

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

**MEETING MINUTES**

**Wednesday, July 23, 2014 – 7:00 P.M.**

**Call to Order**

The Town of Milliken Board of Trustees convened a regular session on Wednesday, July 23, 2014 at 7:00 p.m. Those present: Mayor Milt Tokunaga, Mayor Pro Tem Linda Measner; Trustees: Linda Beck, LeRon Ehrlich, Jordan Jemiola, Ken Kidd and Lois Ann Onorato. Also present: Interim Town Administrator/Town Clerk Cheryl Powell, Treasurer & Accounting/Finance Director Patrick Murphy, Community Engagement Specialist/Planner Seth Hyberger, Administrative Assistant Gale Amaya, Public Works Director Jason Fowler and Assistant Town Attorney Sunita Sharma. Absent: Community Development Director Anne Johnson, Parks and Outdoors Director Josh Roseberry and Town Attorney Bruce Fickel.

**Pledge of Allegiance**

Mayor Tokunaga called the meeting to order.

**Roll Call**

Trustee's: Ehrlich, Onorato, Jemiola, Mayor Pro Tem Measner, Mayor Tokunaga, Trustee Beck and Trustee Kidd.

**Agenda Approval**

Interim Town Administrator/Town Clerk Powell indicated that staff did not have any changes to the Agenda.

**Citizen Comments**

Ron Bateman, Milliken Fire Chief presented Interim Town Administrator Powell and the Town with a letter for support of a (DOLA) Department of Local Affairs grant to enhance the water system fire flow on the east side of Town.

Ron Bateman, Milliken Fire Chief also stated he and Mayor Tokunaga had a meeting about the authority process between Johnstown and Milliken and putting together a Timeline/Fact Sheet that was handed out to the Town Board at the meeting. Chief Bateman and Jayna McCauley were available for questions.

Mayor Tokunaga thanked Fire Chief Bateman for the information.

Fire Chief Bateman also specified that this is an Intergovernmental Agreement between the Districts, not a consolidation of the Districts.

Jayna McCaulley explained to the Town Board that she lived in Milliken for years and now lives in Johnstown.

### **Minutes of Previous Meeting**

- July 9, 2014 - Approved as distributed.

### **Acknowledgement of the Paid List of Bills**

#### July 2014 List of Bills

Trustee Ehrlich asked about 25,000.00 down payment for Lutey's landscape. Finance Director Patrick Murphy said that it was a down payment on the Landscaping project. Mayor Tokunaga said that this contract was approved at the last Board Meeting.

Trustee Kidd asked about the Diller Mechanical bills. Director Fowler explained their services and that there had been problems with the boiler at the pool.

## **CONSENT AGENDA**

### **1. Consideration and Approval a Liquor License Renewal for the Burnout Grill**

Consideration for approval of a Hotel and Restaurant Liquor License renewal for the Burnout Grill from September 14, 2014 until September 14, 2015.

Trustee Jemiola moved to approve the Consent Agenda. Trustee Onorato seconded.

Vote: All in favor, None opposed

## **ACTION AGENDA**

### **1. For Consideration and Approval of an Intergovernmental Agreement (IGA) Between the Town of Milliken and the Thompson Rivers Parks and Recreation District (TRPR)**

Interim Town Administrator Cheryl Powell asked the Town Board to consider for approval an IGA with TRPR for the construction and operation of a field house recreational facility within the Town.

Interim Town Administrator Powell explained the revisions that were made in the IGA.

Trustee Jemiola would like to clarify the proportion of ownership of the facility. Interim Town Administrator Powell added that the Town is paying for the construction of the facility and added that the operations and maintenance are not applied as part of the proportional ownership of the facility.

Mayor Tokunaga asked if TRPR and the Boys and Girls Club participation is also a proportional amount. Stewart Erikson with TRPR said that Boys and Girls Club amount is so small that it is less than 5% of the building.

Assistant Attorney Sunita Sharma said that after reviewing paragraph eight (8) of the agreement that the dollar amount is not listed and recommends that if the Town Board approves this, to allow the flexibility to remove this paragraph and to keep the Town's obligation not to exceed 200,000.

Trustee Jemiola moved to approve the Intergovernmental Agreement (IGA) between the Town of Milliken and the Thompson Rivers Parks and Recreation District (TRPR). Mayor Pro Tem Linda Measner seconded.

Mayor Pro Tem Measner amended the motion to add the flexibility to remove paragraph (8) eight. Trustee Jemiola agreed.

Discussion: None

Vote: All in favor, none opposed.

**2. For Consideration and Approval of Resolution 14-25, in Support of Thompson Rivers Parks and Recreation District's Application for a Department of Local Affairs (DOLA) Grant**

Interim Town Administrator Powell asked the Town Board to consider for approval a Resolution in support of TRPR's application for a DOLA Energy and Mineral Impact Assistance Program grant for a Field House and Sports Fields to be located in Eastern Milliken.

Trustee Onorato moved to approved Resolution 14-25, in Support of Thompson Rivers Parks and Recreation District's Application for a Department of Local Affairs (DOLA) Grant Trustee Beck seconded.

Discussion: None

Vote: All in favor, none opposed.

### **3. 2013 Audit Acceptance**

Finance Director Pat Murphy explained to the Town Board 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.

Tyra Litzau with Anton Collins and Mitchell said that the audit is complete. Ms Litzau also went through the Audit with the Town Board.

Trustee Jemiola had a concern on Ms. Litzau's knowledge of the financial policies

Mayor Tokunaga asked who else reviews the financial statements.

Ms. Litzau with Anton Collins and Mitchell added that she does have knowledge of the financial policies and the Board can also review the financial statements, or a staff member with financial knowledge could also conduct the review.

The Town Board acknowledged the receipt of the 2013 Audited Financial Statements.

### **4. Consideration and Approval of the Interim Town Administrator to Award and Execute the Heritage House Landscape and Irrigation Contract**

The Town's Contract Engineer Omar Herrera asked the Town Board to consider for approval the authorization of the Interim Town Administrator to execute a contract for the completion of the landscaping improvements that consist of design, and install of the landscaping and irrigation at the Heritage House for an amount not to exceed \$50,000. The purpose of this request is to expedite that the landscape and irrigation installation is complete this fall.

Trustee Beck moved to authorize the Interim Town Administrator to approve the selection of the contractor for the design and construction of landscaping and irrigation at the Heritage House in accordance with RFP 11-2014, and to execute a contract with the selected contractor that does not exceed \$50,000. Mayor Pro Tem Measner seconded

Discussion: Mayor Pro Tem Measner asked if a landscape company has been selected. Contract Engineer Omar Herrera said that Lutey's Landscaping and Escape Landscape submitted proposals. The design will be approved by staff based on the original concept plan and will have to follow it.

Mayor Tokunaga asked if there will be a warranty on the plants. Contract Engineer Omar Herrera said there is a one year warranty on plants.

Trustee Jemiola would like to add in the contract, that the Board approve the work prior to the final payment. Contract Engineer Omar Herrera said that the Town conducts a final walk through as part of the contract.

Trustee Kidd asked why only one bid came in that included a landscape design and why the second bid did not include the landscape design. Contract Engineer Omar Herrera said it was not required for the RFP, since there was already a concept design.

Vote: Mayor Pro Tem Measner; Trustees; Beck, Jemiola, Onorato and Ehrlich in favor. Trustee Kidd opposed. Motion passed.

**5. Consideration and Approval of Resolution 14-21, Updating Revenues Related to Miscellaneous Services Provided by the Town of Milliken**

Finance Director Pat Murphy asked the Town Board to consider for approval a Resolution to modify the Town Fee Schedule to establish and incorporate a fee for a permit for residents to dispose of large tree limbs and shrubbery in the Town's Tree Limb area.

Finance Director Murphy explained that the Town has a very unique contract with Waste Management allowing 10 bags of yard waste per week at no extra charge.

Trustee Onorato moved to adopt the recommended Fee Schedule with changes to the Refuse Collection Rates, effective July 24, 2014. Trustee Ehrlich seconded.

Discussion: Trustee Onorato inquired whether volunteers could be utilized at the Town's Tree Limb area on the Saturdays it is open. Finance Director Murphy responded that in order to ensure efficiency in staffing, it would be best to utilize staff.

Vote: All in favor, none opposed.

**6. Consideration and Approval of Resolution 14-23, Supporting an Application for a Great Outdoors Colorado (GOCO) Mini Grant**

Interim Town Administrator Powell asked the Town Board to consider for approval a Resolution in support of an application for a GOCO Mini Grant for a Shuffleboard Court and Music Garden at the Heritage House at Avila Park.

Trustee Jemiola moved to approve Resolution 14-23 in support of the Town's application to GOCO for a Music Garden and Shuffleboard Court at the Heritage House at Avila Park and authorize a maximum of \$15,000 allocation from the Grant Fund to be used as match. Mayor Pro Tem Measner seconded.

Discussion: None

Vote: All in favor, none opposed.

**7. Consideration and Approval of Resolution 14-24, Supporting an Application to DOLA for an Energy and Mineral Impact Program Grant**

Interim Town Administrator Powell asked the Town Board to consider for approval a Resolution in support of an application for an Energy and Mineral Impact Program grant to design, engineer and install a looped water line in east Milliken in accordance with the Draft Water and Sewer Master Plan.

Trustee Jemiola moved to approve Resolution 14-24 in support of the Town's application to the Department of Local Affairs for an Energy and Mineral Impact Assistance Program grant to engineer, design and construct a water line loop in eastern Milliken as specified in the Draft water and Sewer Master Plan presented to the Town Board on July 9, 2014. I approve the allocation of funds from the Water Fund. Mayor Pro Tem Measner seconded.

Discussion: Interim Town Administrator Powell explained that the letter of support that was submitted from Fire Chief Ron Bateman stated how important it is to have the water line looped for fire flow.

Vote: All in favor, none opposed.

**8. Consideration and Approval of Resolution 14-27, Amending the Budget for 2014 to Recognize New Grant Revenues and Additional Project Expenditures**

Finance Director Murphy asked the Town Board to consider for approval a Resolution amending the Budget for 2014 to recognize the grant revenues awarded to the Town, appropriate funds to cover the cost of engineering and project management services, reflect changes in the General Fund to accommodate the transition to a new Town Administrator and adjust related transfers between funds.

Mayor Pro Tem Measner moved to adopt Resolution 14-27 recognizing grant revenues awarded to the Town and appropriating funds to carry out activities and complete projects approved by the Town Board. Trustee Onorato seconded.

Discussion: Trustee Kidd asked about item number two (2) Resolution 14-27 Town Administrator Chief of Police. Trustee Kidd said that he understood that the Interim Town Administrator appointed the Commander as the Interim Chief of Police. Mayor Tokunaga said that it is the prerogative of the Interim Town Administrator to appoint the Chief of Police, not a Board appointment.

Interim Town Administrator Powell said that there has been a draft contract produced by the Town Attorney. The Chief of Police will not receive full "Chiefs" pay until he obtains the matrix needed for the requirements of the position.

Trustee Ehrlich asked if the Town was paying for Chief Garcia's education. Interim Town Administrator Powell clarified, that currently all education has been paid personally by Chief Garcia.

Assistant Attorney Sharma stated that the Town follows state statutes and the Milliken Municipal Code states that the Town Administrator shall appoint the Chief of Police.

Interim Town Administrator Powell said that the employee agreement should state that certain metrics need to be obtained by certain a time, in order to obtain a full pay scale for that position.

Vote: Mayor Pro Tem Measner; Trustees; Beck, Jemiola, Ehrlich and Onorato in favor. Trustee Kidd opposed. Motion passed.

9. **Consideration and Approval of Resolution 14-22, Appointing an Applicant Agent for FEMA's Hazard Mitigation Grant Program (HMGP)**

Community Engagement Specialist Seth Hyberger asked the Town Board to consider for approval a Resolution appointing an Applicant Agent which is required for a Town as a public entity established under the laws of the State of Colorado for the purpose of obtaining financial assistance for HMGP under the Robert T. Stafford Relief and Emergency Assistance Act.

Trustee Jemiola moved to appoint Seth Hyberger as the Town's Community Engagement Specialist/Planner as the Town's Authorized Applicant Agent for HMGP to execute documents and correspondence on behalf of the Town of Milliken or the current Town's Engagement Specialist/Planner. Trustee Kidd seconded.

Discussion: None

Vote: All in favor, none opposed.

## DISCUSSION AGENDA

Mayor Tokunaga asked about the applications for Planning Commission. Interviews will be held during the next work session.

## INFORMATIONAL AGENDA

There are not any items.

## ASSIGNMENT AND PROJECT UPDATE(S)

### Other Business

### Summary of Meeting (Review of Action Items, Staff Assignments & Schedule)

### Adjournment

Hearing no further business, the Mayor adjourned the meeting at 8:49 P.M.

Prepared by:

Approved by:

  
Gale Amaya, Admin. Assistant

  
Milt Tokunaga, Mayor