

Monument Board of Trustees, Dec. 17

Interim town manager starts work

By Allison Robenstein

Monument now has an interim town manager, Mike Foreman, who was sworn in Dec. 14. During the Dec. 17 meeting that he attended, the Board of Trustees (BOT) approved a 2018 budget restatement and discussed workflow for the town attorney and the North Monument Creek Interceptor and how it might conceivably benefit the town's water supply.

Trustees Greg Coopman and Laurie Clark and Town Treasurer Pamela Smith, who has been filling in as acting town manager since February, were absent.

Interim town manager

Our Community News received a press release on Dec. 14 from the Monument Police Department Commander Steve Burk introducing Mike Foreman as the interim manager for the Town of Monument. Foreman was previously city manager for Craig, Colorado and for Celina, Texas. He is fulfilling a 120-day term at which point a permanent town manager will be selected.

Smith was reappointed as treasurer at the Dec. 3 meeting after the board had an executive session to "conference with an attorney for the public entity for the purpose of receiving legal advice with regard to the board of trustees." See www.ocn.me/v18n6.htm#mbot, www.ocn.me/v18n6.htm#mbot.

During public comments, resident Ann Howe took issue with the Dec. 3 executive session, claiming it violated the Colorado Sunshine law because, according to her, the session was intended for "the appointment of a person to fill the office of a member of the local public body." See related Dec. 3 Board of Trustees meeting on page 14.

Town attorney exposes work request issue

Town counsel Joseph Rivera, who was sworn in at the Dec. 3 BOT meeting, asked that the board agree to a structure to determine from whom he would receive work requests. This came about after he revealed he had been receiving emails from single board members asking him to complete tasks. As a contract employee, Rivera gets paid based on the work he completes, but he said perhaps some of the requests could have been completed in-house instead. Trustee Jeffrey Bornstein seemed surprised by this revelation and said all communication should be transparent, so "no one is left out of the circle."

Mayor Don Wilson said that in the past, work requests came from the town manager who would identify whether board questions could be answered by in-house staff or if they need to be referred to legal counsel.

The board agreed this should continue and requested that Foreman take on this duty. Foreman confirmed he will ensure all questions from the board would be answered and provided to all trustees.

2018 budget restatement

Human Resources Director Robert Bishop presented two ordinances to re-appropriate 2018 budget funds. According to one ordinance, it is necessary to restate the 2018 final budget, "due to financing that was expected" for projects in 2018, but the debt funding was not approved by the board. Specifically, money within both the Capital Improvement Project fund and the Debt Service fund money had to be reallocated back to the General and Water Enterprise funds. This step was taken in order to "not create a TABOR violation and negate the enterprise status of the water fund. This will affect the balance forward on the Water Enterprise Fund for 2019 by a negative \$1,289,186," Smith wrote in the ordinance language.

Bishop presented a second ordinance, "allocating the expenditures approved to the funds they will be paid from." This budget amendment (restatement) and re-appropriations were needed to fulfill the law that the town must remain budget-neutral, and the approved revenues must cover expenditures. Both ordinances were unanimously approved with no public comment or questions asked by the board.

Background: In September, the board did not approve a \$1.8 million loan that had been expected by the original 2018 budget for two water-related projects. The Well 4 and 5 upgrade project was unanimously approved in the board's Jan. 2, 2018 consent agenda, and the \$924,436 contract was awarded to Velocity Constructors Inc., with money initially coming from the Water Enterprise Fund. The second, a booster upgrade project, was to have cost \$625,000 that had been expected to be financed. The Well 4 and 5 project commenced, so the Water Fund's cash was depleted and needed to be supplemented by the General Fund when the loan never materialized.



Above: Mike Foreman was selected Dec. 3 as interim Town Manager. Mike is a graduate of the University of Texas at Arlington, with a Bachelor's degree in Business Administration and holds a Master's degree in Public Administration from the University of Texas at Arlington. He has over 30 years' experience in varying aspects of local government and served as the City Manager of Craig, Colorado, as well as the City of Celina, Texas. Photo and caption information courtesy the Town of Monument.

Smith also said in September that the board shouldn't have gone forward with well 4 and 5 contract approval in January without approving related funding, but Tharnish said then that the intention of approving the project before the money was available was to increase the town's water capacity and make the plant operational before summer and that there was no time to ask for a loan then.

Besides the booster station project, four other projects in the 2018 Capital Projects Fund totaling \$345,000 also did not get started due to the lack of anticipated financing. See www.ocn.me/v18n2.htm#mbot, www.ocn.me/v18n9.htm#mbot, www.ocn.me/v18n9.htm#mbot0820, www.ocn.me/v18n10.htm#mbot, www.ocn.me/v18n10.htm#mbot0917.

Should the town provide a municipal court?

The board reviewed the need to maintain an in-house municipal court after Bornstein said, "Based on the cost of our operation fees with personnel and what we bring in, we're in the red. It costs us money to run that." Foreman said many municipal courts have a negative balance sheet, and that he has started working with staff to understand the town's court procedures.

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After a discussion, Rivera was tasked by the board to research subcontracting options and to bring discussion items to a January meeting. Foreman, Shirk and Smith will continue to review the process.

North Monument creek interceptor

Tharnish has been attending meetings with Colorado Springs Utilities (CSU) to develop the North Monument Creek Interceptor (NMCI) project. The venture is an effort by CSU to take all the wastewater that would normally be treated by existing plants in the Tri-Lakes area—the Upper Monument Creek Regional Wastewater Treatment Facility (UMCRW-WTF) and Tri-Lakes Wastewater Treatment Facility (TLWWTF)—and send it to one of CSU's treatment

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