee at 9:00 a.m. and Cards in pm. Sage meals M-F at 11:00 a.m. The Center will be closed from December 25 to January 5, 2009.

If you would like to add anything to the calendar for next month please let the clerk know. Deadline is the 3rd Monday of the Month.

## Chapter 6 of the Ord. Book—Animals—Cont from page 2

(b) No person shall keep or maintain any animal, rabbit, or fowl within the corporate limits of the Town, except as provided in this Chapter.

### 6.08.030 Abatement period

**6.08.40 Exceptions:** (a) This Chapter shall not be applicable to the display of animals, rabbits or fowl by entrants in any show or fair authorized by the Town, or nor to the temporary maintenance by a veterinarian of animals, rabbits or fowl during the time necessary for treatment.

### 6.08.050 Sanitary regulations and inspections:

**6.08.060 Liability:** Any person who allows an animal, rabbit or fowl kept or maintained by such person to be at large within the corporate limits of the Town shall be liable for any damages caused by such animal, rabbit or fowl while at large.

**6.08.70 Violation; penalty:** Violation of any of the requirements of this Chapter or failure to continue to comply with any

conditions set forth in this Chapter shall constitute a misdemeanor and, upon conviction thereof, shall be punishable by a fine not exceeding three hundred dollars (\$300.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable under this Chapter.

### Chapter 6.12 Animals Creating Nuisance

#### 6.12.010 Responsibility of owners to control animals, nuisance designated:

it is unlawful for any owner to fail to exercise proper care and control of his or her animals to prevent them from becoming a public nuisance. Excessive, continuous or untimely barking, molesting passersby, chasing vehicles, habitually attacking other domestic animals, trespassing upon school grounds or trespassing upon private property in such manner as to damage property shall be deemed a nuisance.

**6.12.020 Violation, prima facie evidence:** Sustained or continuous barking for a period of one (1) minute shall be. Prima facie evidence of a violation of Section 6.12.010.

**6.12.030 Violation; penalty:** Any person violating any of the provision of this Chapter shall be punished by a fine not exceeding three hundred dollars (\$300.00) or by imprisonment not exceeding ninety (90) days, or such fine and imprisonment.

NOTE: Dog/Cat clinic will be scheduled for Saturday, **February 21st at the Swink Community Center from 8:00 – 11:30.** Ark Valley Animal Hospital will be at the clinic for your veterinary needs such as shots, etc. This is the same veterinary that we use every year.

