

**TOWN OF TIMNATH
RESOLUTION NO. 1, SERIES 2013**

**A RESOLUTION REGARDING
ANNUAL ADMINISTRATIVE MATTERS
FOR THE TOWN OF TIMNATH**

WHEREAS, the Town Council has a duty to perform certain obligations on a recurring basis in order to assure the efficient operation of the Town; and

WHEREAS, the Town Council has directed the administrative work of the Town to be accomplished by its Town Manager, Town Clerk, Administrative Services Director, Town Planner and consultants who act as the Town Attorney, Town Engineer, Director of Public Works, and Building Inspector, (collectively the "Staff"); and

WHEREAS, the Town Council desires to confirm certain general procedures for the conduct of its business and to authorize its elected officials and Staff to perform certain administrative activities; and

WHEREAS, the matters set forth in this Resolution are statements of intention, and may be modified by action of the Town Council, from time to time, without prior notice except where required by law and without waiving on a continuing basis these or other policies established by the Town and its Charter (the "Charter");

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO:

1. Pursuant to Article III, Section 3.11 of the Charter, the Town Council determines to hold regular meetings on the 2nd and 4th Tuesday of every month at 6:00 p.m., at 4800 Goodman Street, 80547 in Timnath, Colorado. Work Sessions, when required, shall commence at 6:00 p.m. on each such date.
2. Should an individual City Council member or the Mayor choose to abstain from any particular matter on the agenda for reasons of potential conflict of interest, he or she shall be considered in attendance at the meeting for purposes of meeting quorum requirements.
3. The Town Council shall attempt to follow, as nearly as is reasonably practical, the rules of order set forth in "Robert's Rules of Order" which rules are intended to be advisory only and not mandatory.
4. Pursuant to Article III, Section 11.4 of the Charter, and in addition to Paragraph 1 of this Resolution, the Town Council may hold a work session as the Mayor or any Council member may request the work session and the council approves the request. At least twenty-four hours written notice will be given to each Council member and by public notice through posting procedures established by this Resolution. No quorum shall be required at any such study session and no legally binding or formal action shall be taken at any such session.

5. Pursuant to Article III, Section 3.5.6 of the Charter, Town Council designates 4800 Main Street and 4128 Main Street, Timnath, Colorado, and the Town's website as the posting places for notices of meetings, in accordance with Section 24-6-402(2)(c), C.R.S., which were not otherwise posted under Title 31, C.R.S. The Town Council directs the Town Clerk to prepare notices for posting at the specified location.

6. The Town Council designates the Coloradoan as the newspaper of general circulation within the boundaries of the City, and wherein all legal notices and publications for the Town shall be published, unless otherwise required by state law.

7. The Town Manager shall be designated as the contact person with the Colorado Division of Local Government.

8. The Town Council acknowledges that in accordance with section 24-6-203, C.R.S., each Town Council member who receives from another person any item described in subsection (3) of that section in connection with his or her public service is required to file with the Town Clerk on or before January 15, April 15, July 15, and October 15 of each year, on a form prescribed by the Secretary of State, a report covering the period since the last report. No report needs to be filed if a Town Council member does not receive any of the described items. The Secretary of State form is attached hereto as Exhibit A and is available to Town Council members from the Town Clerk.

9. Minutes of all Town Council regular and special meetings shall be taken by the Town Clerk stating only the subject matter and final action taken by Town Council, together with such supplemental notes as are requested by the Town Council members and which are approved by the Mayor or by majority vote of the Town Council including the Mayor. Public meetings may be tape recorded for purposes of assisting the Town Clerk to prepare accurately the official written Minutes. Tape recordings shall not constitute the official record of the Town Council nor shall they constitute public records within the meaning of Colorado law. Each executive session discussion shall be electronically recorded as required by subsection 24-6-402(d.5)(I)(A), C.R.S., and each recording shall be retained for ninety (90) days after the date of the recording pursuant to subsection 24-6-402(d.5)(I)(E), C.R.S.

10. The Town Council hereby appoints Gary R. White, Esq. of White, Bear and Ankele, P.C., as the Town Attorney, to act as the Town Attorney in all legal matters, with authority to engage or use associates as Mr. White deems appropriate after advising the Town Council.

11. The Town Council hereby appoints Trey Rogers, Esq. of Rothergerber, Johnson and Lyons, LLP, as the Town Attorney, to act as the special counsel.

12. The Town Council hereby appoints Stewart Olive as the Timnath Municipal Judge with compensation to be fixed at \$150 per hour for court sessions and administrative paperwork.

13. The Town Clerk is hereby appointed as the "Designated Election Official" of the Town for any elections to be held by the Town. In accordance with Section 1-1-111(2), C.R.S., the Town Council hereby grants all powers and authority for the proper conduct of the election to the

Designated Election Official, including but not limited to appointing election judges, appointing a canvass board and cancellation, if applicable, of the election. The Town Attorney is appointed as the Assistant Designated Election Official.

14. The Finance Director shall be responsible for preparation of the budget for the Town, shall manage the accounting and auditing services for the Town to be performed by such persons as are authorized by the Town Council, shall manage the public funds in accordance with all applicable Colorado laws and only by direction of the Town Council, and shall report to the Town Council on a monthly basis in written form the status of the Town's financial accounts and records.

15. The Town Council directs the Town Manager to work with the Finance Director to submit a proposed budget for the Town and Timnath Development Authority to the Town Council by October 15, 2013 and to schedule a public hearing on the proposed budget; to prepare a final budget and budget resolution, to prepare amendments to the budget if necessary, and to file the approved budget and any amendments thereto with the proper governmental entities in accordance with the Local Government Budget Law of Colorado, sections 29-1-101 to 29-1-115, C.R.S.

16. The Town Council directs the Finance Director to prepare and file with the Department of Local Affairs on or before March 1, 2013 in accordance with Article 58, C.R.S., if required, the annual public securities report for non-rated public securities issued by the Town.

17. The Town Council directs the Town Attorney to coordinate with the Town Manger on the preparation and filing of any continuing annual disclosure report required to be filed in accordance with the Securities Exchange Commission Rule 15c2-12, if required.

18. The Town Council directs the Town Attorney to prepare and file an informational listing of all contracts in effect with other political subdivisions with the Division of Local Government on or before February 1, 2013, as required by section 29-1-205, C.R.S.

19. The Town Council directs the Town Attorney to prepare the Unclaimed Property Act report and forward to the State Treasurer by November 1, 2013, if there is property presumed abandoned and subject to custody as unclaimed property, in accordance with section 38-13-110, C.R.S., if required.

20. The Town Council directs the Town Manager or his designee to prepare an accurate official Town map for filing with the County Assessor and Clerk and Recorder as changes are made to the official Town map. A copy of the official Town map, showing the Town's boundaries, shall be kept on file at 4800 Goodman Street, Timnath, Colorado, and shall be available for examination by all interested persons.

21. As of this date, the Town Council hereby reaffirms all existing contractual relationships subject to annual appropriation.

22. The Town Council directs that an audit of the financial statements be prepared and submitted to the Town Council within six (6) months after fiscal year end. The Town Council further directs that the audit be filed with the State Auditor no later than thirty (30) days after the fiscal year audit is received by the Town, as required by section 29-1-603, C.R.S.

23. The Town Council directs the Town Manager to obtain proposals for insurance and to insure the Town against all or any part of the Town's liability for injury, to insure the Mayor, Town Council members, and Town employees acting within the scope of employment by the Town Council against all or any part of such liability for any injury, and to insure against the expense of defending a claim for injury against the Town or its Town Council. The Town Council will annually review all insurance policies in effect.

24. The fee schedules contained in past resolutions or ordinances for services which might be provided by the Town Manager, Town Clerk, the Town Engineer/Public Works Director, or the Director of Community Development to members of the public, including certification of documents, notarization of signatures, and other activities shall be extended indefinitely. Any resolution or ordinance concerning fee schedules that is passed subsequent to this Resolution shall supersede the provisions of this section.


25. These procedures, rules, and duties may be supplemented from time to time in written format either by adoption of additional resolutions or by action reflected in the minutes for the Town Council.

ADOPTED AND APPROVED THIS 8th DAY OF JANUARY, 2013.

TOWN OF TIMNATH

By: 
Jill Grossman-Belisle, Mayor

ATTEST:


Milissa Peters, Town Clerk

