

report. Logan said the adjustments were made "in order to properly report certain assets, liabilities, revenues, and expenditures of the town." They trended toward a turnover in financial personnel, at which time standard practices were not followed, such as not keeping financial records up to date and inadvertently putting numbers into the wrong funds, including the general and water funds.

Coopman said that didn't sound like a simple fund mix-up and requested time to review the adjustments before putting his stamp of approval

on it. Logan said he has discussed this with staff, there were "no material weaknesses" or fraudulent intent associated with the issues, and those issues did not change his "clean" opinion, which he would not have issued if it were not accurate or that he could not support.

Logan said all that is sent to the state is his "opinion," backed up by his license, not the management letter with its internal suggestions for town staff.

When Trustee Laurie Clark asked Logan "if anything gave him cause to have ap-

prehension" in providing an unmodified opinion with the ongoing FBI investigation, Logan said he could not answer questions about the ongoing FBI/IRS investigation of the town's financial records. "I cannot discuss that because of legal advice."

Trustee Jeffrey Bornstein asked if upon approval of the audit, is there any chance the board can be held liable within the ongoing investigation. Town Attorney Joseph Rivera said the board's authorization of the audit merely conveys that the board had fulfilled its obligation to hire an auditor and send the completed audit to the state.

Bornstein, Clark, and Coopman voted against the resolution authorizing the town manager to file the 2018 audit, which passed 4-3.

During public comments, Ann Howe questioned the town's recordkeeping and its inability to respond to her public records request about community development

grant records worth hundreds of thousands of dollars.

**Another emergency charge for decaying infrastructure approved**  
Public Works Director Tom Tharnish asked the board to approve \$100,000 for emergency stormwater repairs after excessive August rains caused the disintegration of a No Name Creek culvert, creating a 9-foot crack underneath Old Denver Road. Tharnish told the board someone moved the temporary barricades across the road during the night while the emergency repairs were happening, and it was lucky no one was hurt on the collapsing road. Tharnish said the temporary repairs allowed the road to be reopened to safe travel, but he planned to schedule permanent repairs in a few weeks.

Because there is only \$30,000 left in the Stormwater fund, Tharnish said he is working with Wengert to transfer money between funds to pay for the \$100,000 request.

Clark asked if this lack of maintenance is an anomaly, but Tharnish said there are issues throughout the town regarding older pipes and culverts. Town Manager Mike Foreman said Public Works staff would present options to the board during the budget process that might create a bigger revenue stream to the stormwater fund and allow Public Works and the BOT to make proactive decisions about repair projects to fund.

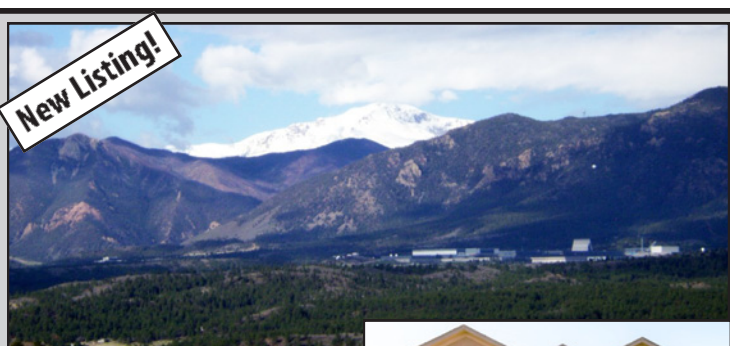
#### Search for full-time attorney begins

At the July 15 meeting, Bornstein suggested the town begin looking for a full-time staff attorney, rather than contracting for legal services, in order to reduce legal costs. Contract attorney fees are currently \$70,000 over the expected budget.

**Background:** In the past, the town has used both on-staff and contract attorneys. Attorney Gary Shupp was the town's "contract attorney" for at least 15 years. In 2017, the trustees suddenly replaced Shupp with a "staff attorney," Alicia Corley, who was not reappointed. The town had no legal counsel for four months until it finally appointed Rivera as the town's contract attorney in December 2018. See [www.ocn.me/v17n7.htm#mbot](http://www.ocn.me/v17n7.htm#mbot), [www.ocn.me/v18n6.htm#mbot](http://www.ocn.me/v18n6.htm#mbot), [www.ocn.me/v19n1.htm#mbot](http://www.ocn.me/v19n1.htm#mbot).

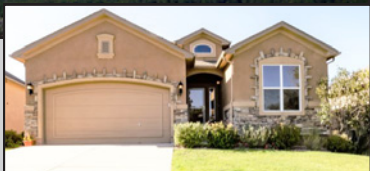
At the July 15 meeting, the board directed Foreman to identify job requirements for a full-time staff attorney position, which Human Resources Manager Robert Bishop presented tonight. Bishop suggested a methodical process similar to that used to hire the town manager. Board members will be fully involved at

**New Listing!**



#### View Lot! - Jackson Creek home in Carriage Point.

337 Whistler Creek Court.  
3,018 total sq. ft. 3 bd. with fourth bedroom option. 3 full bathrooms. Backs to open space.



#### The Pines - New Townhomes For Sale - starting at \$270,300!

**Quartz:** 3 bd, 2½ ba,  
2,011 sq. ft.

**Topaz:** 3 bd, 2½ ba,  
1,561 sq. ft.  
2-car garage



Tri-Lakes Real Estate, Inc.

MLS

**TLR**

Francie Machovina

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Join us for a Community  
Clean Up in honor of  
Creek Week!  
**Saturday, September 28**  
**9:00 a.m.**

3rd Street Trail head  
(behind JJ Tracks)

Everyone is invited!

Please register at

[www.fountaincreekweek.com](http://www.fountaincreekweek.com),

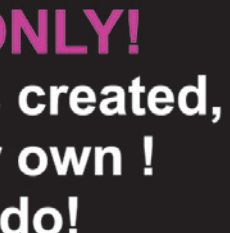
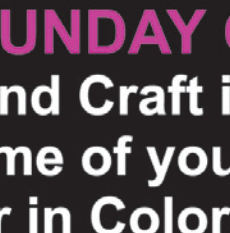
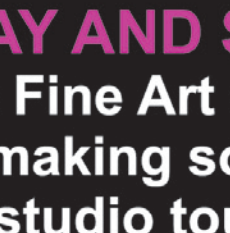
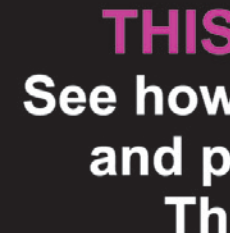
Contact Madeline for more information

719-884-8013 [mvandenhoeke@tomgov.org](mailto:mvandenhoeke@tomgov.org)



**Sept 7th 10 am to 5 pm**  
**Sept 8th 10 am to 5 pm**

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