

**Questions and Answers about the Town Administrator/Clerk Position
Town of Bow Mar
January 4, 2016
Prepared by Rick Pilgrim, Mayor**

Why do we need a new Town Clerk?

1. Karen Reutzel has served as our Town Clerk for five years. She submitted her resignation this past August. She provided 60 days notice; the time now is 140 days past the resignation. Karen has agreed to stay in the current Clerk position but with reduced availability because of other commitments she has made for her business. She will work with the Town until a replacement can be confirmed. Karen will also stay to work through a transition with the new Clerk.

Why has it taken so long to replace the Town Clerk?

1. The Board of Trustees and the Mayor determined that the support received from our professional staff needs to be expanded. The reasons for this expansion include:
 - a. Laws and regulations have increased the complexity of running a municipality over the years. Additional support is needed to run the Town in several areas (see next section).
 - b. Recommendations by the Comprehensive Plan consultant to provide greater separation of Trustee duties were made this past summer. In summary, elected positions need to set policy and direct the Town activities. Staff and appointed positions must then execute business functions. Bow Mar Trustees and Mayor are too involved with the actual conduct of the business functions of our Town.
 - c. Separation of responsibilities will reinforce the limitation of individual and Town liability.
 - d. Better separation will also help to preserve governmental immunity.

What are the typical and the expanded functions that are needed to run the Town?

The Board determined that five general functions should be handled by the professional staff:

- a. Official Clerk responsibilities.
- b. Administration of Town activities and services.
- c. Coordination of financial transactions.
- d. Administration of building and code enforcement activities.
- e. Administration of public works and parks and recreation programs and projects.

What options for the Administrator/Clerk position has the Board considered?

1. Town employee – The Board rejected this option during initial discussions. The requirements and costs for actual employees include benefits, retirement, health insurance and other items that require a number of functions the Town cannot provide currently. The last employees the Town had were the police officers that were combined with the Columbine Valley force 10 years ago, and the previous Clerk that retired five years ago.
2. Independent Contractor – This position would be similar to the current situation with Karen Reutzel.
 - a. The Independent Contractor (IC) would provide the service for a monthly fee.
 - b. The IC would take on more duties than the Clerk currently in order to meet the objectives of the Board in expanding the services.
 - c. The IC may need to add additional Independent Contractors, consultants and/or employees of the IC to meet the expanded requirements of the position. These additional people would be identified during the initial 30 days of the IC starting with the Town.
 - d. Two candidates who live in Town were interviewed.
3. Contract the Functions – Research was conducted to identify private companies that might offer Administrator/Clerk services or adjacent communities that might be willing to take on those services.
 - a. Contacts were made with legal firms that work with municipalities and with companies that provide services to Homeowner’s Associations. No companies were found that might provide those services.
 - b. The Town of Columbine Valley agreed to discuss the possibility of jointly serving Bow Mar by expanding the current relationship that provides public safety (police) services.

What does the Town Clerk currently do and what does the Town pay for those services?

Bow Mar is currently paying for the following functions:

Town Clerk function (\$60,000 paid for contract labor):

1. Administration
 - Support Trustees – prepare agenda packet, follow-up and completion of documentation.
 - Publish notices of meetings, hearings and adopted ordinances.
 - Attend meetings and provide minutes from such meetings.
 - Filing and record keeping of Town business per Colorado record retention schedule.
 - Assist with materials to be updated to Town website.

- Coordinate and direct contractors, vendors and suppliers providing services to the Town.
- Issue permits to contractors, vendors and suppliers doing work within Town for residents and other development.
- Manage Town election process and coordinate with Arapahoe and Jefferson Counties. Serve as Designated election official, responsible for candidate nomination process, public notices, understanding and enforcing Election Laws of the State of Colorado ensuring election deadlines are met and required filings are made, certify ballot content, jurisdictional boundaries and registered voter lists, maintain official election records, etc.
- File required reports with state and federal agencies (such as Conservation Trust Fund, reporting certification of mill levies to the Counties, filing annual budgets and audits with the State etc.) Respond to surveys and request for information from local, state and federal agencies.
- Respond to Colorado Open Records Act requests.

2. Financial

- Serve as Clerk/Treasurer to conduct Town business including revenue collection and payment of invoices and preparing monthly reports of financial transactions using QuickBooks software for Town accountant and Finance Commissioner.
- Conduct coordination with outside consultants to assist with preparation of financial reports and documents.
- Prepare materials for annual audit of Town finances with assistance of Town accountant.
- Act as primary contact person for auditor.

3. Regulation

- Organize Town ordinances, resolutions and actions to present consolidated history of changes and updates.
- Update Town Municipal Code as new ordinances are adopted: coordinate with outside vendor to supplement Code as needed.
- Review and summarize new and/or revised laws and regulations pertaining to municipal activities.
- Coordination with the Mayor and Trustees to ensure compliance with the laws and regulations.

4. Bow Mar Foundation

- Serve as Secretary/Treasurer of the Foundation – notice meetings and keep minutes, file annual reports with the Colorado Secretary of State for entity.
- Pay expenses and receive donations to Foundation, provide financial records to Town accountant for preparation of financial statements.
- Write thank you and tax donation letters to donors.

- Coordinate application process for King Scholarship program.

Storage of Town records, permanent and past records according to state and federal laws, \$6,000 rent is paid to the clerk for this purpose.

Town telephone line that goes to the Clerk office is \$600 a year, included in the rent.

Building Commissioner telephone is \$600 a year.

Town website is updated by an individual that works contract labor from another state. Budget for 2016 is \$3,000.

The 2016 Budget was established assuming no change from the current Independent Contractor. The total budget for the services is \$69,600. If additional services are chosen and approved, action by the Board to increase the budget to \$100,000 under either option would be needed.

How would the Town of Bow Mar work with the Town of Columbine Valley to obtain the Administrator/Clerk services?

A formal Intergovernmental Agreement (IGA) document would be negotiated and signed between Bow Mar and Columbine Valley. An existing IGA is used for the Public Safety services. The IGA with Columbine Valley would include the full range of services described above plus the following:

Additional responsibilities that Columbine Valley would assume:

- Joint staff would provide services to both Towns while retaining the identity of each. For example, a separate phone line would be answered by staff as the Town of Bow Mar. Separate files, documents and transactions would be conducted for each Town by the joint staff.
- Coordination of Bow Mar appointed contractors including road engineering, road repairs and maintenance, snow removal which would be performed by an individual already familiar with road requirements. This would help with the transition to a new Public Works Commissioner and any future turnover in this area.
- Construction and maintenance history of road, drainage, signs and lights would be maintained digitally. Replacements would be handled by the joint staff.
- Coordination of public land maintenance. This would help the Parks and Recreation Commissioner with areas such as noxious weed control, vegetation maintenance and operations and maintenance of the common areas including the entryways..

- Building permits would be issued during normal business hours at the Town of Columbine Valley facility. This means that all financial transactions would be done at a recognized place of business during common business hours.
- Depending upon Board action, contractors in Bow Mar could be registered or licensed.

Benefits to Residents, Other Local and State Agencies, Vendors and Suppliers:

- The ability to conduct business during normal business hours, irrespective of the commissioner or clerks other job or personal responsibility.
- The place of business at Columbine Valley Town Hall would meet the Americans with Disabilities Act requirements for accessibility for events such as municipal elections.
- A place of business separate from a home of a Trustee would provide a further shield from any personal liability for personal injury during the conduct of Town business.
- Digitize future records for retention purposes.
- There is a joint staff/team of people to respond to the Town needs. No need for one person to be able to perform all functions and responsibilities.
- Shorter transition period from current Town Clerk to trained and available joint staff.
- Public works staff already in place could help Bow Mar to upgrade standards and criteria to more current regulations as desired.
- Equipment and software are already in place.
- Past Town records are kept at a place of business instead of an individual commissioner or the Clerk's home.
- Having non-resident handling issues of code enforcement instead of neighbor policing neighbor.
- Ensure governmental immunity is not jeopardized due to governing body also performing task.
- Long-term continuity of records and functions.

Items to be noted:

- The Administrator/Clerk would report to the Bow Mar Mayor and Board.
- Separate books would be kept for Bow Mar and Columbine Valley. Bow Mar would retain our separate CPA.
- Bow Mar would retain our separate Building Inspector.
- Separate checking accounts are maintained. There would be no co-mingling of funds.
- Bow Mar Mayor and Trustees would retain check-signing authority.
- Separate telephone line would be maintained so Columbine would be answered as "Town of Bow Mar", so Bow Mar keeps its own identity.
- One-year opt-out clause so either side could withdraw from the IGA.