

**TOWN OF MILLIKEN
BOARD OF TRUSTEES
MILLIKEN MEETING HOUSE, 1201 BROAD STREET**

MEETING MINUTES

Wednesday August 10, 2011 - 7:00 P.M.

Call to Order

The Town of Milliken Board of Trustees convened a regular session on Wednesday, August 10, 2011 at 7:00 p.m. Those present: Mayor Janie Lichtfuss, Mayor Pro Tem Julie Cozad. Trustees: Bob Carnahan, Ted Chavez, Doug Kehr, Lois Ann Onorato and Peggy Wakeman. Also present: Town Administrator/Police Chief Jim Burack, Town Attorney Bruce Fickel, Finance Director Mitzi McCoy, Co-Clerk Cheryl Powell and Co-Clerk Betty Rangel and Public Works Director Mike Woodruff. Absent: Community Development Director Steve House

Pledge of Allegiance

Mayor Lichtfuss called the meeting to order.

Agenda Approval

Town Administrator Jim Burack responded there were no staff additions to the agenda but requested staff project updates to be heard during the Discussion Agenda. There is a numbering correction to the Action Agenda items 4 and 5. Town Attorney Bruce Fickel requested an executive session added at the end of the agenda.

Citizens Comments

None

Moment of Silence

The Mayor requested a moment of silence in honor of Clyde Briggs who was the former owner of the Johnstown Breeze from 1980 – 1997. Mr. Briggs passed away on Thursday, August 4th after a serious injury.

Recognition

Mayor Lichtfuss presented Mike Woodruff a plaque in recognition of service as the Town's Public Works Director from December 16, 2002 – August 12, 2011.

Introduction

Town Co-Clerk Betty Rangel introduced Jessica Jones who is the new part-time grant-funded Case and Resource Manager for Milliken's Community Court.

Minutes of Previous Meeting – July 27, 2011 meeting.

Minutes approved as distributed.

CONSENT AGENDA

1. List of Bills

List of Bills for August 10, 2011.

Mayor Pro Tem Cozad moved to approve the consent agenda. Trustee Kehr seconded the motion.

Vote: All in favor, none opposed.

ACTION AGENDA

1. 2010 Audit Acceptance

Finance Director Mitzi McCoy presented the 2010 audit and explained that each year the Financial Statements of the Town of Milliken are independently audited as required by Colorado statute. The Town Board approves those financial statements as audited and then forwards a copy of those statements to the State of Colorado. Mr. Dan Schommer who is with the auditing firm of Anton Collins Mitchell, LLP presented and discussed the Town's 2010 audit with the Town Board during the work session held prior to the Town Board meeting.

Trustee Wakeman moved to approve the 2010 Financial Statements, with further discussion to take place at the September 14, 2011 work session. Mayor Pro Tem Cozad seconded.

Further discussion from the Town Board included when the audit needs to be submitted in order to remain in compliance with the States regulations.

Finance Director McCoy responded the State has extended the submittal date to the end of September 2011.

Trustee Wakeman clarified that she did not have a problem with the information she received regarding the audit, but felt it was important that the Board become more familiar with the information on the audit.

Vote: Mayor Lichtfuss and Trustee Wakeman in favor. Mayor Pro Tem Cozad, Trustees: Carnahan, Chavez, Kehr and Onorato opposed.

Motion did not pass.

Mayor Lichtfuss announced that the audit will be brought back to the September 14, 2011 meeting for acceptance.

2. Second Reading and Public Hearing for Consideration of an Amendment to Milliken Municipal Code Chapter 7, Article I Section 7-1-10 and an Addition to Milliken Municipal Code Chapter 7, Article II, Sections 7-2-160, Prairie Dogs

Town Administrator/Police Chief Jim Burack asked the Town Board to consider a revision to the Milliken Municipal Code regulating the presence of prairie dogs on residential lots zoned R-1, R-2 and R-3 or residentially-designated PUD, excluding parcels zoned R-1E of the Town. The applicable property must be platted; infrastructure, to include streets and all utilities, has been installed; and one or more residences are occupied. Town Administrator Burack referred to the prior meeting where members of the public spoke that had diametrically opposed feelings regarding prairie dogs. He feels this ordinance draft is a compromise that would satisfy both sides.

Public Hearing Opened at 7:18 pm.

Public Hearing Closed at 7:19 pm.

Trustee Chavez moved to approve Ordinance 647 amending Chapter 7, Article 1, Section 7-1-10 and adding Section 7-2-160 to the Milliken Municipal Code. Trustee Onorato seconded the motion.

Vote: Mayor Lichtfuss, Mayor Pro Tem Cozad, Trustees: Chavez, Kehr, Onorato and Wakeman in favor. Trustee Carnahan opposed.

Motion passed.

3. Second Reading and Public Hearing for Consideration of an Amendment to Milliken Municipal Code Chapter 11, Article 1, Section 11-1-30, Encroachments Prohibited

Project Manager Caree Rinebarger asked the Town Board to consider a revision to the Milliken Municipal Code adding § 11-1-30(b) for the purpose of

removing, abating or relocating the encroachment that intrudes upon any street, alley, sidewalk, curb, gutter or other public places within the Town.

Public Hearing Opened at 7: 20 pm.

Public Hearing Closed at 7:21pm.

Mayor Pro Tem Cozad moved to approve Ordinance 648, an addition to the Milliken Municipal Code §11-1-30(b) for the purpose of removing, abating or relocating encroachments that intrude upon any street, alley, sidewalk, curb, gutter or other public places within the Town. Trustee Chavez seconded.

Vote: All in favor, none opposed. Motion passed.

4. **For Consideration and Approval of Resolution 11-11 Amending the 2011 Budget and Appropriating Funds for the Construction Administration of the Safe Routes to School Project.**

Project Manager Caree Rinebarger asked the Town Board to consider for approval a resolution amending the 2011 budget and appropriating funds accordingly. The contract was approved by the Town Board on July 27, 2011.

Trustee Chavez moved to approve Resolution 11-11, appropriating funds from the General Fund to cover the costs incurred for Construction Administration and to appropriate the funds accordingly. Trustee Kehr seconded.

Vote: All in favor, none opposed. Motion passed.

5. **For Consideration and Approval of Resolution 11-12 Re- Authorizing the Issuance of Corporate Credit Cards**

Finance Director McCoy asked the Town Board to consider for approval a resolution re-authorizing the issuance of corporate credit cards in the name of the Town Administrator, Town Co-Clerks, Department Directors, Police Commander and Police Administrative Staff. This resolution will allow the Town's corporate credit card holders to be revised when there are staffing changes. This resolution does not forgo the two signatures required by the Town Board or the letter required by the bank in order for an issuance or change of a corporate credit card.

Mayor Pro Tem Cozad asked if the credit cards are issued in the employee's name and what has the Town done in the past for staff placed in interim positions she also asked if credit card statements go to the staff members whose card was used and whether the charges verified by another member of

the staff. Finance Director McCoy answered that the bank requires the employees' name on the card. Staff changes and interim positions are the main reasons why we are requesting the authorization by title in order to alleviate problems for purchasing within that department. Receipts generally accompany the usage of the credit card and the statement is verified by a staff member other than the card holder. Mayor Pro Tem Cozad suggested that a member of the Town Board also review the credit card statements and sign off on them as another form of check and balance.

Mayor Pro Tem Cozad moved to approved Resolution 11-12, a resolution authorizing the issue of cCorporate credit cards in the name of the Town Administrator, Department Heads, Police Commander and Police Administrative Staff with an aggregate total not to exceed \$18,000. Trustee Chavez seconded.

Vote: All in favor, none opposed.

DISCUSSION AGENDA

Beef 'n Bean Day

Project Manager Caree Rinebarger updated the Town Board on events for Saturday, August 13, 2011, Beef 'n Bean Day. A schedule for booth assignments was handed out.

Fire District Meeting

Fire Chief Ron Bateman spoke in regard to the Thursday, August 11th meeting the Town Board is having with the Milliken Fire Protection District Board at the Milliken Fire Station.

Coffee Shop Grand Opening

Town Administrator Burack announced that the grand opening of 3 Coffee and Roastery will be held on Friday, August 12, 2011. The ribbon cutting will take place at 3:45 pm with the Johnstown-Milliken Chamber of Commerce.

Metropolitan Planning Organization (MPO)

Mayor Pro Tem Cozad spoke about the MPO meeting held in Johnstown last Thursday, August 4th. The MPO approved their budget and received accolades from the public for the amount of time they spent on their budgeting process. The MPO also approved the Regional Transportation Plan which is an update to the 2035 plan and a Transportation Improvement

Plan update which is a five (5) year plan. Mayor Pro Tem Cozad handed out pamphlets on the Unified Planning Work Program (UPWP) which is tied to the MPO's budget and another titled the Potential Changes in Re-authorization, which is in regard to the Transportation Bill by the Federal Government. Mayor Pro Tem Cozad announced that the MPO's Environmental Planner has resigned. Milliken's representative Jordan Jemiola will be notified accordingly since the meetings will be delayed until further notice.

Mayor Pro Tem Cozad spoke about the weighted vote process that the MPO uses. The MPO's attorney along with some MPO members are concerned that if the weighted vote is eliminated it may cause the MPO to dissolve.

Executive Session

C.R.S. 24-6-402(4)(b), to confer with an attorney for the Town for the purposes of receiving legal advice on specific legal questions;

Mayor Pro Tem Cozad moved to go into Executive Session according to C.R.S §24-6-402(4)(b), to confer with an attorney for the City for the purposes of receiving legal advice on specific legal questions . Trustee Onorato seconded

Vote: All in favor, none opposed.


Resume Regular Meeting

Mayor Lichtfuss stated: "The time is now 7:43 P.M. and the Executive Session has been concluded. 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 Meetings Law, I ask that you state your concerns now." There were no concerns.


Adjournment

Hearing no further business, the Mayor adjourned the meeting at 7:44 p.m.

Prepared by:


Cheryl L. Powell
Town Co-Clerk

Approved by:


L. Jane Lichtfuss, Mayor