

November 18, 2008

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 regular 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 Terry McAlister
Councilmember James A. Powers
Councilmember Terri P. Schafer
Councilmember Alberta M. Simmons

Excused Absence: Councilmember Ron Shaver

The meeting was also attended by City Manager Pat Merrill, City Attorney Jeffrey Wells, Police Chief Keith Kuretich, City Treasurer Pixie Jones, Utility Directors Gary Dreessen and Bob Weimer, Community Development Director David Callahan, Community Services Director Don Shedd, Director of Human Resources & Risk Management Jody Prentice and City Clerk Andrea Strand.

PUBLIC HEARING FOR ANNEXATION BY MATT UNDERWOOD AND THE CITY OF FORT MORGAN

Mayor Darnell called the Public Hearing to Order by stating, "On October 7, 2008, the City Council of the City of Fort Morgan adopted a Resolution finding the Underwood Petition for Annexation was in substantial compliance with C.R.S. §31-12-107. Thereafter, a Hearing was set for tonight November 18, 2008, for the Council of the City of Fort Morgan to consider the annexation of the area set forth in the Annexation Plat submitted with the Petition. The public hearing will be opened to receive evidence concerning the requirements established under C.R.S. §31-12-104 and C.R.S. §31-12-105 and other pertinent evidence required under the Annexation Act of 1965 as amended."

Legal Notice

Clerk Strand stated that the Notice of Public Hearing was published in *The Fort Morgan Times* for four consecutive weeks beginning October 17, 2008, and ending November 7, 2008. She also presented a certificate of mailing of the Public Hearing, to Boards of County Commissioners, and special districts or school districts and stated it was mailed on October 20, 2008.

Presentation of the Petition and Evidence

Attorney Wells reviewed the Petition of Annexation and read the Affidavit's submitted by Pat Merrill and Andrea Strand and read the Surveyor's Certificate which stated, I, Robert D. Thomas, do hereby certify that one-sixth (1/6) of the external boundary of the area to be annexed to the City of Fort Morgan, Colorado, is contiguous with the boundaries of the annexing municipality.

Comments by the Applicant, Matt Underwood

Manager Merrill spoke on behalf of the applicant stating he is in favor and would like to proceed with the annexation.

Comments from the Public, Written/Oral

No one was present and Clerk Strand stated none had been received by her office.

Comments by City Council

None.

Councilmember McAlister offered a motion to close the public hearing. His motion was seconded by Councilmember Powers and duly carried.

Action on the Petition for Annexation

Attorney Wells presented a Resolution concerning the Petition for Annexation. Councilmember Simmons moved for its adoption. Her motion was seconded by Councilmember Powers; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 08 11 02

A RESOLUTION SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS OF LAW BASED THEREON AND DETERMINING THE STATUS OF THE TERRITORY SOMETIMES KNOWN AS THE UNDERWOOD PROPERTY HEREINAFTER MORE SPECIFICALLY DESCRIBED BELOW, PROPOSED FOR ANNEXATION INTO THE CITY OF FORT MORGAN

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

This matter comes on for hearing before the City Council of the City of Fort Morgan on November 18, 2008 pursuant to Sections 31-12-108 and 31-12-109, C.R.S., known as the Municipal Annexation Act of 1965 as amended (hereinafter referred to as Annexation Act), to consider the annexation of that certain territory sometimes known as the Underwood Property, more specifically described in herein as:

A PARCEL OF LAND IN THE NE ¼ OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 58 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORGAN COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 146.5 FEET SOUTH AND 30 FEET WEST OF THE NORTH AND NE CORNER OF SAID SECTION 12, TOWNSHIP 3 NORTH, RANGE 58 WEST OF THE 6TH P.M., SAID POINT BEING ON THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE C.B. AND Q. RAILROAD; THENCE RUNNING SOUTH 226 FEET; THENCE WEST 258 FEET TO THE RIGHT-OF-WAY OF THE FORT MORGAN CANAL; THENCE ALONG SAID RIGHT-OF-WAY NORTH 35° 00' WEST, 253 FEET TO INTERSECT THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE SAID C.B. AND Q. RAILROAD; THENCE SOUTH ALONG THE SOUTH LINE OF SAID RAILROAD RIGHT-OF-WAY NORTH 87° 15' EAST, 403 FEET TO THE PLACE OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS THE PROPERTIES FILED UNDER BOOK 973, PAGE 767 AND UNDER RECEPTION NUMBER 846504 AND CONTAINS 72,308 SQUARE FEET, MORE OR LESS.

TOGETHER with all water and water rights appurtenant thereto; and the Council having examined all of the evidence presented at said hearing and being fully advised of the premises, now sets forth findings of fact and conclusions of law based thereon as provided for in Section 31-12-110 of the Annexation Act, other findings of fact and conclusions as are appropriate, and makes determinations as follows:

1. The City Clerk of the City of Fort Morgan has received a petition for annexation of the area described in herein entitled "Petition for Annexation," signed by persons comprising one hundred percent (100%) of the landowners in the area to be annexed and owning one hundred percent (100%) of the area, excluding public streets and alleys, in compliance with the provisions of Article II, Section 30 of the Colorado Constitution, and Section 31-12-107(1) of the Annexation Act.
2. On October 7, 2008, the City Council approved a resolution finding a Petition for Annexation of the area described herein to be in substantial compliance with Section 31-12-107(1) C.R.S. and setting a Hearing Date for the Fort Morgan City Council to consider the annexation of the area. This resolution set a hearing to consider the annexation of this area to the City of Fort Morgan on November 18, 2008, at Council Chambers, City Hall, 100 Main Street, Fort Morgan, Colorado, and directed the City Clerk to give notice of said hearing in the manner prescribed in Section 31-12-108 of the Annexation Act. In addition, said resolution found that the petition for

annexation is in substantial compliance with Section 31-12-107(1) CR.S of the Annexation Act, and further determined that said petition is in substantial compliance with Section 30 of Article II of the Colorado Constitution, which findings are adopted herein.

3. The City Clerk, pursuant to said resolution, has caused to have published in the Fort Morgan Times a Public Notice of Public Hearing of an Annexation Petition of area herein described, along with a copy of said resolution and petition with an attached legal description of the area to be annexed, with four (4) publications as follows: October 17, 2008; October 24, 2008; October 31, 2008; and November 7, 2008. The Fort Morgan Times is a daily newspaper in general circulation throughout the City of Fort Morgan, throughout the area to be annexed, and throughout Morgan County, Colorado.

4. Said resolution and notice pertaining thereto as set forth in Paragraph 3 of this resolution comply with the requirements of Section 31-12-107(1)(g) and Section 31-12-108 of the Annexation Act.

5. Copies of the published notice and resolution have been mailed to the Board of County Commissioners Morgan County, the Morgan County Attorney, the School District, the Morgan Soil Conservation District, the Morgan County Land Use Department, the Fort Morgan Rural Fire Protection District, and the Fort Morgan Pest Control located within the territory described herein as required by Section 31-12-108 of the Annexation Act.

6. The annexation impact report is not required, as the property to be annexed is comprised of less than 10 acres.

7. The area described herein is unincorporated.

8. The area described herein is the same as the area described in the annexation plat.

9. No annexation of all or any part of said area has been commenced by any other municipality.

10. This annexation will not result in the detachment of an area from any school district and attachment of the same area to another school district.

11. This annexation will not result in the change of any county boundaries.

12. At least one-sixth (1/6th) of the boundary of the perimeter of the area proposed to be annexed is contiguous with the boundary of the City of Fort Morgan.

13. No land held in identical ownership within the area proposed to be annexed, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels by the boundaries of such annexation without the written consent of the landowner except as such tracts or parcels are separated by a dedicated street, road or other public way.

14. No land held in identical ownership within the area proposed to be annexed, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprising twenty (20) acres or more (which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of \$200,000 for ad valorem tax purposes for the next year preceding the annexation), has been included within the boundary of the area proposed to be annexed without the written consent of the landowners.

15. This annexation will not extend boundaries of the city limits of the City of Fort Morgan more than three miles in any direction from the municipal boundary.

16. In establishing the boundaries of the area proposed to be annexed, if a portion of a platted street or alley is annexed, the entire width of said street or alley is included within the area proposed to be annexed.

17. The applicable parts of Section 31-12-105 of the Annexation Act have been met.

18. The provisions of Section 31-12-104(b) requiring a finding that "[t]hat a community of interest exists between the area proposed to be annexed and the annexing municipality; that said area is urban or will be urbanized in the near future; and that said area is integrated with or is capable of being integrated with the annexing municipality..." are met by virtue of a finding of at least one-sixth (1/6th) boundary contiguity with the City of Fort Morgan as provided for in said section.

19. No petition for election has been received nor is an election otherwise required under the provisions of Section 31-12-107(2) of the Annexation Act.

20. The annexation of Underwood and City Properties as legally described herein meet the requirements of and fully complies with Part 1 of Article 12 of Title 31 C.R.S., the Municipal Annexation Act of 1965 as amended, and Section 30 of Article II of the Colorado Constitution.

21. The City Council finds and concludes that said territory is eligible for annexation to the City of Fort Morgan.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 18th day of November, 2008, the vote upon roll call being as follows:

Ayes: Mayor Darnell; Councilmembers Deal, McAlister, Powers, Schafer and Simmons

Nays: None

Absent: Councilmember Shaver

[SEAL]

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

BY: /s/ Jack L. Darnell
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 18th day of November, 2008.

/s/ Andrea Strand, City Clerk

First Reading of an Ordinance entitled, "An Ordinance Annexing to the City of Fort Morgan, Colorado, that Area known as the Underwood Annexation as Described Herein."

Attorney Wells presented for Council consideration on first reading, said Ordinance being in words, letters and figures as follows, to wit:

ORDINANCE NO. _____

AN ORDINANCE ANNEXING TO THE CITY OF FORT MORGAN, COLORADO, THAT AREA KNOWN AS THE UNDERWOOD ANNEXATION AS DESCRIBED HEREIN.

WHEREAS, the City Council of the City of Fort Morgan on October 7, 2008 adopted a resolution finding that the Underwood petition for annexation was in substantial compliance with C.R.S. §31-12-107, and set a hearing date of November 18, 2008 for the Fort Morgan City Council to consider the annexation of the area set forth below; and

WHEREAS, pursuant to the notice required under C.R.S. §31-12-108, the Municipal Annexation Act of 1965 as amended, hereinafter referred to as the Annexation Act, the City Council of Fort Morgan held on November 18, 2008 a hearing pertaining to said annexation; and

WHEREAS, owners of one hundred percent (100%) of the area have petitioned for such annexation; and

WHEREAS, the City Council of the City of Fort Morgan has by resolution made findings of fact and conclusions of law based thereon and determinations pertaining to said annexation, and has determined said area should be annexed forthwith as part of the City of Fort Morgan.

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

SECTION 1. The following described territory is hereby annexed to and made a part of the City of Fort Morgan, Colorado:

A PARCEL OF LAND IN THE NE ¼ OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 58 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORGAN COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 146.5 FEET SOUTH AND 30 FEET WEST OF THE NORTH AND NE CORNER OF SAID SECTION 12, TOWNSHIP 3 NORTH, RANGE 58 WEST OF THE 6TH P.M., SAID POINT BEING ON THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE C.B. AND Q. RAILROAD;

THENCE RUNNING SOUTH 226 FEET;

THENCE WEST 258 FEET TO THE RIGHT-OF-WAY OF THE FORT MORGAN CANAL;
THENCE ALONG SAID RIGHT-OF-WAY NORTH 35° 00' WEST, 253 FEET TO INTERSECT THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE SAID C.B. AND Q. RAILROAD;

THENCE SOUTH ALONG THE SOUTH LINE OF SAID RAILROAD RIGHT-OF-WAY NORTH 87° 15' EAST, 403 FEET TO THE PLACE OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS THE PROPERTIES FILED UNDER BOOK 973, PAGE 767 AND UNDER RECEPTION NUMBER 846504 AND CONTAINS 72,308 SQUARE FEET, MORE OR LESS.

TOGETHER with all water and water rights appurtenant thereto;

SECTION 2. When this annexation is complete, said area shall become a part of the City of Fort Morgan for all intents and purposes on the effective date of this ordinance, with the exception of general taxation, in which respect said annexation shall not be effective until on or after January 1 next ensuing.

SECTION 3. The City Clerk shall be, and she is hereby authorized and directed to file an original copy of this **Ordinance** and one copy of the **Map of Annexation** in the office of the City Clerk of the City of Fort Morgan, Colorado, and two certified copies of said **Ordinance** and **Map of Annexation** in the office of the Clerk and Recorder of Morgan County, Colorado.

SECTION 4. The ordinance shall be in full force and effect from and after its passage and publication as provided by the City Charter.

READ, PASSED ON FIRST READING AND ORDERED PUBLISHED the 18th day of November, 2008.

[SEAL]

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

BY: /s/ Jack L. Darnell
Mayor

ATTEST:

/s/ Andrea Strand
City Clerk

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

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO that the foregoing Ordinance entitled above; and the same is hereby ordered published in the City of Fort Morgan, Colorado, not less than ten days before further consideration; and that said Ordinance again be presented to this Council at the expiration of said period of publication for final action thereof.

PASSED, APPROVED AND ADOPTED, this 18th day of November, 2008, the vote upon roll call being as follows:

Ayes: Mayor Darnell; Councilmembers Deal, McAlister, Powers, Schafer and Simmons

Nays: None

Absent: Councilmember Shaver

First Reading of an Ordinance entitled, "An Ordinance Establishing a Zoning District in and Upon Lands Annexed to the City of Fort Morgan, Colorado, and for said Purpose Revising and Supplementing the Zoning District Map of said City.

Attorney Wells presented for Council consideration on first reading; said Ordinance being in words, letters and figures as follows, to wit:

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING A ZONING DISTRICT
IN AND UPON LANDS ANNEXED TO THE CITY OF FORT MORGAN, COLORADO,
AND FOR SAID PURPOSE REVISING AND SUPPLEMENTING THE
ZONING DISTRICT MAP OF SAID CITY**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT MORGAN,
COLORADO:**

WHEREAS, a petition for annexation of certain property described in Exhibit A, attached hereto and made a part hereof, and known as the Underwood Annexation, was filed with the City Council of the City of Fort Morgan; and,

WHEREAS, said property was annexed to the City by Ordinance; and,

WHEREAS, the City Council must provide for the zoning of said property; and,

WHEREAS, the City Council provided notice of the public hearing on said zoning by publication as provided by law; and,

WHEREAS, no protests were received by the City pursuant to C.R.S. §31-23-305; and,

WHEREAS, the landowners of said property have requested the same to be zoned R-2: **Residential District**; and,

WHEREAS, a R-2 zoning classification for residential uses is consistent with the City's plan for the area; and,

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

SECTION 1. That certain property known as the Underwood Annexation, the legal description of which is set forth in Exhibit A attached hereto and incorporated herein by this reference, is hereby zoned R-2: Residential District as permitted and that the Zoning District Map of the City of Fort Morgan, Colorado, be amended accordingly.

READ, PASSED ON FIRST READING AND ORDERED PUBLISHED the 18th day of November, 2008.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Jack L. Darnell
Mayor

ATTEST:

/s/ Andrea Strand
City Clerk

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

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO that the foregoing Ordinance entitled above; and the same is hereby ordered published in the City of Fort Morgan, Colorado, not less than ten days before further consideration; and that said Ordinance again be presented to this Council at the expiration of said period of publication for final action thereof.

PASSED, APPROVED AND ADOPTED, this 18th day of November, 2008, the vote upon roll call being as follows:

Ayes: Mayor Darnell; Councilmembers Deal, McAlister, Powers, Schafer and Simmons

Nays: None

Absent: Councilmember Shaver

PUBLIC HEARING – ZONING BOARD OF APPEALS (COUNCIL ACTING AS)

Mayor Darnell provided opening comments at 7:20 p.m. He stated, “Let the record show that the Public Hearing before the City Council acting as the Zoning Board of Appeals for the purpose of hearing written and oral comments from the public concerning the Variance Application by Robert Pike, 720 Lake Street in Fort Morgan, Colorado, to allow a Dimensional Variance for a new accessory building, is convened this 18th day of November, 2008, during the hour of 7:00 p.m.”

“Any interested party may make a statement or comment, or ask questions before City Council considers and rules on the Variance Application. I would request that any person making such statements or comments identify yourself by signing in and then stating your name and address. Each person’s comments are limited to three minutes. If there is anyone present who wishes to comment regarding the application on the public record, you may come forward now.”

Legal Notice

Clerk Strand stated that the legal requirements of the Zoning and Land Use Code were met with the Notice of the Public Hearing being published in *The Fort Morgan Times* on October 22, 2008, and mailed to owners of property within 300 feet of 720 Lake Street on October 22, 2008. The Revised Notice of Public Hearing was published in *The Fort Morgan Times* on October 31, 2008, and mailed to the owners of property within 300 feet of 720 Lake Street on October 28, 2008.

Presentation of the Application

City Manager Merrill presented the application. He informed Council that the Building Inspector and he had met with the owner of the property (on site) and have completed a walk through inspection of the property. The applicant is requesting a 2 foot variance on the North side of the building, a 3'4" alley variance and a 3 foot variance on the west side.

Comments by the Applicant

The applicant, Robert Pike, was presented and offered to answer any questions.

Comments from the Public, Written/Oral

Clerk Strand stated none had been received by her office and no one was present.

Comments by the Council

Councilmember Powers asked what the approved setbacks were,

Councilmember Powers offered a motion to close the public hearing. His motion was seconded by McAlister and duly carried.

Action on the Application

Attorney Wells stated that the recommendation from staff was to approve the Variance Application submitted by Robert Pike.

Councilmember Powers offered a motion to approve the variance application by Robert Pike, 720 Lake Street, to allow a Dimensional Variance for a new accessory building. His motion was Seconded by Councilmember McAlister and duly carried.

2009 BUDGET – FIRST READING OF AN ORDINANCE ENTITLED “AN ORDINANCE LEVYING A TAX UPON THE TAXABLE PROPERTY IN THE CITY OF FORT MORGAN, COLORADO, AND APPROPRIATING MONIES TO THE SEVERAL FUNDS OF SAID CITY,” AND REQUEST TO PUBLISH IN FULL

Treasurer Jones introduced for Council consideration on first reading an Ordinance outlining the 2009 Budget; said Ordinance being in words, letters and figures as follows, to wit:

ORDINANCE NO.

AN ORDINANCE LEVYING A TAX UPON THE TAXABLE PROPERTY IN THE CITY OF FORT MORGAN, COLORADO, AND APPROPRIATING MONIES TO THE SEVERAL FUNDS OF SAID CITY.

UPON AND PURSUANT to the estimate of the probable revenue and expenses submitted by the City Council of the City of Fort Morgan, Colorado, and upon a budget made by said Council, and for the purpose of raising funds to defray all expenses of conducting the business of the government of the City and payment of all liabilities of the City falling due or accruing during the fiscal year ending December 31, 2009.

BE IT ORDAINED BY THE COUNCIL OF FORT MORGAN:

Section 1. There is hereby levied and assessed a tax of Thirteen and Two Hundred Fifty-Four Thousandths (13.254) mills upon each dollar of assessed valuation of all property within the City of Fort Morgan, Colorado.

Section 2. Of the monies arising from electric, water, gas, sewer, and sanitation charges, taxes, fines, licenses and all other sources of monies of the City of Fort Morgan, the appropriation to the several funds of said City for the purposes of operations, debt service and capital outlays is appropriated as follows:

<u>Fund</u>	<u>Appropriations</u>
General Fund	\$11,181,837
After School Program	\$ 40,000
Capital Improvement Fund	\$ 4,471,033

Golf Fund	\$ 950,779
Conservation Trust	\$ 102,000
Electric Fund	\$20,004,266
Water Fund	\$ 6,397,507
Gas Fund	\$ 7,825,303
Sewer Fund	\$ 2,205,439
Sanitation Fund	\$ 1,025,248
Fiber Network Fund	\$ 12,000
Perpetual Care Fund	\$ 15,200
Self Insurance/Risk Management	\$ 2,546,725
Riverview GID	<u>\$ 200,000</u>
Total	<u>\$56,977,337</u>

INTRODUCED, READ ON FIRST READING AND ORDERED PUBLISHED this 18th day of November, 2008.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

By: /s/ Jack L. Darnell
Mayor

ATTEST:

/s/ Andrea Strand
City Clerk

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

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO that the foregoing Ordinance entitled above; and the same is hereby ordered published in the City of Fort Morgan, Colorado, not less than ten days before further consideration; and that said Ordinance again be presented to this Council at the expiration of said period of publication for final action thereof.

PASSED, APPROVED AND ADOPTED, this 18th day of November, 2008, the vote upon roll call being as follows:

Ayes: Mayor Darnell; Councilmembers Deal, McAlister, Schafer and Simmons

Nays: Councilmember Powers

Absent: Councilmember Shaver

UPDATE ON A CONTRACT FOR LOW ENERGY ASSISTANCE PROGRAM (LEAP)

Manager Merrill informed Council that a meeting was held with staff members from the City and Morgan County Human Services, along with two City Councilmembers, to discuss the details if the City were to become a vendor for the Low Energy Assistance Program. He stated that the group will meet one more time before presenting options to Council. He also stated that staff is pursuing a card reader to process payments. Attorney Wells is reviewing the contract to see if the City can share information with Human Services, and is also contacting Colorado Springs who has been serving as a vendor for many years. It is possible we may have to change our tariff to allow this type of service.

COUNCIL ACTING AS THE BOARD OF DIRECTORS FOR THE RIVERVIEW COMMONS GENERAL IMPROVEMENT DISTRICT

President Darnell called the meeting to order at 7:33 p.m.

Secretary Andrea Strand called roll.

Present: President Jack L. Darnell
Director Sharol Lyn Deal
Director Terry McAlister
Director James A. Powers
Director Terri P. Schafer
Director Alberta M. Simmons

Excused Absence: Director Ron Shaver

Attorney Wells introduced the Resolution setting a Public Hearing for December 2, 2008; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 08 11 03

SETTING A PUBLIC HEARING ON THE PROPOSED
APPORTIONMENT OF COSTS ON THE REAL PROPERTY
WITHIN RIVERVIEW COMMONS SPECIAL IMPROVEMENT
DISTRICT NO. 1 (PHASE 2) IN THE RIVERVIEW COMMONS
GENERAL IMPROVEMENT DISTRICT, FORT MORGAN,
COLORADO

WHEREAS, the total cost of acquiring and/or constructing and installing certain public improvements, together with necessary incidentals, within Riverview Commons Special Improvement District No. 1 (Phase 2) (the "SID"), in the General Improvement District, Fort Morgan, Colorado (the "GID") has been definitely ascertained as of October 28, 2008; and

WHEREAS, the GID's Board of Directors (the "Board") has determined to assess the cost of such public improvements and incidentals against the property included within the SID and specially benefited by said improvements; and

WHEREAS, a statement showing the whole cost of the improvements and incidentals and the proposed apportionment on the real property benefited thereby has been prepared and filed in the offices of the GID or its designee; and

WHEREAS, the GID or its designee will cause to be published in a newspaper of general circulation in the GID a notice to persons interested generally and to the owners of the real property to be assessed specifying the whole cost of the improvements, the proposed apportionment of the assessment against the real property benefited thereby, and the date, place, and time set by the Board for hearing written remonstrances to the proposed apportionment;

NOW, THEREFORE, BE IT RESOLVED BY RIVERVIEW COMMONS GENERAL IMPROVEMENT DISTRICT, FORT MORGAN, COLORADO:

1. The GID or its designee is hereby authorized to give notice that the whole cost of the improvements and incidentals has been ascertained and that a hearing will be held on written remonstrances to the appointment of such cost on the real property within the GID, by publication in one issue of The Fort Morgan Times, a newspaper of general circulation in the GID, such publication being made at least fifteen (15) days prior to the date of the hearing. In addition, the same notice will be mailed by first-class mail to each property owner to be assessed for the cost of the public improvements within the GID. Such mailed notice will be made on or about the date of the publication of the notice of hearing. Any action heretofore taken in connection with such notice is hereby ratified.

The notice shall be in substantially the following form:

NOTICE OF HEARING

RIVERVIEW COMMONS GENERAL IMPROVEMENT DISTRICT,
FORT MORGAN, COLORADO

PUBLIC NOTICE OF THE WHOLE COST OF THE PUBLIC
IMPROVEMENTS MADE IN RIVERVIEW COMMONS SPECIAL
IMPROVEMENT DISTRICT NO. 1 (PHASE 2), IN THE
RIVERVIEW COMMONS GENERAL IMPROVEMENT DISTRICT,

FORT MORGAN, COLORADO, AND OF A HEARING ON
 WRITTEN REMONSTRANCES TO THE PROPOSED
 APPORTIONMENT OF SUCH COST ON THE REAL PROPERTY
 BENEFITED BY THE IMPROVEMENTS.

TO ALL PERSONS INTERESTED GENERALLY and to the owners of property to be assessed for the cost of certain public improvements with Riverview Commons Special Improvement District No. 1 (Phase 2) (the "SID"), in the Riverview Commons General Improvement District, Fort Morgan, Colorado (the "GID"), notice is hereby given:

(a) The total cost of acquiring and/or constructing and installing improvements within the SID, including costs of collection of the assessment and of certain other incidental costs, is \$921,300;

(b) The portion of the total cost to be paid by the GID is \$-0-;

(c) The share apportioned to real property in the SID is as follows:

<u>Property</u>	<u>Assessment</u>
Residential Lots 1-12 in Block 1, and Lots 1-24 in Block 2, and Lots 1-48 in Block 3, Riverview Commons, in the City of Fort Morgan, County of Morgan, State of Colorado recorded January 20, 2004 at Reception No. 1500086, Book 10, Pages 114, 115 and 116.	\$4,479.00 per residential lot
Residential Lots 1-20 in Block 4 and Lots 1-40 in Block 5, Riverview Commons Phase 2, an approved re-plat of Lot A of said Riverview Commons, in the City of Fort Morgan, County of Morgan, State of Colorado recorded January 20, 2004 at Reception No. 1500086, Book 10, Pages 114, 115 and 116	\$4,479.00 per residential lot
87,120 square feet of commercial property being more particularly described as Lot 1 of Riverview Commercial Subdivision, an approved re-plat of Lot B of said Riverview Commons Subdivision, in the City of Fort Morgan, County of Morgan, State of Colorado recorded January 20, 2004 at Reception No. 1500086, Book 10, Pages 114, 115 and 116.	\$132,667.00
94,525 square feet of commercial property being more particularly described as Lot 2 of Riverview Commercial Subdivision, an approved re-plat of Lot B of said Riverview Commons, in the City of Fort Morgan, County of Morgan, State of Colorado Recorded January 20, 2004 at Reception No. 1500086, Book 10, Pages 114, 115 and 116.	\$143,723.00

(d) Any written remonstrances which may be made to the proposed apportionment and filed in the offices of the GID or its designee on or before the date of the hearing, will be heard and determined by the Board before the passage of a resolution assessing the cost of said improvements. The amount of the assessments to be levied for the improvements will be due and payable within thirty (30) days after the adoption of the assessment resolution. However, all such assessments must be paid, at the election of the property owner, in fifteen (15) equal annual installments of principal and interest as more particularly set forth in the assessment resolution.

(e) Written remonstrances to the proposed assessments will be heard by the Board of Directors of the Riverview Commons General Improvement District on the 2nd day of December, 2008, at 7:00 p.m., at 110 Main Street, Fort Morgan, Colorado, 80701

WITNESS my hand and the official seal of the GID, this 17th day of November, 2008.

(SEAL)

/s/ Andrea J. Strand
Secretary

Publish in: The Fort Morgan Times

Publish on: Monday, November 17, 2008.

The Board hereby authorizes the publication and mailing of such notice as set forth herein.

2. After the hearing on the proposed apportionment, the Board may consider a resolution levying the assessments, and providing for the collection and enforcement of such assessments.

3. All orders, bylaws, rules, and resolutions of the GID, or parts thereof, inconsistent with this Resolution, are hereby repealed to the extent only of such inconsistency.

4. If any one or more sections or parts of this Resolution shall be adjudged unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, it being the intention that the various provisions hereof are severable.

ADOPTED AND APPROVED this 18th day of November, 2008.

RIVERVIEW COMMONS GENERAL
IMPROVEMENT DISTRICT, FORT
MORGAN, COLORADO

(SEAL)

/s/ Jack L. Darnell
President

ATTESTED:

/s/ Andrea Strand
Secretary

Director Powers then moved that the foregoing Resolution, as introduced, read at this meeting, be adopted. Director Simmons seconded this motion.

The question being upon the adoption of the motion, the roll was called with the following result:

Those voting YES: President Darnell; Directors Deal, McAlister, Powers, Schafer and Simmons.

Those voting NO: None.

The presiding officer thereupon declared that not less than a majority of all the members present having voted in favor thereof, the motion was carried.

Thereupon, after consideration of the other matters to come before the Board, the meeting was adjourned.

(SEAL)

/s/ Andrea Strand
Secretary

STATE OF COLORADO)
)
COUNTY OF MORGAN)
)
RIVERVIEW COMMONS)
GENERAL IMPROVEMENT DISTRICT)

I, Andrea J. Strand, Secretary of the Riverview Commons General Improvement District, Fort Morgan, Colorado (the "GID"), do hereby certify that the foregoing pages numbered 1 to 5, inclusive, constitute a true and correct copy of the record of proceedings of the Board of Directors of the GID, taken at a regular meeting thereof, held at 110 South Main Street, in Fort Morgan, Colorado, on Tuesday, the 18th day of November, 2008, insofar as said proceeding relate to the introduction and adoption of the resolution therein set forth concerning notice of assessments to be imposed upon property within Riverview Commons Special Improvement District No. 1 (Phase 2).

IN WITNESS THEREOF, I have hereunto subscribed my name and affixed the official seal of the GID, this 18th day of November, 2008.

(SEAL)

/s/ Andrea Strand
Secretary

RESOLUTION AUTHORIZING THE PRESIDENT OF THE GENERAL IMPROVEMENT DISTRICT (GID) TO MODIFY DEVELOPMENT AGREEMENTS WITH ANY DEVELOPER REGARDING THE CONSTRUCTION OF A FENCE ALONG CANAL STREET IN THE RIVERVIEW COMMONS DEVELOPMENT

Attorney Wells presented this Resolution to the Board for consideration. He stated his office was informed by the developer, Ron Greene, that a lawsuit was filed but not yet served. The lawsuit was initiated by the Upper Platte and Beaver Canal Ditch Company and Ron Greene was named in it. The motion and proposed amended petition would grant leave to file an amended complaint that would name the City of Fort Morgan. The ditch company seeks a Declaratory Judgment to determine the construction and application of City Ordinances as to the location of a boundary fence. There is some confusion as to where the fence should be placed. Approving this Resolution would allow the President of the Riverview Commons General Improvement District to change or modify any agreement concerning the placement of a fence.

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

RESOLUTION NO. 08 11 04

A RESOLUTION AUTHORIZING THE PRESIDENT OF THE GENERAL IMPROVEMENT DISTRICT (GID) TO MODIFY DEVELOPMENT AGREEMENTS WITH ANY DEVELOPER REGARDING THE CONSTRUCTION OF A FENCE ALONG CANAL STREET IN THE RIVERVIEW COMMONS DEVELOPMENT PROJECT

WHEREAS, Ordinance No. 971 was previously adopted by City Council on July 1, 2003; and,

WHEREAS, the Ordinance enacted a change to the zoning designation regarding the Riverview Commons Development and amended the *Official Zoning District Map* of the City of Fort Morgan; and,

WHEREAS, Section 5 of the ordinance provided that as a requirement for the development a fence be built of wrought or masonry on the north boundary of the Upper Platte and Beaver Canal; and,

WHEREAS, the Upper Platte and Beaver Canal Company has filed a lawsuit against the developer of the Riverview Development Project for breach of contract, breach of warranty of title and trespass; and,

WHEREAS, recently the Company has filed a motion to join the City of Fort Morgan and the General Improvement District (GID) as parties to this litigation and requested the Court to allow an amendment to the petition seeking a declaratory judgment; and,

WHEREAS, on November 10, 2008, the Court granted the Company's request adding the City and the GID; and,

WHEREAS, in an effort to limit the litigation filed by the Company, Ordinance 971 will be amended to remove Section 5. Further, the Chairman of the GID should be authorized to modify development agreements with any developer regarding the construction of a fence along Canal Street in the Riverview Commons Development Project.

NOW, THEREFORE, BE IT RESOLVED by the Board of the General Improvement District of the City of Fort Morgan, Colorado that:
The President of the GID shall be authorized to modify development agreements with any developer regarding the construction of a fence along Canal Street in the Riverview Commons Development Project.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 18th day of November, 2008, the vote upon roll call being as follows:

Ayes: President Darnell; Directors Deal, McAlister, Powers, Schafer and Simmons

Nays: None

Absent: Director Shaver

[SEAL]

THE BOARD OF THE GENERAL IMPROVEMENT
DISTRICT OF THE CITY OF
FORT MORGAN, COLORADO

BY: /s/ Jack L. Darnell
President

ATTEST:

/s/ Andrea Strand
Secretary

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 18th day of November, 2008.

/s/ Andrea Strand, City Clerk

President Darnell adjourned the November 18, 2008, meeting of the Board of the General Improvement District at 7:42 p.m.

CONTINUE WITH THE REGULAR CITY COUNCIL MEETING

Mayor Darnell announced that the regular City Council meeting would reconvene.

FIRST READING OF AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING ORDINANCE NO. 971 ENTITLED, "AN ORDINANCE CHANGING THE ZONING DESIGNATION OF LANDS IN THE CITY OF FORT MORGAN, COLORADO, FROM "B-2: BUSINESS DISTRICT" TO "PLANNED UNIT DEVELOPMENT,"" AND FOR SAID PURPOSE AMENDING THE ZONING CODE AND THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF FORT MORGAN, COLORADO."

City Attorney Wells explained this is necessary due to a legal action filed by the Upper Platte and Beaver Canal Company. He also noted that two members of the ditch company were present. The Mayor noted that he had spoken to them and they did not wish to make any comments at this time.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO 971 ENTITLED
“AN ORDINANCE CHANGING THE ZONING DESIGNATION OF LANDS IN THE
CITY OF FORT MORGAN, COLORADO, FROM “B-2: BUSINESS DISTRICT: TO
“PLANNED UNIT DEVELOPMENT”, AND FOR SAID PURPOSE AMENDING THE
ZONING CODE AND THE *OFFICIAL ZONING DISTRICT MAP* OF THE CITY OF
FORT MORGAN, COLORADO.”**

WHEREAS, Ordinance No. 971 was previously adopted by City Council on July 1, 2003;
and,

WHEREAS, this Ordinance was enacted to change the zoning designation regarding the Riverview Commons Development thereby amending the *Official Zoning District Map* of the City of Fort Morgan; and,

WHEREAS, Section 5 of the ordinance provided for the fencing of the north boundary of the Upper Platte and Beaver Canal by either wrought or masonry construction as a requirement for the development; and,

WHEREAS, the Upper Platte and Beaver Canal Company is currently in litigation with the developer of the Riverview Development Project and has recently requested that the City of Fort Morgan and the General Improvement District (GID) be joined to this action; and,

WHEREAS, on November 10, 2008, the Court granted the Company’s request, to join the City and the GID as parties to this litigation; and,

WHEREAS, in an effort to limit the litigation filed by the Company the City Council amends Ordinance 971 by the removal of Section 5.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF FORT MORGAN, COLORADO that Sec. 5 of Ordinance 971 be hereby deleted in its entirety.

INTRODUCED, READ AND PASSED UPON FIRST READING this 18th day of November, 2008, for publication once in a newspaper of the City of Fort Morgan, Colorado, at least ten days before its final passage.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Jack L. Darnell
Mayor

ATTEST:

/s/ Andrea Strand
City Clerk

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

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO that the foregoing Ordinance entitled above; and the same is hereby ordered published in the City of Fort Morgan, Colorado, not less than ten days before further consideration; and that said Ordinance again be presented to this Council at the expiration of said period of publication for final action thereof.

PASSED, APPROVED AND ADOPTED, this 18th day of November, 2008, the vote upon roll call being as follows:

Ayes: Mayor Darnell; Councilmembers Deal, McAlister, Powers, Schafer and Simmons

Nays: None

Absent: Councilmember Shaver

CONSENT AGENDA (By Resolution, Council Acting as the Local Liquor Licensing Authority)

Clerk Strand presented the Consent Agenda for Council consideration. Councilmember Simmons offered a Resolution to approve the Consent Agenda as presented and moved for its adoption. Her motion was seconded by Councilmember Powers; said Consent Agenda being in words, letters and figures as follows, to wit:

- A. Approve the minutes from the November 4, 2008, regular meeting.
- B. Approve the disbursements and payroll for October 2008.

Disbursements Report – October 2008

Accurint, webname search	\$571.35
Adams Golf LTD, supplies	\$264.15
Addtel Communications LLC, supplies	\$1,391.00
ADP Screening & Selection, pre-employment screenings	\$221.40
Affiliated Credit Service, bulletin	\$130.00
Affiliated Credit Service, misc deduction	\$150.00
AFLAC, additional insurance	\$2,158.68
Air O Therm Inc., repairs	\$470.34
Altec Industries Inc., supplies	\$24.28
American Eagle Distributing, beer	\$184.50
American Pride Co-op, supplies	\$6,914.86
American Public Power Assoc., supplies	\$420.00
American Water Works Assn, supplies	\$171.50
Animal Care Equip & Svcs Inc., training	\$248.00
Apex Instruments, Inc., supplies	\$2,946.28
Armstrong Service Center, tow service	\$385.00
Arthur L Ohlander, repairs	\$7,789.11
Avatech Solutions, Inc., class	\$1,590.00
B & B Home Appliance Center, supplies	\$4.98
Baker & Taylor Inc., supplies	\$125.62
Baltazar, Anita, sidewalk replacement	\$2,760.00
Batteries Plus #86, supplies	\$16.74
Battery Zone, supplies	\$80.58
Bauer & Furman, P.C., court appointed counsel	\$613.00
Big Thompson Watershed Forum, meeting	\$30.00
Bike Peddler Cycling & Fitness, supplies	\$439.94
Bloedorn Lumber-Fort Morgan, supplies	\$2,887.10
Boyle Equipment Company, supplies	\$267.32
Bragg, Bob, refund	\$52.50
Brandenburg & McGuire P.C, judges fees	\$1,000.70
Bresnan Communications, internet, cable	\$292.57
Brown, Steven, reimbursement	\$71.03
Brownells Inc., supplies	\$105.89
Buckhead Products & Systems, supplies	\$414.00
Builders Aggregate Co., supplies	\$165.00
Business Mart, supplies	\$48.58
California Contractors, supplies	\$129.90
Canfield Drilling Co., supplies	\$29.24
Canyon Systems, Inc., supplies	\$257.68
Central Auto Parts, supplies	\$3,217.56
Church, Mitchell, refund	\$59.57
CIRSA, additional insurance, record request	\$314.66
CIRSA, training	\$187.00
City of Fort Morgan, health insurance premium	\$171,928.00

City of Fort Morgan, replenish petty cash	\$11,160.84
City of Fort Morgan, transfer funds	\$40,000.00
City of Fort Morgan, utilities	\$64,060.75
City of Greeley, reimbursement lodging	\$156.45
Co Dept of Revenue, payroll taxes	\$17,234.00
Co Dept of Revenue, sales tax	\$26,426.00
Co Family Support Registry, misc deduction	\$3,027.00
CO PERA, pension	\$85,678.76
Colo Dist Attorneys Council, subscription	\$143.80
Colonial Insurance, additional insurance	\$105.86
Colorado Dept of Public Health & Env., permits	\$8,125.00
Colorado Golf Association, supplies	\$72.85
Colorado Mosquito Control Inc., mosquito control	\$7,990.00
Colorado Plains Medical Center, CT scan, labs	\$180.00
Comfort Inn, hotel stay	\$539.00
ConocoPhillips, fuel	\$6,447.84
Conserve-A-Watt, supplies	\$205.09
Continental Industries Inc., supplies	\$643.84
Corporate Express, supplies	\$917.60
Country Hardware & Farm Supply, supplies	\$94.32
Country Steak Out, meals	\$20.00
Countryside Services Inc., mowing/weed removal	\$1,320.00
Cowan, Sandra, supplies	\$40.00
Culligan, supplies	\$10.50
Culver Company, Inc., supplies	\$511.07
Curtis 1000 Inc., supplies	\$3,587.34
Custom Communications, repairs	\$200.00
Dahl of Ft Morgan, supplies	\$20.24
Dana Kepner Company, supplies	\$1,859.84
Denny W Edmondson, repairs, supplies	\$420.40
Denver Environmental Consulting LLC, consulting	\$17,783.00
Desouza, Barbara, refund	\$30.00
Diamond Vogel Paint Center, supplies	\$189.45
Digital Retirement Solutions, pension	\$28,199.62
Discount Tire of Ft. Morgan, supplies	\$856.90
Dish Network, installation	\$10.57
Don's Body & Paint Inc., repairs	\$1,095.00
Dorn Ready Mix Corporation, supplies	\$5,136.00
DPC Industries Inc., supplies	\$623.28
DW Inspection Systems, LLC, supplies	\$4,735.00
Earth Engineering Consultants, consulting	\$5,818.25
Eastern Colorado Services, yard care	\$2,165.00
Edwards Flowerland & Grocery, groceries	\$851.12
Elan, credit card charges	\$9,471.39
EnviroTech Services, Inc., supplies	\$2,192.63
Escorza, Veronica, refund	\$7.79
Eskew, Ed, concrete replacement	\$1,012.00
Eurich, Craig, reimbursement	\$4.24
Evergreen Analytical Lab., testing	\$4,056.00
Falcon Associates Inc., ads	\$135.00
Faris Machinery Company, repairs	\$2,276.04
Farm Plan, supplies	\$953.37
Farmer Brothers, supplies	\$54.45
Farmers State Bank, payroll taxes	\$60,584.79
Fastenal Company, supplies	\$83.18
Ferguson Enterprises Inc., supplies	\$6,068.05
FiberLink Connection, internet	\$22.00
First Aid 2000, supplies	\$473.50
First Class Security System, fire system service	\$868.35
Fleet Services, fuel	\$241.87
Flint Trading Inc., supplies	\$690.00
Foot-Joy, supplies	\$216.35
Fort Collins Regional Library District, supplies	\$28.95
Fort Morgan Auto Center, supplies	\$23.48
Fort Morgan Furniture, sofa	\$869.00
Fort Morgan Golf Course, meals	\$70.00
Fort Morgan Medical Group, physicals, labs	\$511.00

Fort Morgan Municipal Court, NSF fees	\$8.00
Fort Morgan Paint Bucket, supplies	\$201.31
Fort Morgan Rotary Club, dues, meals	\$169.00
Fort Morgan Veterinary Clinic, vet charges	\$189.02
Fort Morgan Volunteer Fire Dept, fire calls	\$1,020.00
Fox Valley Systems Inc., supplies	\$950.45
FPPA, AD&D	\$1,334.79
FPPA, contribution	\$6,376.25
Frasco, Mark, reimbursement	\$361.34
Ft.Morgan Mens Golf Assn., handicap fees	\$245.00
Fuller & Associates, supplies	\$1,916.76
G & K Services, uniform & rug cleaning	\$3,491.85
Garcia, Carlos, refund	\$19.50
Garretsons Sport Center, supplies	\$69.99
General Chemical Performance, supplies	\$3,620.55
Gilmer, Zane, contracted labor	\$130.85
Golf Enviro Systems Inc., supplies	\$486.67
GOVConnection, Inc., supplies	\$455.95
Grainger, supplies	\$2,174.99
Granit Bronz, plaques	\$696.00
Great Copier Service Inc., shipping, copy count	\$684.46
Greenwood, Trevor, refund	\$41.54
Groves, Sheryl, TKD instructor	\$160.00
Guardian, additional insurance	\$3,357.56
Gumdrop Books, supplies	\$145.00
Hach Company, supplies	\$2,862.46
Harbart, Vernon, replenish petty cash	\$46.25
HD Supply Utilities LTD, supplies	\$160.00
HD Supply Waterworks, LTD, supplies	\$4,198.25
Heaton, Terry, refund	\$48.25
Helena Chemical Company, supplies	\$1,104.00
Hercules Industries, Inc., supplies	\$116.12
Heritage Flag & Banner, Inc., supplies	\$428.00
Hernandez, Nohemi, refund	\$200.00
High Country Beverage Corp., beer	\$23.80
Hill & Robbins P C., professional services	\$456.00
Hill Petroleum, fuel	\$4,147.77
Hillyard - Denver, supplies	\$60.94
Hobbs, Charles, reimbursement	\$383.44
Hogan, Bruce, TKD instructor	\$160.00
Horizon Turf Farm Inc., supplies	\$289.80
Hotline Electrical Sales, supplies	\$2,320.00
Howell, Linda, TKD instructor	\$160.00
Humana Insurance Co. Inc., additional insurance	\$197.63
I M S A, dues	\$180.00
Imperial Supplies LLC, supplies	\$179.80
Impressions By Bird, LLC, supplies	\$1,277.35
Ingram Book Company, supplies	\$843.39
Insignia Specialty Coatings, supplies	\$122.97
Interstate Battery of the Rockies, supplies	\$279.90
Irth Solutions, Inc., supplies	\$489.65
JC Golf Accessories, supplies	\$138.10
Kauffman Pest Control Co., pest control	\$255.00
Kentec Communications Inc., domain hosting	\$219.60
Key Bank, CD	\$300,000.00
KFTM/KBRU, ads	\$250.00
Kinetic Leasing, lease payment	\$8,412.00
Klassen, Tawnya, reimbursement	\$20.93
Knight Pest Control LLC, pest control	\$150.00
Kopetzky, Bob, reimbursement	\$190.82
Kriz Davis Company, supplies	\$4,220.21
KVA Supply Company, supplies	\$1,734.00
L L Johnson Distributing, supplies	\$4,113.94
LaFarge West, Inc., supplies	\$1,948.07
Language Line Services, interpretation	\$170.42
Light, Harrington & Dawes, professional services	\$8,884.43
Link Dynamics, consulting	\$3,165.00

M & M Cooperative, propane	\$1,063.29
M E A N, purchased power	\$762,380.85
M. Lee Smith Publishers, subscription	\$227.00
Mac Tools, supplies	\$21.99
Magic Box, Inc., supplies	\$4,576.00
Maverick's Grill, meals	\$40.00
McAtee Construction Company, supplies	\$4,695.70
McDonald Physical Therapy, pre-employment screenings	\$90.00
McFadden Consulting Group, consulting	\$7,448.82
Mclaughlin Water Engineers, consulting	\$1,391.40
McMaster-Carr Supply Co., supplies	\$217.78
McPhilomy Commercial Products, supplies	\$116.21
Merchant JT&S, supplies	\$500.00
Michigan Municipal League, ad	\$152.00
Michigan State University, class	\$50.00
Midwest Gas & Grocery, LLC, fuel	\$12,144.89
Midwest Laboratories, testing	\$65.40
Midwestern Millwright, supplies	\$172.29
Model Cleaners Inc., drycleaning	\$294.20
Moore Wallace, supplies	\$155.70
Morgan Community College, CPR classes	\$11.20
Morgan County Central Services, fuel	\$3,105.78
Morgan County Dept Solid Waste, landfill charges	\$24,126.33
Morgan County General Fund, phone charges	\$76.04
Morgan County Government, video arraignment system	\$320.00
Morgan County Rural Elec Assoc., utilities	\$4,483.19
Morgan Cty Quality Water, utilities	\$237.65
Morgan Federal Bank, Michelle Nelson, refund	\$120.00
Morgan Sand & Gravel Inc., supplies	\$2,084.23
Mountain States Pipe & Supply, supplies	\$241.63
Mr. D's Ace Home Center, supplies	\$1,657.28
Municipal Treatment Equip., supplies	\$77.01
Murdoch's Farm/Ranch Supply, supplies	\$900.82
Nation Engineering Service LLC, consulting	\$1,925.00
National Public Gas Agency, purchased gas	\$175,242.27
NCL of Wisconsin, Inc., supplies	\$163.47
Nelson, John, refund	\$120.00
Neve's Uniforms Inc., uniforms	\$318.78
Newco Incorporated, supplies	\$304.71
Noel, Thomas, performance	\$400.00
Northeast Fire Safety, inspections	\$109.00
Northern Colorado Paper Inc., supplies	\$1,358.02
Nutra-Way Lawns Inc., lawn care	\$117.00
OCPO, certification	\$90.00
Office Depot Card Plan, supplies	\$607.75
Parker Ag Services LLC, haul sludge	\$8,207.82
Parker, W. Brad, reimbursement	\$25.94
Part Smart Carquest, supplies	\$348.10
PayFlex Systems USA, Inc., admin fee	\$216.00
PayFlex Systems USA, Inc., sect 125 plan	\$6,573.19
Pepsi-Cola, pop	\$200.80
PERA 401K, contributions	\$9,962.79
Ping Inc., supplies	\$651.26
Pinnacol Assurance, deductible, installment	\$23,434.82
Pitney Bowes Inc., quarterly charges	\$643.50
Pluskwa, Peter, reimbursement	\$388.45
PMI Equipment Inc., supplies	\$584.42
Polydyne, Inc., supplies	\$89.88
Pre-Paid Legal Services, additional insurance	\$267.05
Prentice, Jody, reimbursement	\$106.56
Process Control Dynamics, supplies	\$3,916.53
Proclamations for Professionals, supplies	\$55.00
QED - DENVER, supplies	\$248.50
Qualcorr Engineering Corp., consulting	\$5,250.00
Quest Diagnostics, screenings	\$480.48
Quest Inc., supplies	\$795.67
Quill Corporation, supplies	\$2,928.00

Qwest, telephone	\$3,655.46
Railroad Management Company, rent	\$165.00
Redwood Biotech, Inc., supplies	\$151.00
Research Technology, supplies	\$204.05
Rexel Inc., supplies	\$360.35
Riddle, Daniel, supplies	\$180.00
Riverside Co Dept of Child Services, misc deduction	\$83.06
Riverside Irrigation District, lease CBT units	\$156,403.81
RMGCSA, seminar	\$125.00
RMRTA, conference	\$190.00
Roadway Inn, hotel stay	\$104.00
Rocco's Grotto, meals	\$80.00
Rockwood Corporation, supplies	\$209.70
Rudy's GTO, fuel	\$39.03
Ruhl Distributing Company, supplies	\$913.91
Ruppel's Auto & Truck Repair, repairs	\$1,023.91
Safeway Stores Inc, supplies	\$31.32
Sailsbery Supply Company, supplies	\$245.41
Saiter, Norma, book	\$15.95
Schneider, Katie, refund	\$12.98
Scott Aviation, FBO fees	\$6,000.00
Service Master, janitorial service	\$5,240.50
Seton Identification Products, supplies	\$62.80
Sew What? alterations	\$6.00
Share, Inc., refund	\$175.00
SEH, Riverview Ave design work	\$7,901.78
Sherwin-Williams, supplies	\$1,083.30
Silerio, Martha R., translation services	\$200.00
Simplot Partners, supplies	\$1,312.50
Sixtus Publishing, ads	\$765.00
Stahley, William, refund	\$37.90
Star Athletic Club, memberships	\$399.84
State of Colorado/DoIT, frame/atm service	\$1,076.89
Stuart C Irby Co., supplies	\$496.26
Sturgeon Electric Company, supplies	\$2,308.66
Sunrise Environmental Scientific, supplies	\$119.47
Sunrise Optimist Club, dues	\$49.00
Sunrise Optimist Club, soccer fees 1/2 revenue	\$1,053.76
Superbodies, repairs	\$2,558.54
Taylor Made, supplies	\$801.43
Taylor, Steve, sidewalk replacement	\$292.50
The Flower Petaler, flowers, basket	\$112.00
The Fort Morgan Times, subscription, ads	\$7,498.29
The Glove Wagon, supplies	\$134.48
The Paper Chase, subpoena service	\$70.00
ThyssenKrupp Elevator, repairs	\$965.63
TITLEIST, supplies	\$722.16
Top Door, Inc., supplies	\$87.50
TST, Inc. Consulting Engineers, consulting	\$12,250.00
Underwriters Laboratories, water testing	\$5,971.20
Unique Embroidery & Engraving, supplies, embroidery	\$249.06
United Way of Morgan County, contributions	\$228.00
UNUM Provident, life insurance premium	\$2,770.95
US FoodService, Inc., supplies	\$2,145.32
USABlueBook, supplies	\$2,201.50
USIS Commercial Services, MRO services	\$55.00
Utility Notification, locate tickets	\$199.66
Vannoy, Julie, reimbursement	\$66.70
Verhaag, Deanna, reimbursement	\$16.58
Viaero Wireless, monthly service	\$2,122.02
Victim Services Program, victim service fees	\$285.00
Victory Sales, supplies	\$1,100.00
VSP, additional insurance	\$1,327.81
VWR International, Inc., supplies	\$1,390.11
W B Supply Company, supplies	\$81.26
Wal-Mart, supplies	\$1,209.66
Warehouse Supply, supplies	\$247.18

Waste Management of N E C, trash service	\$416.60
Wells, Jeffrey, reimbursement	\$357.28
Wesco Distribution Inc, supplies	\$7,587.08
West Group Payment Center, information charges	\$501.20
Westcrete Concrete Const Co., concrete replacement	\$17,104.99
Westek Rental LLC, rentals	\$334.00
Western Area Power Admin, purchased power	\$222,642.04
Western United Electric Supply Co., supplies	\$652.32
Wiggins Telephone Association, telephone	\$146.27
Wilson Golf Division, supplies	\$113.98
Wireless Advanced Comm, supplies, installation charges	\$5,669.75
Wolf Auto Center Sterling LLC, 2009 Ford Crown Victoria	\$23,634.00
Xcel Energy, utilities	\$4,048.40
Xerox Corporation, leases, copies	\$1,555.04
Young, Tara, fitness instructor	\$48.65
Total Disbursements - October 2008	\$2,637,878.92

Payroll Report – October 2008

ALBERT,CLARENCE,T	\$560.68	CASTRUP,JEFFREY,L	\$63.42
ALBERT,CLARENCE,T	\$581.71	CASTRUP,JEFFREY,L	\$159.23
ALBRANDT,HERMAN,E	\$1,640.10	CAWLEY,DAVID,WAYNE	\$806.05
ALBRANDT,HERMAN,E	\$1,640.10	CAWLEY,DAVID,WAYNE	\$715.06
ANGUIANO,JUAN,M	\$253.54	CHAPIN,RICHARD,L	\$158.08
ANGUIANO,JUAN,M	\$217.32	CHURCH,MITCHELL,M	\$740.56
ARNDT,DAVID,A	\$1,373.51	CHURCH,MITCHELL,M	\$680.74
ARNDT,DAVID,A	\$1,420.12	CHWIEDOR,LUKE,R	\$837.80
ARROYO,MIGUEL,H	\$684.61	CHWIEDOR,LUKE,R	\$891.59
ARROYO,MIGUEL,H	\$684.61	CLARK,MARK,C	\$1,291.15
BAIN,JOHN,D	\$1,756.26	CLARK,MARK,C	\$1,291.15
BAIN,JOHN,D	\$1,850.43	COFFIN,CLINTON,M	\$1,164.04
BASS,SHEILA,R	\$896.41	COFFIN,CLINTON,M	\$1,132.86
BASS,SHEILA,R	\$882.57	COLUMBIA,SHELLY,A	\$54.73
BEHRENDT,TONY,R	\$1,057.33	COLUMBIA,SHELLY,A	\$58.39
BEHRENDT,TONY,R	\$1,057.33	COOK,CORY,V	\$801.63
BLACK,MARK,R	\$862.50	COOK,CORY,V	\$763.89
BLACK,MARK,R	\$826.56	COOK,ERIK,A	\$906.30
BOEHM,MILTON,L,III	\$894.44	COOK,ERIK,A	\$906.30
BOEHM,MILTON,L,III	\$957.86	COOLEY,ESTHER,R	\$145.29
BOSLEY,CATHERINE,C	\$988.68	COOLEY,ESTHER,R	\$135.92
BOSLEY,CATHERINE,C	\$902.09	COOPER,NIKKIE,A	\$1,023.43
BOSTRON,CHRISTINA,R	\$914.89	COOPER,NIKKIE,A	\$1,023.42
BOSTRON,CHRISTINA,R	\$914.89	COUP,KURT	\$1,023.06
BOWER,ROCKY	\$1,516.89	COUP,KURT	\$1,080.10
BOWER,ROCKY	\$1,486.99	COVEY,ROBERT,V	\$1,041.27
BRACKETT,CYNTHIA,L	\$1,270.61	COVEY,ROBERT,V	\$991.42
BRACKETT,CYNTHIA,L	\$1,193.99	CRONE,JARED,R	\$1,483.24
BRAGG,ROBERT,E	\$900.83	CRONE,JARED,R	\$1,461.31
BRAGG,ROBERT,E	\$835.54	CROSBY,DENISE,K	\$867.08
BRENEMAN,KENNETH,D,JR	\$1,374.19	CROSBY,DENISE,K	\$1,006.02
BRENEMAN,KENNETH,D,JR	\$1,317.01	DARNELL,JACK,L	\$184.70
BRETZ,BARBARA,J	\$828.14	DAVIS,THOMAS,L	\$1,756.31
BRETZ,BARBARA,J	\$857.42	DAVIS,THOMAS,L	\$1,740.21
BRISTOL,DUANE,D	\$1,452.51	DEAL,SHAROL,LYN	\$90.55
BRISTOL,DUANE,D	\$1,437.56	DEWEY,ALFRED,A	\$999.53
BROST,COLLETTE,J	\$1,017.90	DEWEY,ALFRED,A	\$879.46
BROST,COLLETTE,J	\$937.24	DIAZ,JOSIE,M	\$1,080.00
BROWN,STEVEN,J	\$1,569.12	DIAZ,JOSIE,M	\$1,079.99
BROWN,STEVEN,J	\$1,215.29	DILLINGER,MICHAEL,D	\$870.45
CANTIN,BRIAN,J	\$1,730.57	DILLINGER,MICHAEL,D	\$997.68
CANTIN,BRIAN,J	\$1,377.71	DIXON,JENNIFER,ANN	\$967.96
CARPENTER,TAYLOR,L	\$88.42	DOLL,ROGER,L	\$1,635.25
CARPENTER,TAYLOR,L	\$13.35	DOLL,ROGER,L	\$1,378.70
CARPENTER,ZACHARY,P	\$114.09	DREESSEN,GARY,L	\$1,642.83
CARPENTER,ZACHARY,P	\$38.03	DREESSEN,GARY,L	\$1,611.63
CARR,LARRY,B	\$1,451.57	DUKE,DOAK	\$1,271.58
CARR,LARRY,B	\$1,438.57	DUKE,DOAK	\$1,228.84

DUNEHOO,ANDREW,L	\$1,078.81	HASTINGS,DANIEL,J	\$853.58
DUNEHOO,ANDREW,L	\$1,021.83	HASTINGS,DANIEL,J	\$853.58
EDDY,GARY,AARON	\$1,584.86	HEATON,TERRY,R	\$1,152.49
EDDY,GARY,AARON	\$1,792.32	HEATON,TERRY,R	\$1,097.10
ELLIOTT,LINDA,SUE	\$1,031.26	HECKER,CHRISTIAN,J	\$495.83
ELLIOTT,LINDA,SUE	\$999.09	HECKER,CHRISTIAN,J	\$567.09
ENGLISH,FELICIA,A	\$1,179.90	HECKER,MICHAEL,E	\$1,446.44
ENGLISH,FELICIA,A	\$1,200.44	HECKER,MICHAEL,E	\$1,950.02
ERICKSON,PAUL,D	\$1,334.69	HENDERSON,KELSEY,L	\$154.19
ERICKSON,PAUL,D	\$1,268.28	HENDERSON,KELSEY,L	\$166.45
ERTLE,ANDREA,E	\$419.51	HIGHBERGER,JUSTIN,S	\$156.58
ERTLE,ANDREA,E	\$419.51	HIGHBERGER,JUSTIN,S	\$76.75
EURICH,VINCENT,CRAIG	\$1,656.74	HOBBS,CHARLES,M	\$958.03
EURICH,VINCENT,CRAIG	\$1,790.40	HOBBS,CHARLES,M	\$937.97
EURICH,YOLANDA,L	\$1,089.92	HOCHANADEL,ANTHONY,L	\$134.19
EURICH,YOLANDA,L	\$1,063.41	HOCHANADEL,ANTHONY,L	\$102.88
EVINS,ROBERT,H	\$1,437.43	HOCHANADEL,JOE,M	\$63.38
EVINS,ROBERT,H	\$1,424.43	HOCHANADEL,JOE,M	\$38.03
EYESTONE,BEVERLY,J	\$289.76	HOFF,CAROLE,B	\$381.11
EYESTONE,BEVERLY,J	\$289.76	HOFF,CAROLE,B	\$433.36
FAZ,ELISEO	\$588.61	HOFMAN,DOUGLAS,DALE	\$1,488.42
FAZ,ELISEO	\$619.87	HOFMAN,DOUGLAS,DALE	\$1,470.23
FLORES,ALEJANDRO	\$253.54	HOLBECK,CHARLENE,J	\$277.99
FLORES,ALEJANDRO	\$253.54	HOLBECK,CHARLENE,J	\$185.07
FLORES,ALEJANDRO(ALEX)	\$181.03	HOLDEN,SONJA,L	\$444.88
FLORES,ALEJANDRO(ALEX)	\$165.95	HOLDEN,SONJA,L	\$495.65
FRIES,JANE,E	\$1,075.26	HOLT,MARY,A	\$913.66
FRIES,JANE,E	\$1,066.42	HOLT,MARY,A	\$894.71
FRITZLER,GARY,L	\$1,014.57	HORST,ELDON,R	\$932.65
FRITZLER,GARY,L	\$1,064.79	HORST,ELDON,R	\$1,306.58
FRYE,CYNTHIA,L	\$802.02	HOSIER,DARELD	\$1,186.21
FRYE,CYNTHIA,L	\$762.88	HOSIER,DARELD	\$1,186.21
GAGLIANO,ANTHONY,M	\$1,147.29	HOSIER,MICHAEL,L	\$1,129.48
GAGLIANO,ANTHONY,M	\$1,103.29	HOSIER,MICHAEL,L	\$1,077.77
GALASSINI,HAROLD	\$7.36	HOWARD,BETHRY JAN	\$47.68
GALASSINI,HAROLD	\$29.45	HOWARD,BETHRY JAN	\$25.42
GARCIA,CARLOS,R	\$435.72	HUPP,BARBARA,D	\$788.18
GARCIA,CARLOS,R	\$435.72	HUPP,BARBARA,D	\$815.60
GARCIA,WILLIAM,P	\$1,118.01	JANSMA,KENNETH,A	\$1,545.69
GARCIA,WILLIAM,P	\$1,106.16	JANSMA,KENNETH,A	\$1,142.72
GARVIN,SIMONE,F	\$9.37	JONES,PRISCILLA,K	\$1,908.69
GARVIN,SIMONE,F	\$18.75	JONES,PRISCILLA,K	\$1,908.69
GEARHART,VINCENT,P	\$73.19	JURGEMEYER,MARNE,K	\$1,350.53
GIVENS,DREW,A	\$1,003.88	JURGEMEYER,MARNE,K	\$1,342.89
GIVENS,DREW,A	\$1,111.66	KABER,JOSHUA,A	\$1,210.41
GIVENS,MATTHEW,L	\$1,254.81	KABER,JOSHUA,A	\$1,030.82
GIVENS,MATTHEW,L	\$1,241.81	KAISER,KAYE (SKIP),K	\$1,485.24
GLEASON,MICHAEL,D	\$926.41	KAISER,KAYE (SKIP),K	\$1,235.63
GLEASON,MICHAEL,D	\$926.41	KAPER,KORY,J	\$43.79
GONZALES,STEPHANIE	\$166.40	KARAS,JONATHAN,P	\$1,850.32
GONZALES,STEPHANIE	\$82.02	KARAS,JONATHAN,P	\$2,002.87
GRANTHAM,NICHOLAS,J	\$224.82	KELLER,STASHIA,L	\$23.43
GRANTHAM,NICHOLAS,J	\$404.68	KIRKENDALL,MICHAEL,E	\$1,181.93
GREENWOOD,TREVOR,S	\$1,406.65	KIRKENDALL,MICHAEL,E	\$1,187.61
GREENWOOD,TREVOR,S	\$1,195.65	KITZMAN,ADAM,K	\$63.38
GUGGENMOS,BRENDA,J	\$1,136.67	KITZMAN,ADAM,K	\$50.71
GUGGENMOS,BRENDA,J	\$1,136.68	KITZMAN,CAMILLA,A	\$64.65
HALL,LARRY,DEAN	\$538.54	KITZMAN,CAMILLA,A	\$308.84
HALL,LARRY,DEAN	\$538.54	KITZMAN,KATHERINE,A	\$138.25
HAMILTON,CORY,R	\$1,048.65	KITZMAN,KATHERINE,A	\$132.84
HAMILTON,CORY,R	\$1,048.65	KLASSEN,TAWNYA,M	\$947.45
HARBART,VERNON,E	\$1,292.17	KLASSEN,TAWNYA,M	\$916.86
HARBART,VERNON,E	\$1,292.15	KOPETZKY,ROBERT,E	\$1,397.94
HARNED,HARRY,R	\$1,072.03	KOPETZKY,ROBERT,E	\$1,238.41
HARNED,HARRY,R	\$894.97	KORRELL,DAWN,L	\$997.95
HARTBERGER,DOMINIC,L	\$135.69	KORRELL,DAWN,L	\$997.95
HARTBERGER,DOMINIC,L	\$111.00	KURETICH,KEITH	\$2,221.81

KURETICH,KEITH	\$2,106.67	PERKINS,JANE,L	\$930.88
LARSON,ANGELA,J	\$962.56	PETERSEN,RODNEY,E	\$336.41
LARSON,ANGELA,J	\$962.56	PETERSEN,RODNEY,E	\$113.30
LATOSKI,DALENE,W	\$521.06	PETRINO,TRAVIS,A	\$1,060.02
LATOSKI,DALENE,W	\$571.28	PETRINO,TRAVIS,A	\$1,032.28
LEBSOCK,LISA,L	\$504.87	PORTEUS,CHARLES,T	\$1,557.09
LEBSOCK,LISA,L	\$504.87	PORTEUS,CHARLES,T	\$1,363.65
LEWIS,SHANNAN,K	\$739.24	POWERS,JAMES,A	\$98.55
LEWIS,SHANNAN,K	\$739.24	PRENTICE,JODY,L	\$2,010.08
LINDSEY,CURTIS,C	\$892.35	PRENTICE,JODY,L	\$1,687.55
LINDSEY,CURTIS,C	\$983.19	PRESTON,GREGORY	\$594.84
LINTON,DOUGLAS,A	\$1,821.51	PRESTON,GREGORY	\$554.30
LINTON,DOUGLAS,A	\$1,799.58	PROCUNIER,KEN	\$1,650.80
LORENZINI,WILLIAM,D	\$1,548.74	PROCUNIER,KEN	\$1,436.06
LORENZINI,WILLIAM,D	\$1,474.31	RAGER,RONALD,LEE	\$222.53
LUCERO,DOMINICK,G	\$1,416.78	RAMSTETTER,JULIE,ANN	\$1,201.87
LUCERO,DOMINICK,G	\$1,269.51	RAMSTETTER,JULIE,ANN	\$945.90
MALONE,TIMOTHY,A	\$1,193.51	REYES,JULIA,G	\$412.24
MALONE,TIMOTHY,A	\$1,130.16	REYES,JULIA,G	\$254.96
MASSENGALE,DAVID,M	\$1,070.00	RICHARDSON,TONYA,S	\$898.47
MASSENGALE,DAVID,M	\$1,228.98	RICHARDSON,TONYA,S	\$889.98
MATTESON,RICHARD,J	\$1,394.18	RICO,JORGE,JR	\$664.55
MATTESON,RICHARD,J	\$1,394.18	RICO,JORGE,JR	\$830.79
MAXWELL,HUNTER,L	\$38.03	RIGGS,JASON,L	\$1,176.12
MAXWELL,HUNTER,L	\$81.78	RIGGS,JASON,L	\$1,161.17
MCALISTER,TERRY,L	\$92.35	RODARTE,BERNARD	\$1,145.59
MCCLURE,STEPHEN,D	\$1,062.21	RODARTE,BERNARD	\$1,026.18
MCCLURE,STEPHEN,D	\$1,068.79	RODRIGUEZ,FELIX,R	\$1,211.95
MCCORMICK,JOHN,BRADLEY	\$979.71	RODRIGUEZ,FELIX,R	\$1,293.01
MCCORMICK,JOHN,BRADLEY	\$1,024.70	RODRIQUEZ,ALICE	\$90.55
MCFARLAND,THOMAS,J	\$1,120.55	RODRIQUEZ,ALICE	\$180.10
MCFARLAND,THOMAS,J	\$1,167.33	SAGEL,DARIN,L	\$1,691.27
MCGRAW,ALLISON,E	\$38.03	SAGEL,DARIN,L	\$1,476.09
MCGRAW,ALLISON,E	\$76.06	SAGEL,ERIK,H	\$912.88
MEEKS,CATHERINE,M	\$661.70	SAGEL,ERIK,H	\$954.64
MEEKS,CATHERINE,M	\$661.70	SCHAFFER,TERRI,P	\$90.55
MEEKS,DANIEL,E	\$1,061.96	SCHENEMAN,TIFFANY,D	\$398.68
MEEKS,DANIEL,E	\$1,005.01	SCHENEMAN,TIFFANY,D	\$295.26
MERRILL,PATRICK,L	\$2,639.68	SCHLEGEL,ALBERT,C	\$1,111.51
MERRILL,PATRICK,L	\$2,639.68	SCHLEGEL,ALBERT,C	\$990.09
MILLER,KEVIN,W	\$1,340.51	SCHOSSOW,DOUGLAS,W	\$1,697.49
MILLER,KEVIN,W	\$1,315.05	SCHOSSOW,DOUGLAS,W	\$1,515.95
MILLER,UNA,J	\$509.50	SCOTT,CASEY,M	\$76.06
MILLER,UNA,J	\$509.50	SCOTT,CASEY,M	\$76.06
MOLINA,BASIL,JR	\$1,234.65	SCOTT,DONNA,ELAINE	\$999.33
MOLINA,BASIL,JR	\$1,415.22	SCOTT,DONNA,ELAINE	\$969.20
MOONEY,KENNETH,D,JR	\$1,174.92	SHARP,LOREN,G	\$1,173.25
MOONEY,KENNETH,D,JR	\$1,035.93	SHARP,LOREN,G	\$1,062.20
MUSGRAVE,LEA,CONNIE	\$1,473.44	SHEDD,DONALD,A	\$1,762.83
MUSGRAVE,LEA,CONNIE	\$1,422.88	SHEDD,DONALD,A	\$1,744.03
NICKELL,CLAUDIA,T	\$1,081.80	SIMMONS,ALBERTA,M	\$97.55
NICKELL,CLAUDIA,T	\$1,076.80	SIMMONS,GREGORY,D	\$596.41
OCANAS,ELEAZAR,JR	\$1,250.39	SIMMONS,GREGORY,D	\$548.54
OCANAS,ELEAZAR,JR	\$1,265.52	SIMONDS,STEPHEN,D	\$425.94
OLIVAS,CASIMIRO,S	\$217.32	SIMONDS,STEPHEN,D	\$425.94
OLIVAS,CASIMIRO,S	\$181.10	SIMPSON,GEOFF,DAVID	\$185.77
PADGETT,MATTHEW,R	\$1,485.01	SIMPSON,GEOFF,DAVID	\$185.77
PADGETT,MATTHEW,R	\$1,528.70	SIMPSON,JOHN,R	\$1,175.19
PAGE,LANNY	\$1,025.34	SIMPSON,JOHN,R	\$1,119.22
PAGE,LANNY	\$955.56	SMEESTER,ZEBULUN	\$1,184.82
PARKS,JAMES,A	\$1,551.36	SMEESTER,ZEBULUN	\$1,059.52
PARKS,JAMES,A	\$1,230.62	SMITH,ERIC,R	\$1,092.79
PECK,ROGER,D	\$919.76	SMITH,ERIC,R	\$1,228.27
PECK,ROGER,D	\$881.62	SMITH,THOMAS,W	\$980.84
PEREZ,DELPHINA,L	\$577.94	SMITH,THOMAS,W	\$933.04
PEREZ,DELPHINA,L	\$586.50	SNYDER,BLAKE,J	\$1,370.12
PERKINS,JANE,L	\$972.50	SNYDER,BLAKE,J	\$1,169.85

SPENCER,SHARYN,L	\$453.72	WALKER,JOSHUA,J	\$852.56
SPENCER,SHARYN,L	\$510.90	WALKER,JOSHUA,J	\$907.40
STRAND,ANDREA,J	\$1,526.64	WALKER,TINA,LEE	\$873.37
STRAND,ANDREA,J	\$1,495.48	WALKER,TINA,LEE	\$825.37
TADOLINI,CHRISTINA,L	\$1,270.25	WEESE,BRADLEY,L	\$955.31
TADOLINI,CHRISTINA,L	\$1,202.32	WEESE,BRADLEY,L	\$944.32
TRUJILLO,HOPE,R	\$562.17	WEIMER,ROBERT,LEROY	\$1,871.69
TRUJILLO,HOPE,R	\$570.73	WEIMER,ROBERT,LEROY	\$1,831.87
TUCKER,DONALD,J	\$1,327.08	WELLS,JEFFREY,A	\$3,170.13
TUCKER,DONALD,J	\$1,171.29	WELLS,JEFFREY,A	\$3,170.13
TURNER,JOHN,W	\$1,659.58	WILLIS,JAMES,L	\$1,269.22
TURNER,JOHN,W	\$1,633.58	WILLIS,JAMES,L	\$1,314.97
VANNOY,JULIE,A	\$419.52	WINBERG,CHERYL,A	\$1,013.06
VANNOY,JULIE,A	\$419.51	WINBERG,CHERYL,A	\$998.43
VAZQUEZ,LUIS,C	\$1,096.87	WINDSHEIMER,GAIL	\$86.93
VAZQUEZ,LUIS,C	\$1,071.82	WRIGHT,KENNETH,L	\$1,044.21
VERHAAG,DEANNA,L	\$1,304.75	WRIGHT,KENNETH,L	\$1,036.16
VERHAAG,DEANNA,L	\$1,260.75	WUNSCH,TIMOTHY,A	\$987.78
VOSBURG,STEPHEN,DALE	\$1,233.73	WUNSCH,TIMOTHY,A	\$1,151.35
VOSBURG,STEPHEN,DALE	\$1,111.80	YEAROUS,ALLISON,R	\$78.61
WALES,MICHAEL,C	\$730.24	YEAROUS,ALLISON,R	\$51.18
WALES,MICHAEL,C	\$701.91	ZWETZIG,TODD,E	\$1,466.65
WALKER,CHRISTOPHER,E	\$784.90	ZWETZIG,TODD,E	\$1,111.39
WALKER,CHRISTOPHER,E	\$784.90	Total Payroll - October 2008	\$389,440.83
WALKER,ELLA,MAE	\$773.64	Total Disbursements - Oct 2008	\$2,637,878.92
WALKER,ELLA,MAE	\$761.80	Total Publication Report	\$3,027,319.75

- C. Approve the application for renewal and Report of Changes for the Beer and Wine Liquor License of Park Terrace Inc., dba Memories Restaurant, located at 725 Main Street, with a clear police investigation report.
- D. Approve the application for renewal of a Club Liquor License for VFW Fort Morgan Post 2551, located at 208 W. Beaver Avenue, with a clear police investigation report.
- E. Approve the application for renewal of a Retail Liquor License for Midcap LLC, dba North Main Liquor, located at 716 Main Street, with a clear police investigation report.
- F. Approve the application for renewal of a 3.2% Beer Retail Liquor License for Safeway Store No. 2341, located at 620 West Platte Avenue #234, with a clear police investigation report.
- G. Approve the application for renewal of a Retail Liquor Store License for Village Liquor Store Inc., located at 631 West Platte Avenue, with a clear police investigation report
- H. Approve the application for renewal of a Hotel and Restaurant Liquor License for Cables Café Inc, dba Cables Pub & Grill, located at 431 Main Street, with a clear police investigation report.

All matters listed under Item 9, Consent Agenda, are considered to be routine business by the Council and will be enacted with a single motion and a single vote by roll call. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately.

PASSED, APPROVED AND ADOPTED this 18th day of November, 2008, the vote upon roll call being as follows: Ayes: Mayor Darnell; Councilmembers Deal, McAlister, Powers, Schafer and Simmons. Nays: none. Absent: Councilmember Shaver.

PUBLIC COMMENT / AUDIENCE PARTICIPATION

None.

REPORTS

The following Directors provided written reports to Council:

City Manager Merrill, in addition to reviewing his report, introduced David Callahan, the new Community Development Director who began work this week. He also informed Council that he would begin the process to condemn property at 110 Maple. He also stated that he has received several qualified applications for the engineer position currently open for the City.

Police Chief Kuretich

Utility Director Dreessen, in addition to his written report, added that he attended a NISP Participants Meeting. He stated that Northern Water had met with the EPA, and the EPA was late providing their comments to the Army Corps of Engineers. The State said their water quality is not an issue. The Army Corp of Engineers should submit a final impact study by mid-January 2009. Northern expects a permit in nine months to a year. He would like Northern to attend a meeting of the Board of Directors of Morgan County Quality Water. Northern requested that each NISP participants select a voting representative. The Mayor would like to know who the State Representatives were. Northern would like direction to form four committees, those being Finance, Public Affairs, Permitting and Mitigation.

Utility Director Weimer

Community Service Director Shedd

Human Resources and Risk Management Director Prentice, in addition to her written report, stated that open enrollment paperwork is due by November 21; she was negotiating a stop loss insurance renewal. Sun Life is coming in with a high renewal quote and she is attempting to get different quotes.

Treasurer Jones

Municipal Court

Fort Morgan Volunteer Fire Department

BIDS, MEETINGS AND ANNOUNCEMENTS

Clerk Strand announced the two bids that were currently posted and other upcoming meetings. February 7, 2009, was selected as the date for a Council Retreat.

Mayor Darnell adjourned the November 18, 2008, regular meeting at 8:25 p.m.

Mayor

City Clerk