

**FOWLER TOWN COUNCIL
TOWN COUNCIL CHAMBERS
200 MAIN STREET
DATE: April 12, 2010
6:00 P.M.
COUNCIL MEETING MINUTES**

Mayor Wards led the group in the Pledge of Allegiance and called the meeting to order at 6 p.m. Trustees present were Pat Christensen, Chuck Hitchcock, Jack Hobby, Randy McKown, and Monie Stites. Trustee Jim Baldwin was absent. Also attending were employees Snider, Rein, Klinkerman and Pagnotta.

Public Comment. None.

Changes to the Agenda. None

Approval of previous minutes (March 22, 2010). Trustee Hitchcock moved and Trustee Christensen seconded approving the minutes as presented. Motion passed unanimously.

Reports.

Mayor's Report. Mayor Wards did not have a report but stated that he has enjoyed working with everyone over the past four years.

Committee/Board Reports.

Trustee Christensen stated that the Rec. Board will be presenting a proposal to council at the next regular council meeting.

Trustee Hitchcock reported that there will be a meeting with Lower Ark on April 27th at 10 a.m. on the second floor of the court house in La Junta. The meeting will cover the cost of the pipeline from Pueblo Reservoir and discuss what the town's cost will be. He encouraged the mayor and the trustees to attend this meeting.

Trustee Hobby reported that he received a few compliments on Gerard Park.

Administrator Report – Snider reported that we have received all the permitting for the backfeed line.

Treasurer's Report – Treasurer Klinkerman went over the financial statements for each of the funds. She reviewed the check list and highlighted the checks that were out of the norm. Klinkerman stated that the pool committee had met and agreed to have the pool open six days. The committee has also decided to increase the admission price for students to \$2.00.

Unfinished Business – No unfinished business

New Business

Acceptance of Resignation of Trustee Christensen – Trustee Christensen read his letter of resignation. Trustee Hitchcock made a motion to accept his resignation, motion was

seconded by Trustee Hobby, motion passed with Trustee Christensen abstaining.

Town Clerk Pagnotta presented certificates of appreciation to Mayor Wards, Trustee Hitchcock and Trustee Hobby on behalf of the Town of Fowler.

Town Clerk Pagnotta swore in Pat Christensen as mayor. Pagnotta then swore in Jason Hagerman, Travis True and Randy McKown as trustees. Hagerman and True each will serve four year terms and McKown will serve a two year term. Jim Baldwin was absent and will be sworn in at the next council meeting and will serve a four year term.

Mayor Christensen addressed the new council and welcomed the new trustees as well as Trustee Stites.

Appointment of Mayor Pro-tem – Mayor Christensen stated that he wanted to wait on appointing the Mayor Pro-tem until the vacant seat has been filled. Trustee Stites made a motion to postpone the appointment of Mayor pro-tem until the next council meeting. Motion was seconded by Trustee McKown and passed unanimously.

Appointment of town clerk – Trustee McKown made a motion to appoint Shawn Pagnotta as Town Clerk. Motion was seconded by Trustee Stites and passed unanimously.

Appointment of treasurer – Trustee McKown made a motion to appoint Twana Klinkerman as treasurer. Motion was seconded by Trustee Stites and passed unanimously.

Appointment of Chief of Police – Mayor Christensen stated that because the town is in the midst of hiring a chief he asked that this issue be postponed. Trustee Hagerman made a motion to postpone the appointment of Police Chief until one is hired. Motion was seconded by Trustee McKown and passed unanimously.

Appointment of Town Attorney – Trustee McKown made a motion to appoint Dan Hyatt as the Town Attorney. Motion was seconded by Trustee Stites and passed unanimously.

Appointment of Municipal Judge – Attorney Hyatt pointed out that the appointment of a judge is different than any other appointment, in that once the judge is appointed they are appointed for a full two years and can not be fired unless they are doing something illegal. Trustee Stites made a motion to appoint Daniel Casias as the Municipal Judge. Motion was seconded by Trustee Hagerman and passed unanimously.

Authorize check signers (Resolution 774-10 and 775-10) – Treasurer Klinkerman stated that these resolutions authorize individuals to sign checks for the bank accounts at Fowler State Bank and First National Bank. Klinkerman stated that the town requires two signatures on all checks. Currently the check signers are Mayor Wards, Treasurer Klinkerman, Trustees Stites and McKown. Trustee McKown made a motion to accept Resolution 774-10 and Resolution 775-10 substituting Mayor Wards with Mayor Christensen and leaving Klinkerman, Stites, and McKown as designated check signers. Motion was seconded by Trustee True.

Appointment of trustee to fill Christensen's seat – Mayor Christensen stated that the appointment to fill his trustee seat was up to the trustees. Attorney Hyatt stated that the

trustees could either postpone making the appointment or make the appointment this evening. Trustee Stites felt that because we had just held an election the decision to fill the seat should be made tonight. She stated she had mixed feelings on whether to appoint Jack Hobby or Chuck Hitchcock. Trustee McKown made a motion to appoint Chuck Hitchcock due to the time and effort he has spent on title 13 as well as being involved with the water situation. Motion was seconded by Trustee Hagerman. Trustee True stated that he felt the appointment should be made based on the election results, he felt the citizens have spoken and the trustees should listen to their decisions. Trustees Hagerman, McKown, and Stites voted in favor of appointing Hitchcock. Trustee True voted no. Motion passed. Clerk Pagnotta swore in Chuck Hitchcock, who will serve a two year term.

Appointment of committee board members – Mayor Christensen wanted to have a work session and have the trustee's input on appointing the committees. Trustee McKown made a motion to postpone the appointment of committee members until a work session and a training session with attorney can be held. Motion died for a lack of second. Trustee Hitchcock made a motion to postpone appointment of committee members until a work session could be held, within the next two weeks, to review the committees. Motion was seconded by Trustee Stites. Motion passed unanimously.

Tracy Nelson – Burn permits – addressed the burn permits issued by the town. Nelson stated that the fire department did not want to sign off on the permits due to liability issues. Nelson stated that the fire department did not want to any participation with the burn permit. Nelson stated that if a person chooses to burn, they should contact the dispatch service so that the fire department is notified. Trustee Hitchcock made a motion to put this issue before the council in a work session. Motion was seconded by Trustee McKown. Motion passed.

Ark Valley Conduit support invoice – Trustee Hitchcock addressed the invoice from Ark Valley Conduit. Chuck asked for Attorney's legal advice. Treasurer Klinkerman stated that the town has not paid the 2009 fees because we have not received any concrete answers to what the fees are paying for. Attorney Hyatt stated that the town has not signed any IGA that he is aware of and there is no penalty for not paying the fees. Trustee Hitchcock made a motion to postpone paying the invoice until members of the conduit can provide cost figures at the upcoming April 27 meeting. Motion was seconded by Trustee McKown and passed unanimously.

A work session to discuss the committees was scheduled for April 15th at 6 p.m. at Tri-County Housing.

A training session with Attorney Hyatt was scheduled for April 16th at 6 p.m. at Tri-County Housing.

Adjournment. Trustee Hitchcock moved and Trustee McKown seconded adjourning the meeting. Motion passed unanimously.

Patrick Christensen, Mayor

Shawn Pagnotta, Town Clerk