

January 12, 2010

The City Council of the City of Fort Morgan, Colorado, met this day in the Council Chambers of City Hall. The Honorable Mayor Jack L. Darnell called the special meeting to order at 7:00 p.m.

The Pledge of Allegiance was given.

Roll Call: Present: Honorable Mayor Jack L. Darnell
Councilmember Sharol Lyn Deal
Councilmember Debra J. Forstedt
Councilmember Terry McAlister
Councilmember James A. Powers
Councilmember Ron Shaver
Councilmember Alberta M. Simmons

The meeting was also attended by City Manager Pat Merrill, City Attorney Jeffrey Wells, Fire Chief Brad Parker, Police Chief Keith Kuretich, Director of Water Resources/Wastewater Treatment Gary Dreessen, Municipal Engineer Brad Curtis, Community Development Director David Callahan, Director of Human Resources & Risk Management Jody Prentice, Treasurer Terri Schafer and City Clerk Andrea Strand.

APPROVE THE MINUTES FROM THE JANUARY 5, 2010, REGULAR MEETING

Councilmember Simmons offered a motion to approve the minutes from the January 5, 2010, regular meeting. Her motion was seconded by Councilmember Powers and carried unanimously.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE ACCEPTANCE QUOTE FROM SUN LIFE ASSURANCE

Director Prentice presented a communication memo to Council; said memo being in words, letters and figures as follows, to-wit:

TO: Mayor Darnell and City Council

FROM: Jody Prentice, Director of Human Resources & Risk Management

SUBJECT: Stop Loss Insurance Premium Renewal Quotes

DATE: January 12, 2010

On December 15, 2009, Gary Clark from HUB International gave a presentation to City Council outlining the City's stop loss insurance premium renewal options. These options contained comparison information from Sun Life Assurance (our current stop loss carrier) and Perico.

City Council unanimously voted to approve the annual premium quote from Perico in the amount of \$203,596.56. This quote encompassed a \$40,000 per claim deductible, as well as a \$115,000 aggregating deductible.

As part of the renewal process, insurance carriers review claims data in order to provide a quote. Prior to the City Council meeting on December 15, 2009, Perico had reviewed the City's claims data through October 31, 2009. This was the most current data available at that time. After the City Council meeting, Perico reviewed the City's claim data one more time, with updated information they received through November 30, 2009. As a result of this review, they pulled their original quote of \$203,596.56 off the table. They did this because there was a large claim that occurred during the month of November. Due to the uncertainty of the claim, their revised quote was \$214,927, with a \$40,000 per claim deductible and a \$200,000 aggregating deductible. Perico was unwilling to lower the aggregating deductible given the nature of the large claim. The revised aggregating deductible increased significantly from the original \$115,000. With this in mind, we went back to Sun Life. Sun Life provided a revised quote of \$257,471, with a \$40,000 per claim deductible and a \$140,000 aggregating deductible. After much negotiation with both Perico and Sun Life, our broker recommended that we accept the quote from Sun Life in the amount of \$257,471.

As the acceptance quote had to be signed prior to January 1, 2010, the Mayor signed it on December 23, 2009. Staff is recommending that City Council approve the Sun Life annual premium renewal quote of \$257,471.

Councilmember McAlister offered the following Resolution and moved for its adoption. His motion was seconded by Councilmember Shaver; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 2010-01-05

**AUTHORIZING THE MAYOR TO EXECUTE
THE ACCEPTANCE QUOTE FROM SUN LIFE ASSURANCE**

WHEREAS, all professional service agreements, which require the expenditure of over \$10,000, require authorization by Resolution; and,

WHEREAS, under the *Charter* all agreements require the signature of the Mayor; and,

WHEREAS, the City of Fort Morgan provides a health care benefit program for its employees in the form of a self-insured plan; and,

WHEREAS, the City's health care benefit consultant has prepared various options for stop loss insurance with Sun Life Assurance for the health care self-insured benefit; and,

WHEREAS, the Sun Life Assurance quote was required to be executed prior to January 1, 2010.

WHEREAS, the original quote provided by Perico was withdrawn prior to the City's acceptance, and the City was not able to follow through with the authorization set forth in Resolution 09-1204.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fort Morgan, Colorado that:

Section 1. That the Mayor's signature on the Sun Life Assurance quote dated December 23, 2009 is approved.

PASSED, APPROVED AND ADOPTED this 12th day of January, 2010, upon a roll call vote follows:

Ayes: Mayor Darnell; Councilmembers Deal, Forstedt, McAlister, Powers, Shaver and Simmons.

Nays: None.

Absent / Abstain: None.

THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Terry L. McAlister, Mayor

ATTEST:

/s/ Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss: CERTIFICATE
CITY OF FORT MORGAN)

I, Andrea Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the Council of Fort Morgan, Colorado, and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado and that the same has not, since its adoption, been rescinded or amended in any respect.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have affixed the seal of the seal of the City of Fort Morgan as of the 14TH day of January, 2010.

/s/ Andrea Strand, City Clerk

RESOLUTION AUTHORIZING THE EXPENDITURE FOR PAYMENT TO MATRIX CONSULTING GROUP TO PROVIDE PROFESSIONAL CONSULTING SERVICES

Manager Merrill stated that the Resolution was lost in the rush over the Christmas holiday. He is presenting it for Council consideration tonight. He then referred to an article in a recent magazine speaking of the dysfunctional systems in business and that they recommended a review of systems and processes.

Councilmember McAlister offered the following Resolution and moved for its adoption. His motion was seconded by Councilmember Powers; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 2010-01-06

AUTHORIZING THE EXPENDITURE FOR PAYMENT TO MATRIX CONSULTING GROUP TO PROVIDE PROFESSIONAL CONSULTING SERVICES.

WHEREAS, on April 14, 2009, the City of Fort Morgan issued a RFP seeking a consultant to provide Professional Consulting Services for the City of Fort Morgan; and,

WHEREAS, Matrix Consulting Group has agreed to provide the City of Fort Morgan with available consultants to perform on-site assessments with all of the departments of the City; and,

WHEREAS the City and Matrix Consulting Group have agreed to the terms and conditions of such services more clearly set forth in the Agreement to Provide Professional Consulting Services attached hereto and incorporated herein by this reference; and,

WHEREAS, the City Staff recommended the execution of the Agreement to Provide Professional Consulting Services in any amount not to exceed \$64,950.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

Section 1. The expenditure of the budgeted funds to pay for the Agreement to Provide Professional Consulting Services is authorized.

PASSED, APPROVED AND ADOPTED this 12th day of January, 2010, upon a roll call vote as follows:

Ayes: Mayor Darnell; Councilmembers Deal, Forstedt, McAlister, Powers, Shaver and Simmons.

Nays: None.

Absent / Abstain: None.

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Terry L. McAlister, Mayor

ATTEST:

/s/ Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. CERTIFICATE
CITY OF FORT MORGAN)

I, Andrea Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the City Council and is identical to the original thereof appearing in the official

records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 14th day of January, 2010.

/s/ Andrea Strand, City Clerk

COMMENTS FROM THE MAYOR AND COUNCIL

Outgoing Councilmember Simmons stated that it had been a privilege and honor to serve the citizens for the last ten years as a councilmember. She added that she had worked for the City for 34 years. She added that personal agendas should be forgotten and we had been elected to represent our wards and the community.

Outgoing Councilmember Ron Shaver stated it had been an honor to serve in this position for the last four years. He had been a City employee for 23 years prior to being elected to the Council, and had enjoyed it.

Outgoing Mayor Darnell stated he felt this Council was leaving the City in good hands with the newly elected Council. He also commended the staff, citizens and the news media for working well together.

Mayor Darnell adjourned the meeting at 7:12 p.m.

ORGANIZATIONAL MEETING

The organizational meeting for January 12, 2010, reconvened at 7:22 p.m.

JUDGE STUART CRESPIN TO ADMINISTER OATH OF OFFICE TO MAYOR TERRY L. MCALISTER

Municipal Judge Stuart Crespin administered the oath of office to Mayor Terry L. McAlister.

MAYOR MCALISTER TO ADMINISTER OATHS OF OFFICE TO COUNCILMEMBERS

Mayor Terry L. McAlister administered the oaths of office to:

Councilmember Ward 1 – Brent M. Nation
Councilmembers Ward 2 – Debra J. Forstedt and James A. Powers
Councilmember Ward 3 – Scott Bryan

COUNCILMEMBER WARD 1 VACANCY

Verification of Applicants – Clerk Strand verified that she had examined all applications received for the vacancy of Councilmember Ward 1, and found all applicants meet the qualifications required in Article 2, Section 2, of the City *Charter*. She read the names and addresses of all applicants:

William Z. Deal, 222 Apache Street, Fort Morgan, CO
Daniel C. Marler, 622 Deuel Street, Fort Morgan, CO
Ronald Shaver, 318 Cheyenne Street, Fort Morgan, CO

Presentations to City Council – All three (3) applicants gave presentations to City Council about themselves and their desire to fill the Councilmember vacancy.

The public was given the opportunity to speak about any of the applicants; there were none.

Mayor McAlister reviewed the procedure for appointment of the new Councilmember.

Appointment of New Councilmember – The current six (6) City Councilmembers proceeded through the voting process. The first ballot was each Councilmember assigned a rating number for each applicant (one being the lowest, three being the highest). Twice during the process it was determined that a Councilmember had not assigned a number to all of the candidates. The ballots were redistributed and voted. Clerk Strand announced the results: William Z. Deal 14; Daniel C. Marler 7; Ronald Shaver 15.

A second vote was taken where each Councilmember marked an “x” for their choice by the name of the applicant from the top two scorers of the first vote: William Z. Deal and Ronald Shaver. Clerk Strand announced the results: William Z. Deal 3 and Ronald Shaver 3.

A third vote was taken where each Councilmember rated each candidate with a value from 1 to 10; ten being the highest. Clerk Strand announced the results: William Z. Deal 41 and Ronald Shaver 42.

Clerk Strand announced that Ronald Shaver was the new Councilmember.

Councilmember Forstedt offered a Motion to appoint Ronald Shaver as City of Fort Morgan Councilmember for Ward 1, for a term ending January 2012. Her motion was seconded by Councilmember Nation. The motion passed by roll call vote as follows: Ayes: Mayor McAlister; Councilmembers Bryan, Deal, Forstedt, Nation and Powers. Nays: None.

Mayor McAlister administered the oath of office to Ronald Shaver as a Councilmember for Ward 1; he began to fulfill his duties immediately.

Roll Call: Present: Honorable Mayor Terry L. McAlister
Councilmember Scott Bryan
Councilmember Sharol Lyn Deal
Councilmember Debra J. Forstedt
Councilmember Brent M. Nation
Councilmember James A. Powers
Councilmember Ronald Shaver

COMMENTS FROM MAYOR MCALISTER

Mayor McAlister provided opening comments stating that he would always be available to listen to any issues. He also added that he would need assistance from the other Councilmembers.

APPOINTMENT OF MAYOR PRO TEM

Councilmember Forstedt offered a motion to appoint James Powers as Mayor Pro Tem for the City of Fort Morgan for a term ending January 2012. Her motion was seconded by Councilmember Shaver and carried unanimously.

RESOLUTION CONFIRMING THE APPOINTMENTS OF THE CITY MANAGER, CITY ATTORNEY, MUNICIPAL JUDGE, FIRE CHIEF, DEPUTY MUNICIPAL JUDGE, ACTING CITY MANAGER AND HEALTH COMMISSIONER FOR THE CITY OF FORT MORGAN

Councilmember Powers offered the following Resolution and moved for its adoption. His motion was seconded by Councilmember Shaver; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 10-01-07

CONFIRMING THE APPOINTMENTS OF THE CITY MANAGER, CITY ATTORNEY, MUNICIPAL JUDGE, FIRE CHIEF, DEPUTY MUNICIPAL JUDGE, ACTING CITY MANAGER AND HEALTH COMMISSIONER FOR THE CITY OF FORT MORGAN.

WHEREAS, the Fort Morgan City Council previously provided for the appointment of the City Manager, the City Attorney, the Municipal Judge, the Fire Chief, the Deputy Municipal Judge, Acting City Manager and Health Commissioner; and,

WHEREAS, this Resolution shall set forth the confirmation of those appointments;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO the confirmation of the following individuals in their respective appointments:

1. Pat Merrill, City Manager
2. Jeffrey A. Wells, City Attorney
3. Stuart D. Crespin, Municipal Judge
4. Bradley Parker, Fire Chief
5. Dennis Brandenburg, Deputy Municipal Judge
6. Keith Kuretich, Acting City Manger
7. Dr. Patrick Thompson, Health Commissioner

INTRODUCED, PASSED, APPROVED AND ADOPTED this 12th day of January, 2010, the vote upon roll call being as follows:

Ayes: Mayor McAlister; Councilmembers Bryan, Deal, Forstedt, Nation, Powers and Shaver.

Nays: None.

Absent / Abstain: None.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Terry L. McAlister, Mayor

ATTEST:

/s/ Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. CERTIFICATE
CITY OF FORT MORGAN)

I, Andrea Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 14th day of January, 2010.

/s/ Andrea Strand, City Clerk

APPOINTED OFFICIALS’ COMMUNICATION MEMOS – CITY MANAGER MERRILL, CITY ATTORNEY WELLS, FIRE CHIEF PARKER, MUNICIPAL JUDGE CRESPIN

Memos presented as informational items only; no action was necessary.

From City Manager Pat Merrill:

TO: Mayor McAlister & City Council Members
FROM: Pat Merrill, City Manager
SUBJECT: Staff/Council Communication(s)
DATE: January 5, 2009
MEETING DATE: January 12, 2009

According to the City Council Rules of Procedures dated March 17, 2009, Rule(b), all appointed officials are to provide the City Council with a memorandum at the organizational meeting held after each election detailing their preference and guidelines regarding communication with their respective employees.

In order to remain in compliance with said rule, as well as the City Charter, I would submit that all (business) communication with staff be run through my office first. This is not to stifle or restrict interaction, but rather to simply make me aware of any information that *may* be provided to only one member of Council. I personally do not have an issue with casual conversations or

visiting with employees on an informal level at the workplace, as we do share friendships, and ultimately, we are all on the same team.

For your convenience, as well as that of the general public and the media, I have included the relevant sections from the City Charter and Rules of Procedure (below).

CHARTER:

(a) Neither the council, nor any member of the council, shall dictate or interfere with the appointment of, or the duties of, any City employee subordinate to the city manager or to the city attorney, or prevent or interfere with the exercise of judgment in the performance of the employee's City responsibilities. The council, and each member of the council, shall deal with such employees solely through the manager or the city attorney, as applicable, and shall not give orders or reprimands to any such employee.

RULES OF PROCEDURE:

10b. Channel communications through the appropriate senior City staff. Questions and requests for information should be directed only to the City Manager, City Attorney, Municipal Judge, Fire Chief or their designees. All appointed officials shall provide a memo to Council at the organizational meeting held after each election detailing their preference and guidelines regarding communication with their respective employees. The City Manager should be copied on or informed of any request to Department Heads. When in doubt about what staff contact is appropriate, Councilmember's should ask the City Manager or the affected appointed official for direction.

From Fire Chief W. Bradley Parker:

TO: Mayor McAlister & City Councilmembers

FROM: W. Bradley Parker, Fire Chief

SUBJECT: Staff/Council Communication(s)

DATE: January 6, 2009

MEETING DATE: January 12, 2009

According to the City Council Rules of Procedures dated March 17, 2009, Rule(b), all appointed officials are to provide the City Council with a memorandum at the organizational meeting held after each election detailing their preference and guidelines regarding communication with their respective employees.

In order to remain in compliance with said rule, as well as the City Charter, I would submit that all (business) communication regarding any Fire Department personnel be run through my office of Fire Chief first.

I encourage and invite the City Councilmembers to come and tour or visit the Fire Department facilities anytime they would like.

From City Attorney Jeffrey A. Wells:

TO: Mayor McAlister and Members of Council

FROM: Jeffrey A. Wells, City Attorney
SUBJECT: City Council Communication with respect to Staff
DATE: January 12, 2009
MEETING DATE: January 12, 2009

According to the City Council Rules of Procedures dated March 17, 2009, Rule10(b), all appointed officials are to provide the members of Council with a memorandum detailing their preference and guidelines regarding communication with their respective employees at the first organizational meeting following each election.

In order to remain in compliance with this rule, and the rules of the *Charter*, I request that where possible all (business) communication with my staff be run through me first. This is not to stifle or restrict interaction, but rather to make the most efficient use of time based upon daily work expectations that I communicate to staff. If you need assistance and I am not available, feel free to discuss your issue with any of my staff. My staff will then update me on the issue upon my return. This, however, does not extend to casual conversations with employees on a social level in the workplace.

For your reference, I have included the relevant sections from the *Charter of the City of Fort Morgan* and the Council Rules of Procedure.

CHARTER

- (a) Neither the council, nor any member of the council, shall dictate or interfere with the appointment of, or the duties of, any City employee subordinate to the city manager or to the city attorney, or prevent or interfere with the exercise of judgment in the performance of the employee's City responsibilities. The council, and each member of the council, shall deal with such employees solely through the manager or the city attorney, as applicable, and shall not give orders or reprimands to any such employee.

RULES OF PROCEDURE

10b. Channel communications through the appropriate senior City staff. Questions and requests for information should be directed only to the City Manager, City Attorney, Municipal Judge, Fire Chief or their designees. All appointed officials shall provide a memo to Council at the organizational meeting held after each election detailing their preference and guidelines regarding communication with their respective employees. The City Manager should be copied on or informed of any request to Department Heads. When in doubt about what staff contact is appropriate, Councilmember's should ask the City Manager or the affected appointed official for direction.

APPOINTMENTS OF COUNCILMEMBERS TO VARIOUS BOARDS AND COMMISSIONS

Councilmember Shaver offered a motion to appoint the following to various boards and commissions. His motion was second by Councilmember Powers and carried unanimously.

BOARD OR COMMISSION	2010-2011 TERM
Airport Advisory Board	McAlister
CML Policy Review	Wells
*Firemen's Pension Board	McAlister
Fort Morgan Ditch Company	Nation
Fort Morgan Heritage Foundation	Forstedt
Fort Morgan Humane Society	Bryan
Golf Course Advisory Board	Forstedt
Health Board	McAlister / Shaver
Historic Advisory Board	Deal
Library Advisory Board	Nation
Morgan County Economic Development Corp.	Deal
*Planning Commission	McAlister/Powers
Police Pension Board	McAlister
Progressive 15	Bryan
Senior Center Advisory Board	Deal
Third-Party Contributions Review Committee	Powers / Shaver
Tree, Parks and Recreation Advisory Board	Bryan
Water Advisory Board	Powers

CITY OF FORT MORGAN VOLUNTEER FIRE DEPARTMENT APPOINTMENTS

Chief Parker requested Council's consideration with appointments to the Fort Morgan Volunteer Fire Department as Secretary Jason Roberts and Pension Board member Randy Menking.

Councilmember Powers offered a motion to appoint the two recommended individuals as presented. His motion was seconded by Councilmember Bryan and carried unanimously.

AUTHORIZE THE MAYOR TO SIGN A RESOLUTION FOR THE DESIGNATION OF A PUBLIC PLACE FOR POSTINGS OF NOTICES CONCERNING OFFICIAL CITY BUSINESS OF THE CITY OF FORT MORGAN PURSUANT TO C.R.S. §24-6-402(2)(C)

Councilmember Forstedt offered the following Resolution and moved for its adoption. Her motion was seconded by Councilmember Shaver; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 10-01-08

**DESIGNATION OF A PUBLIC PLACE FOR POSTING OF NOTICES
CONCERNING OFFICIAL CITY BUSINESS OF THE CITY OF FORT MORGAN PURSUANT
TO C.R.S. §24-6-402(2)(C)**

WHEREAS, C.R.S. § 24-6-402(2)(c) requires the designation of a public place for posting notices of official City business be named; and

WHEREAS, it is hereby determined that such public place shall be located within the lobby of the Historic City Hall, 110 Main Street, with such notices to be posted not less than twenty-four (24) hours before the commencement of such meetings with specific agenda information for all such meetings, if available, posted at the place set forth below; and

WHEREAS, all notices required to be published by the City of Fort Morgan will be published in *The Fort Morgan Times*, a paper of general circulation;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

1. The Council of the City of Fort Morgan hereby designates the lobby within Historic City Hall, 110 Main Street, as the public place for the posting of notices concerning official City business, pursuant to C.R.S. § 24-6-402(2)(c). In the manner as set forth above.
2. All notices requiring the publication in a paper of general circulation shall be published in *The Fort Morgan Times*.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 12th day of January, 2010, the vote upon roll call being as follows:

Ayes: Mayor McAlister; Councilmembers Bryan, Deal, Forstedt, Nation, Powers and Shaver.

Nays: None.

Absent / Abstain: None.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Terry L. McAlister, Mayor

ATTEST:

/s/ Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. CERTIFICATE
CITY OF FORT MORGAN)

I, ANDREA STRAND, City Clerk for the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the Council of Fort Morgan, Colorado, and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have affixed the seal of the City of Fort Morgan this 14th day of January, 2010.

/s/ Andrea Strand, City Clerk

AUTHORIZE THE MAYOR TO SIGN A RESOLUTION CONCERNING THE ESTABLISHMENT AND OPERATION OF BANK ACCOUNTS FOR THE CITY OF FORT MORGAN

Councilmember Powers offered the following Resolution and moved for its adoption. His motion was seconded by Councilmember Deal; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 10-01-09

CONCERNING THE ESTABLISHMENT AND OPERATION OF BANK ACCOUNTS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO that Banks and Savings and Loan Associations insured by the FDIC, Edward Jones, Member of SIPC, with offices situated in the City of Fort Morgan, Colorado, the Colorado Local Government Liquid Asset Trust, and the Colorado Surplus Asset Fund Trust may be used as the depositories of City funds without discrimination and for investment of the funds of the City from time to time.

BE IT FURTHER RESOLVED that:

1. The City Treasurer shall have the sole authority to open new bank accounts in the name of the City of Fort Morgan;
2. There shall be required two signatures on any City of Fort Morgan bank account unless otherwise specified within this resolution;
3. There shall be required the signature of the Mayor, the City Treasurer and the City Clerk on the account designated as the Payables Account at Wells Fargo Bank, N.A. of Fort Morgan and on the account designated as the Payroll and Repurchase Agreement Accounts at The Bank of the West of Fort Morgan;
4. There shall be required only one (1) signature on the account designated as the

Superintendent's Fund, also known as Petty Cash, at the Bank of the West of Fort Morgan;

5. There shall be required only one (1) signature on the account designated as the Utility Director's Account at the Bank of Colorado;
6. There shall be required only one (1) signature on the accounts designated as the Health Care money market account and the Health Care checking account at Morgan Federal Bank;
7. The authorized signatures on any City of Fort Morgan Account except as provided for in #7, #8, #9 and #10 below shall be designated as:

- | | |
|-------------------|--------------------|
| a. Mayor | Terry L. McAlister |
| b. City Treasurer | Terri Schafer |
| c. City Manager | Pat Merrill |
| d. City Clerk | Andrea J. Strand |

8. The City of Fort Morgan Utility Director's Account shall require one signature from the following authorized signatures:

- | | |
|------------------------------|--------------------|
| a. Mayor | Terry L. McAlister |
| b. City Treasurer | Terri Schafer |
| c. City Manager | Pat Merrill |
| d. Customer Accounts Manager | Connie Musgrave |

9. The City of Fort Morgan Municipal Court Account shall require two signatures from the following authorized signatures:

- | | |
|-----------------------|--------------------|
| a. Mayor | Terry L. McAlister |
| b. Court Clerk | Christina Tadolini |
| c. Deputy Court Clerk | Angela Larson |
| d. Deputy Court Clerk | Tonya Richardson |
| e. City Treasurer | Terri Schafer |

10. The City of Fort Morgan Police Department's forfeiture account shall require two signatures as specified in the April 2, 1991 resolution entitled Law Enforcement: Special Enforcement Fund Account and Police Holiday Charity Savings Account As specified in that resolution, one signature will represent city management (City Treasurer or City Clerk) and one will represent the police department (Chief of Police or designee).

11. The City Treasurer shall be authorized to open special purpose bank accounts and designate authorized signatories on said accounts different from #4 above, provided, however, that the signature of the City Treasurer shall be required to make any withdrawals or to close said accounts. These special purpose bank accounts shall be limited to a maximum balance of \$ 2,500.00 without specific Council authorization.

12. The other City bank accounts currently opened and hereby approved are as follows:

- a. Bank of the West – Perpetual Care passbook account
- b. Wells Fargo Bank, N.A. – Riverview Commons GID account

- c. Wells Fargo Bank, N.A. – Police Canine Memorial savings account
- d. Fort Morgan State Bank – Self-insurance checking account
- e. Fort Morgan State Bank – Self-insurance passbook savings account
- f. Morgan Federal Bank – Electric Fund money market account
- g. Morgan Federal Bank – Capital Improvement Fund money market account
- h. Morgan Federal Bank – Sewer Fund money market account
- i. Morgan Federal Bank – Police Forfeiture (Special Enforcement) savings account
- j. Morgan Federal Bank – Police Holiday Charity savings account
- k. Bank of Colorado – Utility Director account

13. The City Treasurer shall have the sole authority to make investments of City monies (including certificates of deposit and purchases of government bonds) in the name of the City of Fort Morgan, excluding the monies of the police and fire pension funds, as provided by the City investment policy adopted February 2, 1993. The authorized signatories on said investments of City shall be as specified in #2 above.

BE IT FURTHER RESOLVED that the following are authorized to access the City’s safe deposit box for the purpose of secure offsite storage:

- | | |
|------------------------------|------------------|
| 1. City Treasurer | Terri Schafer |
| 2. City Manager | Pat Merrill |
| 3. City Clerk | Andrea J. Strand |
| 4. Customer Accounts Manager | Connie Musgrave |

INTRODUCED, PASSED, APPROVED AND ADOPTED this 12th day of January, 2010, the vote upon roll call being as follows:

Ayes: Mayor McAlister; Councilmembers Bryan, Deal, Forstedt, Nation, Powers and Shaver.

Nays: None.

Absent / Abstain: None.

THE COUNCIL OF THE CITY
OF FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Terry L. McAlister, Mayor

ATTEST:

/s/ Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss: CERTIFICATE
CITY OF FORT MORGAN)

I, Andrea J. Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the Council of Fort Morgan, Colorado, and is identical to the original thereof

appearing in the official records of the City of Fort Morgan, Colorado and that the same has not, since its adoption, been rescinded or amended in any respect.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have affixed the seal of the seal of the City of Fort Morgan as of the 14th day of January, 2010.

/s/ Andrea Strand, City Clerk

AUTHORIZE THE MAYOR TO SIGN A RESOLUTION CONCERNING THE ESTABLISHMENT AND OPERATION OF THE CITY'S HEALTH CARE BANK ACCOUNTS FOR THE CITY OF FORT MORGAN

Councilmember Powers offered the following Resolution and moved for its adoption. His motion was seconded by Councilmember Deal; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 10-01-10

CONCERNING THE ESTABLISHMENT AND OPERATION OF THE CITY'S HEALTH CARE BANK ACCOUNTS

WHEREAS, the City of Fort Morgan provides a health care benefits for its employees in the form of a partially self-insured plan; and

WHEREAS, the City of Fort Morgan has engaged UMR as the City's Third Party Administrator for the health care benefit plan, effective January 1, 2010; and

WHEREAS, the City of Fort Morgan wishes to reduce administration costs for the health care benefit plan by utilizing "an in-house banking" arrangement for payment of the actual costs and medical claims associated with such plan by checks drawn on the Health Care checking account by UMR; and

WHEREAS, the City of Fort Morgan recognizes that disclosure of information regarding these expenditures is subject to the provisions in the U.S. Health Insurance Portability and Accountability Act of 1996 regulations and other relevant laws and regulations;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO that Banks and Savings and Loan Associations insured by the FDIC with offices situated in the City of Fort Morgan, Colorado may be used as the depositories of City funds without discrimination and for investment of the funds of the City from time to time.

BE IT FURTHER RESOLVED that:

1. The City Treasurer shall have the sole authority to open new bank accounts in the name of the City of Fort Morgan;
2. There shall be required only one (1) signature on the accounts designated as the Health Care money market account and the Health Care checking account at Morgan Federal Bank;
3. The authorized signatures on the City of Fort Morgan Health Care money market

account shall be designated as:

- a. Mayor: Terry L. McAlister
- b. City Treasurer: Terri Schafer
- c. City Manager: Pat Merrill
- d. Director of Human Resources/
Risk Management: Jody L. Prentice

4. The authorized signatures on the City of Fort Morgan Health Care checking account shall be designated as:

- a. Mayor: Terry L. McAlister
- b. City Treasurer: Terri Schafer
- c. City Manager: Pat Merrill
- d. Director of Human Resources/
Risk Management: Jody L. Prentice
- e. Authorized Representatives of UMR as may be from time to time designated by UMR, the plan administrator

5. Access to the detailed account information for the Health Care checking account, including identification of claimants and claims paid, shall be restricted in accordance with Federal laws and regulations.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 12th day of January, 2010, the vote upon roll call being as follows:

Ayes: Mayor McAlister, Councilmembers Bryan, Deal, Forstedt, Nation, Powers and Shaver.

Nays: None.

Absent / Abstain: None.

THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Terry L. McAlister, Mayor

ATTEST:

/s/ Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss: CERTIFICATE
CITY OF FORT MORGAN)

I, Andrea J. Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the Council of Fort Morgan, Colorado, and is identical to the original thereof

appearing in the official records of the City of Fort Morgan, Colorado and that the same has not, since its adoption, been rescinded or amended in any respect.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have affixed the seal of the seal of the City of Fort Morgan as of the 14th day of January, 2010.

/s/ Andrea Strand, City Clerk

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE FIFTH INTERIM AGREEMENT WITH NORTHERN COLORADO WATER CONSERVANCY DISTRICT, NORTHERN INTEGRATED SUPPLY PROJECT WATER ACTIVITY ENTERPRISE, FOR PARTICIPATION IN THE NORTHERN INTEGRATED SUPPLY PROJECT

Manager Merrill presented this Resolution and explained it was necessary to provide to Northern Integrated Supply Project as part of the City's participation and commitment to the project.

Councilmember Powers offered the following Resolution and moved for its adoption. His motion was seconded by Councilmember Shaver; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 10-01-11

AUTHORIZING THE MAYOR TO EXECUTE THE FIFTH INTERIM AGREEMENT WITH NORTHERN COLORADO WATER CONSERVANCY DISTRICT, NORTHERN INTEGRATED SUPPLY PROJECT WATER ACTIVITY ENTERPRISE, FOR PARTICIPATION IN THE NORTHERN INTEGRATED SUPPLY PROJECT.

WHEREAS, the City of Fort Morgan, Colorado is a Participant in the Northern Integrated Supply Project (NISP); and,

WHEREAS, NISP is developing a water project (the "Project") for the purpose of developing a new reliable water supply for the beneficial use of the Participant and other entities; and,

WHEREAS, all costs of the Project will be divided among the participant and other entities that participate in the Project; and,

WHEREAS, in previous years the Project has consisted of Three Phases, which included preliminary studies, site evaluations, and consultation related to the design and permitting of this Project; and,

WHEREAS, the Project is now in Year 7 through 9 of the Third Phase (hereinafter referred to as "Phase 3A"), which will consist of further agency consultation, permitting with the U.S. Army Corps of Engineers and other agencies, compliance with the National Environmental Policy Act and other federal requirements related to the project; and,

WHEREAS, the continuation and completion of the Third Phase of the Project requires participants to provide continued funding for the completion of Phase 3A.

WHEREAS, the City wishes to continue pursuing the finalization of the Project by providing the funding necessary for its completion.

WHEREAS, the parties have set forth the terms of their agreement in the FIFTH INTERIM AGREEMENT WITH THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT, NORTHERN INTEGRATED SUPPLY PROJECT WATER ACTIVITY ENTERPRISE, FOR PARTICIPATION IN THE NORTHERN INTEGRATED SUPPLY PROJECT (a copy of which is attached hereto and incorporated herein by this reference).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

SECTION 1: The City Council hereby authorizes the Mayor to execute the FIFTH INTERIM AGREEMENT WITH THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT, NORTHERN INTEGRATED SUPPLY PROJECT WATER ACTIVITY ENTERPRISE, FOR PARTICIPATION IN THE NORTHERN INTEGRATED SUPPLY PROJECT.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 12th day of January, 2010, the vote upon roll call being as follows:

Ayes: Mayor McAlister; Councilmembers Bryan, Deal, Forstedt, Nation, Powers and Shaver.

Nays: None.

Absent / Abstain: None.

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

BY: Terry L. McAlister, Mayor

ATTEST:

/s/ Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. CERTIFICATE
CITY OF FORT MORGAN)

I, Andrea Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 14th day of January, 2010.

/s/ Andrea Strand, City Clerk

BIDS, MEETINGS AND ANNOUNCEMENTS

Clerk Strand announced upcoming bids and announcements.

Councilmember Powers stated that the Water Advisory Board will meet tomorrow and encouraged all to attend.

Manager Merrill stated that the Fort Morgan Library now has Wi-Fi. This is a wireless local area network: a local area network that uses high frequency radio signals to transmit and receive data. He provided numbers of applications received for various management positions with the City.

Mayor McAlister adjourned the January 12, 2010, special meeting at 8:23 p.m.

/s/ Terry L. McAlister
Mayor

/s/ Andrea J. Strand
City Clerk