

# REGULAR MEETING BOARD OF TRUSTEES

April 9 2020

Via GoToMeeting

Present: Trustees Robin Ballard, Ted Locke, Jim Howard, Shannon Mason, Mike Cooper, Mayor Pro-Tem Ervin Maltbie and Mayor Lindsay Walker (joined at approximately 7pm)

Absent:

Guests: Christy Brady, Marcia Elstob, Diane Visage, Sean Sheridan (6:36pm)

Staff Present: Tammy Newman  
Merna McGinnis, Interim Town Manager/Clerk/Treasurer  
Lyn Margolis, Administrative Assistant  
Katrina Martin, Police Chief  
Todd Messenger, Town Attorney

**ITEM 1** Trustee Ballard called the meeting to order at 6:00pm. We have a quorum.

## **ITEM 2 Pledge of Allegiance**

## **ITEM 3 Roll Call**

Present: Trustees Howard, Ballard, Cooper, Locke, Mason, Mayor Pro-Tem Maltbie, and Mayor Walker joined at approximately 7:00pm.

Absent:

## **ITEM 4 Approve Regular Minutes of March 12, 2020 and Special Meeting Minutes of March 23, 2020**

Trustee Locke made a motion and was seconded by Trustee Ballard to approve the minutes of March 12, 2020 and March 23, 2020

Vote Yes: Trustee Mason, Locke, Ballard, Howard, Cooper, Maltbie

Vote No: none

Motion carried.

## **ITEM 5 Approve Bills**

Ms. McGinnis, Interim Town Manager/Clerk/Treasurer, would like authorization from the board to pay the sewer loan payment to Colorado Water Resources and Power Development Authority of \$13,350; Fairfield and Woods of \$8946; and Element Engineering \$7510 to be included in the motion.

Trustee Mason made a motion and was seconded by Trustee Ballard to approve the bills, including the bills mentioned by Ms. McGinnis.

Vote Yes: Trustee Cooper, Locke, Mason, Maltbie, Ballard, Howard

Vote No: none

Motion carried.

## **ITEM 6 Public Comment for Non-Agenda Items**

Marcia Elstob questioned the results of Fairfield and Woods call regarding a settlement. Mr. Messenger responded that those are attorney/client privilege and cannot be disclosed under the open records act.

## **ITEM 7 Fix a ballot title for the initiative petition**

Mr. Todd Messenger, Town Attorney gave this guidance that The Board of Trustees duty is to set the ballot title. The board has a fair amount of discretion on how to set that title. It should fairly characterize the measure so the voter is informed about what it is they are voting on. It should be very clear, informative and detailed.

The legal requirement under the constitution is that essential elements of the document must be captured in the title. The ballot title must be in form of a question that can be answered by yes or no. CRS 31-11-111(3)

Ms. McGinnis, Interim Town Manager/Clerk/Treasurer, read the Ballot Title Final Version 4.

Trustee Locke made a motion and was seconded by Trustee Cooper to set the ballot title per version 4.

Vote Yes: Cooper, Locke, Mason, Maltbie, Ballard, Howard, and Mayor Walker

Vote No: none

Motion Carried.

### **ITEM 8 General Business**

Election update. Ms. McGinnis, Interim Town Manager/Clerk/Treasurer, said Election Expenses are approximately \$1800 to date. We successfully completed elections through the changes due to COVID19 with a total of 412 ballots cast. We are waiting for the UOCOVA ballots to be returned to complete the canvas of the final results are to be counted Thursday, April 16, 2020. Ms. Cheryl Rutherford, Election Judge, sent a letter of support about the election to the staff and Board of Trustees.

COVID-19 update. Ms. McGinnis, Interim Town Manager/Clerk/Treasurer, informed the board that two employees were out last week due to illness. They were not tested for COVID19, and are back to work. The Trustees recommended that these employees take their temperature before and after work. Staff have been wearing face masks and taking necessary precautions.

The board extended the closure of Town Hall to the public through April 30<sup>th</sup>, unless the emergency is lifted.

Vote Yes: Trustee Cooper, Maltbie, Mayor Walker, Howard, Locke, Ballard, Mason.

Vote No: none

Motion Carried.

Introduction of Tammy Newman WELCOME!

### **ITEM 9 Administrative Reports**

Ms. McGinnis, Interim Town Manager/Clerk/Treasurer, reported that American Implement made repairs to the generator at Well 13. These charges were taken care of in the warranty. American Implement will refund our payment.

CIRSA (Chubbs) paid for the boiler repair at the light plant.

We have utility customers that are taking advantage of the suspension of the disconnects due to COVID19.

Trustee Mason said there are programs available thru the CSVG grants run thru the county nurse's office in the courthouse to help pay bills. Encourage people to visit the County Website COVID 19 grant applications.

Ms. Tammy Newman, reported that Dixon, Waller and Co. Inc will be here April 15-16, 20- 22 to do the 2019 Audit. Trustee Mason would like notification to the board to attend the final hearing.

The Town Clerk will be sworn in with new Trustees when they make the appointments and issue the Oath of Office. Mr. Todd Messenger, attorney said this is acceptable with these unusual times due to COVID19.

#### Town Attorney

Mr. Messenger, Town Attorney, read the COVID19 numbers in Baca are very high per capita. Please stay safe. Nothing from MuniCode to date, but expect to have details and documents for the next meeting, May 14, 2020. Thank you for working through the ballot title this evening. This complicated endeavor went very smoothly.

#### Treasurer

Ms. McGinnis, Interim Town Manager/Clerk/Treasurer, reported the Department of Revenue is allowing an extension for filing and remitting the March sales tax until May 20. Expect a reduction in sales tax for next month due to businesses being closed. The Baca County Treasurer sent taxes today and they will waive the delinquent interest until April 30 on the first half tax payments due by February 28, 2020.

Police Department Police Chief Martin gave the police report.

### **ITEM 10 Mayor and Trustee Reports**

Thank you to everyone.

**ITEM 11** Trustee Ballard made a motion and was seconded by Trustee Cooper to adjourn at 7:30PM.