

**MONUMENT (Cont. from page 1)**

Alicia Corley to use the Colorado Inter-governmental Risk Sharing Agency (CIRSA) to set up an independent attorney to investigate allegations brought by Monument Police Chief Jacob Shirk. When the BOT returned from executive session, the

trustees did not share any of the details of their discussion, since it was a personnel issue, but ended Lowe's employment as the first order of business in a unanimous vote.

The board also appointed Hogan as town clerk in a 5-1 vote with Clark vot-

ing no. Smith, as acting town manager, had put Hogan, Town Treasurer Pamela Smith, and Town Attorney Alicia Corley on administrative leave May 16 until it could be determined how their employment was affected in the absence of an appointment within the 30-day period after the board election as set forth in Colorado statute. This was Hogan's first return to regular meetings since May 16. Corley has not attended any regular meetings since May 16. Smith has been attending meetings only as acting town manager. See [www.ocn.me/v18n6.htm#mbot](http://www.ocn.me/v18n6.htm#mbot).

Linda Michow was retained by CIRSA to provide answers to employment questions that have beleaguered the board since this situation occurred. Based on the Colorado constitution, Article 12, § 1, Michow stated in a memo, "The expiration of an appointed official's term does not necessarily or automatically oust the individual holding the appointive office from that position. Absent provisions to the contrary, the public interest requires that public offices should be filled at all times without interruption."

Michow said the three positions are insured and bonded even if they have not been appointed.

At the end of the meeting during board comments, Wilson also requested that, per Michow's memo, the treasurer and attorney should return from administrative leave by June 6 to their previous positions. No board members commented on this action.

#### Trustee will be elected not appointed

Because Wilson was elected mayor, his trustee position needs to be filled, either by appointment by the trustees or by ordering an election. On April 16, the board decided to reach out to the community to find applicants to appoint. Colorado statutes authorize the board to fill vacan-

cies through appointment 60 days after the mayor took the oath of office, which would have been June 15. Candidates James Romanello, Kenneth W. Kimple, and Laura Kronick applied. Elliott made a motion to appoint Romanello at the May 21 meeting, but it failed in a tie with Clark, Coopman and Bornstein voting no. See [www.ocn.me/v18n6.htm#mbot0521](http://www.ocn.me/v18n6.htm#mbot0521)

On June 4, Elliott again nominated Romanello for appointment, but this failed in the same tie. Wilson then nominated Kimple, but the vote failed 2-4, with Bornstein, Clark, Coopman and Stephens voting no.

The board then unanimously voted to hold an election to fill the vacant trustee position in conjunction with El Paso County elections on Nov. 6. Although the costs to the town will be less than the \$11,000 spent on the previous election, the county could not provide a cost estimate until the number of municipalities who participate and the number of issues and questions on the ballot are determined.

**Note:** To find out if you live within the town boundaries, see [www.townofmonument.org/DocumentCenter/View/293/Town-of-Monument-Boundaries-Information-PDF](http://www.townofmonument.org/DocumentCenter/View/293/Town-of-Monument-Boundaries-Information-PDF)

#### Tax-exempt financing obligations approved

Smith presented tax-exempt financing as an annual resolution for financial approval for three municipal projects. The three public works projects—the well 4 and 5 treatment plant upgrade; the booster station upgrade, and the site plan design and engineering for the property on Mitchell Avenue—were approved in January pending the approved financing. The estimated total cost of these projects is \$1.8 million. The motion passed 5-1 with Clark dissenting with no reason stated.

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