

TITLE 3  
ADMINISTRATION AND PERSONNEL

Chapters:

- 3.01 Town Officers - General
- 3.02 Town Employees - General

CHAPTER 3.01  
TOWN OFFICERS - GENERAL  
(Ord. 03, Series 2009)

Sections:

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3.01.010. Appointed officers.

- (a) The following Town officers shall be appointed by a majority of all the members of Board of Trustees and shall also serve as department heads as applicable:
  - (1) Town Attorney.
  - (2) Municipal Judge.
  - (3) Town Clerk.
  - (4) Town Treasurer.

- (b) A Town Administrator may be appointed at the discretion of the Board of Trustees.
- (c) Appointed officers or employees of the Town need not reside within the limits of the Town.
- (d) All appointed officers shall serve for one (1) year terms with the exception of the Municipal Judge, who shall serve for two (2) year terms pursuant to Section 13-10-105(1)(a), C.R.S.
- (e) Notwithstanding any other provision within this Section, the Municipal Judge shall only be removed during his or her term of office for cause as set forth in Section 13-10-105(2), C.R.S.

3.01.020. Powers and duties of officers. Appointed officers of the Town shall have such power and perform such duties as are now or hereafter may be prescribed by state law and the ordinances of the Town, shall further perform any additional duties required by the Board of Trustees, and shall be subject to the control and orders of the Board of Trustees.

3.01.030. Oath of office. Each of the officers appointed under Section 3.01.010 of this Chapter, before entering upon the duties of such office, shall take an oath or affirmation, administered by the Municipal Judge, Clerk, or other person who is designated by the Board of Trustees, or who is authorized by law to administer such oaths, to support the Constitution and laws of the Town of Collbran, and faithfully perform the duties of his office.

3.01.040. Bond. In all cases where, by law, ordinance or resolution of the Board of Trustees, a bond is required of any such officer, he or she shall make and execute to the Town a bond in such sum as is required, to be approved by the Board of Trustees, conditioned upon the faithful performance of all duties pertaining to such office, the proper care of all money or property of the Town coming into his or her hands and the proper accounting for or delivery of the same.

3.01.050. Removal. By majority vote of all members of the Board of Trustees, the Town Clerk, Town Treasurer, any member of the Board, or any other appointed officer of the Town may be removed from office for cause. No such removal shall be made without a charge in writing and an opportunity of a hearing being given.

3.01.060. Town Clerk. The Town Clerk shall perform the functions as set forth at Section 31-4-305, C.R.S., as may be amended, and such other duties as prescribed by Town ordinance. The offices of Town Clerk and Town Treasurer may be held by the same person. In

the absence of a Town Administrator, the Town Clerk shall serve as the chief administrative officer for the Town with the duties of Town Administrator.

3.01.070.      Town Treasurer. The Town Treasurer shall perform those functions as set forth in Section 31-20-301, C.R.S., as may be amended, and such other duties as prescribed by Town ordinance.

3.01.080.      Town Attorney.

(a)      It shall be the duty of the Town Attorney:

- (1)      When so requested, to advise the Mayor or any department head upon all questions or law pertaining to the official duties of any such department head;
- (2)      To draft all ordinances, contracts, leases, conveyances and all instruments of writing which may be required of him or her by the Board of Trustees; and
- (3)      When requested by the Board of Trustees, to appear on behalf of the Town in suits or proceedings involving the Town in any court where the same may be pending, or about to be instituted by the Town, and defend or prosecute the same as the case may be.

(b)      In lieu of appointing a Town Attorney who is a department head and an appointed officer as defined by this Code, the Board of Trustees may, at its discretion, contract with an attorney or law firm to provide legal services for the Town on such terms or for such compensation as the Board of Trustees deems advisable. Such attorney or law firm shall fulfill the function of the Town Attorney as defined by state statute, but shall be deemed an independent contractor, not an employee of the Town.

3.01.090.      Town Administrator.

(a)      The Board of Trustees may appoint a Town Administrator who shall serve at the pleasure of the Board and who may be suspended or removed from office upon a majority vote of all the members of the Board of Trustees. The Town Administrator shall have such authority and perform such duties as provided by statute, the Town Employee Handbook, and as otherwise delegated or assigned to the Town Administrator by the Board of Trustees.

(b) The Town Administrator is the personnel director of the Town and is charged with establishing appropriate personnel rules and regulations in compliance with state and federal laws, subject to the approval of the Board of Trustees. As the chief administrative officer, the Town Administrator shall have the responsibility and authority to appoint, supervise, and discharge all department heads and employees, excepting appointed officers of the Town, who shall be appointed and removed from office by a majority vote of all of the members of the Board of Trustees.

(c) The Board of Trustees shall appoint department heads, members of the Board, or the Mayor, as appropriate, to fulfill administrative responsibilities during the temporary disability or absence from the Town of the Town Administrator. Such nominees shall perform the duties and exercise the powers of the Town Administrator necessary to complete the appointed responsibility. In the event of a vacancy in the office of Town Administrator, interim responsibilities shall be apportioned by the Board of Trustees as necessary, and a new administrator shall be appointed as soon thereafter as reasonably possible.

3.01.100.     Vacancies. Any vacancy of an appointed officer of the Town caused by other than the regular expiration of a term shall be filled by appointment upon a majority vote of the members of the Board of Trustees within sixty (60) days after the vacation occurs. A person appointed to fill a vacancy shall serve until the next regular municipal election, at which time a successor shall be appointed to serve out the remainder of any uncompleted term.

CHAPTER 3.02  
TOWN EMPLOYEES  
(Ord. 03, Series 2009)

3.02.010.     Employee Handbook. All employees of the Town shall be subject to the provisions of this Title and to the Town of Collbran Employee Handbook adopted by Resolution No. 03, Series of 2009, as may be amended. A copy of the Employee Handbook shall be provided to each Town employee. At least one complete copy of the Employee Handbook shall be kept by the Town Administrator and made available for inspection by any Town employee during normal working hours. The Employee Handbook supplements the Code and addresses employee general information policies, wage and hour policies, leaves of absence, benefits, work rules, and safety policies. In the event that there is a conflict between the Code and the Employee Handbook, the more specific of the two shall prevail.

**CHAPTER 3.03**  
**BOARD OF TRUSTEES**

3.03.010.     Compensation. Each member of the Board of Trustees and the Mayor shall be entitled to monthly compensation of \$100.00 for the Mayor, and \$75.00 for each Trustee. Any Trustee or the Mayor who does not attend the regular meeting of the Board of Trustees that is not excused by the majority of the Board at such meeting shall not be entitled to compensation for that month. (*Ord. 09, Series 2010*)