

**BOARD OF TRUSTEES
TOWN OF GREEN MOUNTAIN FALLS
MINUTES OF REGULAR MEETING - TUESDAY, NOVEMBER 15, 2011**

ATTENDANCE:	Pitrone	present	Useman	present (6:55 p.m.)
	King	present	Bratton	present
	Worthey	present	Newberry	present

At 6:15 p.m., as posted on the regular meeting agenda, the Board of Trustees met with Town Attorney, Dan Stuart and Municipal Court Judge, John Bruce. This was an open meeting. Bruce and Stuart discussed Municipal Court procedures in general and the Town's court proceedings. They both spoke to the increased court dockets and the increased time they have had to allocate to court. The Board members acknowledged that the attorney and the judge worked for the town for many years for a very low retainer and monthly stipend. Bruce has over 30 years with the town court system. He is also the Woodland Park Municipal Court judge as well as the Town of Victor. Stuart has represented the town at the administration and court levels since 1991. Trustee Pitrone stated that there will come a time when both attorneys will be leaving the town's employ and the prevailing attorney rates will be thousands of dollars higher than what they have charged over the years. Stuart stated that his court time has tripled with the increased court dockets. His retainer is well below an average charged by his partners or other constituents.

Both attorneys reported that the bulk of the court operations fall to the Clerk and her assistant. Mayor Stevens commented that the town's judicial costs appear to be higher than other courts. Bruce explained that it is important when comparing the Town's municipal court against other courts, you compare apples to apples. Both attorneys stated that municipal courts are not usually revenue producing. Woodland Park's Municipal Court revenues are approximately \$33,000 and judicial expenditures \$41,500. Victor is holding court every three months to cut down on expenses. Bruce stated that municipal court judges concentrate on behavior modifications of the defendants that come before them and not on revenues. Trustee Worthey had requested that the Clerk provide a breakdown of Judicial expense per ticket. The information provided showed net revenue per ticket to be approximately \$33.60 before the Marshal's Department's costs. Stevens asked if there were Town court procedures that could be done differently. The attorneys stated that it is important to continue policies and procedures that reflect the small town environment. Stuart stressed that the Board sets traffic enforcement policy not the attorney. The attorneys do not get involved in the Board's enforcement direction to the Marshal's department. The attorneys stated that they would work within the 2012 budget in relation to budgeted traffic revenues at \$8,800. Further discussions may need to take place if that revenue figure rises significantly. The Mayor and Marshal recommended adding a surcharge for each ticket. Judge Bruce explained the statutory constraints on surcharges. The surcharge revenues cannot be put into the general operating fund and must be attached to a designated program, e.g. victim's assistance program. Judge stated that the statute could be reviewed. The Board members commended both attorneys for their long term, generous, professional service to the Town.

The regular Board of Trustees meeting was called to order at 7:09 p.m. by Mayor Tyler S. C. Stevens.

Mayor Stevens stated to the Board and audience members that he had developed procedures (submitted to all in a memo dated 11/11/11) outlining his expectations of meeting decorum. Stevens' desire was to keep the board focused on issues and to act upon said issues in a calm, thoughtful and engaging manner. In the memo, Stevens outlined 1) Meeting Procedures Basics; 2) Speak when recognized by the Mayor, 3) Follow Roberts Rules unless otherwise directed in an ordinance, 4) Agenda Item Process, 5) Public Hearing Process. Trustee Pitrone stated that he thought Stevens' memo should be discussed further by the Board members; Stevens stated as the presiding officer, he did not agree that further discussion was necessary.

ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA - M/S King/Worthey to approve the agenda as presented. All yea

CONSENT AGENDA

- APPROVE BOARD OF TRUSTEES MINUTES FOR 11/01/11
 - APPROVE BILLS DUE AND PAYABLE FOR \$8,134.87
 - ACCEPT PLANNING COMMISSION MINUTES OF 11/08/11 INTO THE RECORD
- M/S Bratton/Worthey to approve Consent Agenda as presented.**

PUBLIC INPUT - Items Not Listed on Agenda * - No public input was received.

The Mayor called the Public Hearing to order at 7:14 p.m.

PUBLIC HEARING: ORDINANCE 05-2011 AN ORDINANCE AUTHORIZING THE FORMAL NAME CHANGE OF THE MARSHAL'S DEPARTMENT AS CONTAINED WITHIN THE GREEN MOUNTAIN FALLS MUNICIPAL CODE Marshal Tim Bradley summarized his rationale for incorporating police department into the general operating procedures of the Marshal's Department. Bradley stated that he met with each Board member to discuss his plans for the department's transition. He felt he received direction based on each member's input to him. Grant Street resident, Howard Price asked why this change was being done. Bradley stated that his primary concern was officer safety; presenting a clear image to people coming into Town, making sure we are identified as a law enforcement agency with other entities. Bradley stated that more often than not he sees confusion with the term Marshal - and is asked if they are park rangers, do they work parades, etc. He does not want to abandon the term Marshal but incorporate the term Police into the normal operating procedures. Trustee Bratton requested that the ordinance be tabled for revision.

The Public Hearing was closed at 7:26 p.m.

M/S Bratton/Worthey to table Public Hearing for Ordinance 05-2011, until the 12/06/11 meeting, in the current form for further discussion, study and revisions by the Marshal and Board. All yea

Trustee Bratton stated that the change is needed and feels confident an incorporation of the term Police while retaining the title Marshal Department can be accomplished. Bratton reported that he often hears confusion over the title Marshal and what their duties are.

RESOLUTION 2011-10 A RESOLUTION AUTHORIZING THE FORMAL NAME CHANGE OF THE MARSHAL'S DEPARTMENT AS CONTAINED WITHIN THE PERSONNEL POLICY MANUAL, THE DEPARTMENT'S STANDARD OPERATING PROCEDURES AND OTHER DOCUMENTATION THAT MAY BE UTILIZED BY THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO

M/S Bratton/Worthey to table Resolution 2011-10 until the 12/6/11 meeting. All yea

PRESENTATION OF 2012 DRAFT MUNICIPAL BUDGET - Department of Public Works Director Robert McArthur gave a brief presentation of the department heads actions to present a balance budget after the 11/09/11 budget workshop. At that time, the revenues were \$24,500 lower than projected expenditures. A balanced budget was presented totaling \$420,075.00. Due to the projected decrease in property taxes, sales tax and the decreased

revenues from RTA, the department heads started back at the 2006 revenues and cut expenditures based on those totals. He discussed the percentages of department budget: Admin/Judicial at 27.5, Marshal at 26.5, and Public Works (Maintenance, Parks, Pool) at 46. Mayor Stevens felt the percentages were not proportionate. Trustee King regretted that a salary increase was not able to be accomplished for 2012.

M/S Bratton/Newberry to adopt and approve the 2012 municipal budget as presented by the staff. Bratton, Newberry, King, Useman, Pitrone, Worthey in favor; Stevens opposed.

A Public Hearing to set the Mill Levy and adopt the 2012 Municipal Budget is scheduled for Tuesday, December 6, 2012 at 7:00 p.m.

Trustee Pitrone recommended that if the Town should receive a revenue surplus in 2012 that those surpluses be considered for increasing staff salaries or providing a bonus. Trustee Bratton felt that the Board should not be presumptuous and that if a surplus is received, the Board should look at the current budget needs and prioritize where monies should be applied. He did not want the Board to bind itself with something that might not be able to be financially practical. **M/S Pitrone/Worthey to agree that should surplus revenues be received in 2012, a salary increase or a bonus for Town staff should be considered. Pitrone, Worthey, King, Newberry in favor; Stevens, Bratton and Useman opposed.**

REPORTS: Mayor Stevens: PPACG/PPRTA - No report that required Board action or discussion. **Marshal's Report** - Marshal Bradley was present and the department report was submitted into the record by Mayor Stevens. Bradley submitted a two page report detailing traffic enforcement statistics and summary from 6/2011 to 11/15/2011.

Trustee Pitrone: Regional Building - No report. **Public Works Department: DPW Director** - McArthur's report was entered into the record by Trustee Pitrone.

Trustee King: PPACG Alternate / TES Alternate Rep - No report. **Administration** - No report. **Trustee Useman: Manitou School District 14** - No report.

Trustee Worthey: Urban Forestry/GIS website - No report.

Trustee Bratton: The next Trails Committee meeting is on Thursday, 1/5/12 at 6:00 p.m. at the Mucky Duck Restaurant - everyone welcomed to attend.

Trustee Newberry: Parks - Newberry reported that the Town was awarded the GOCO grant for the tennis court upgrades. This was the third grant application submitted to GOCO. Work projected for the spring of 2012. **Newberry** has volunteered to assist in the Town's population census challenge. She has contacted the State Demographer for assistance and direction.

UNFINISHED BUSINESS - No unfinished business was presented that required Board discussion or action.

NEW BUSINESS - No new business was presented that required Board discussion or action.

CORRESPONDENCE - No correspondence was received that required any further Board discussion or an action.

The meeting was adjourned at 7:40 p.m.

Mayor Tyler S. C. Stevens

ATTEST: _____
Chris Frandina, Town Clerk/Treasurer