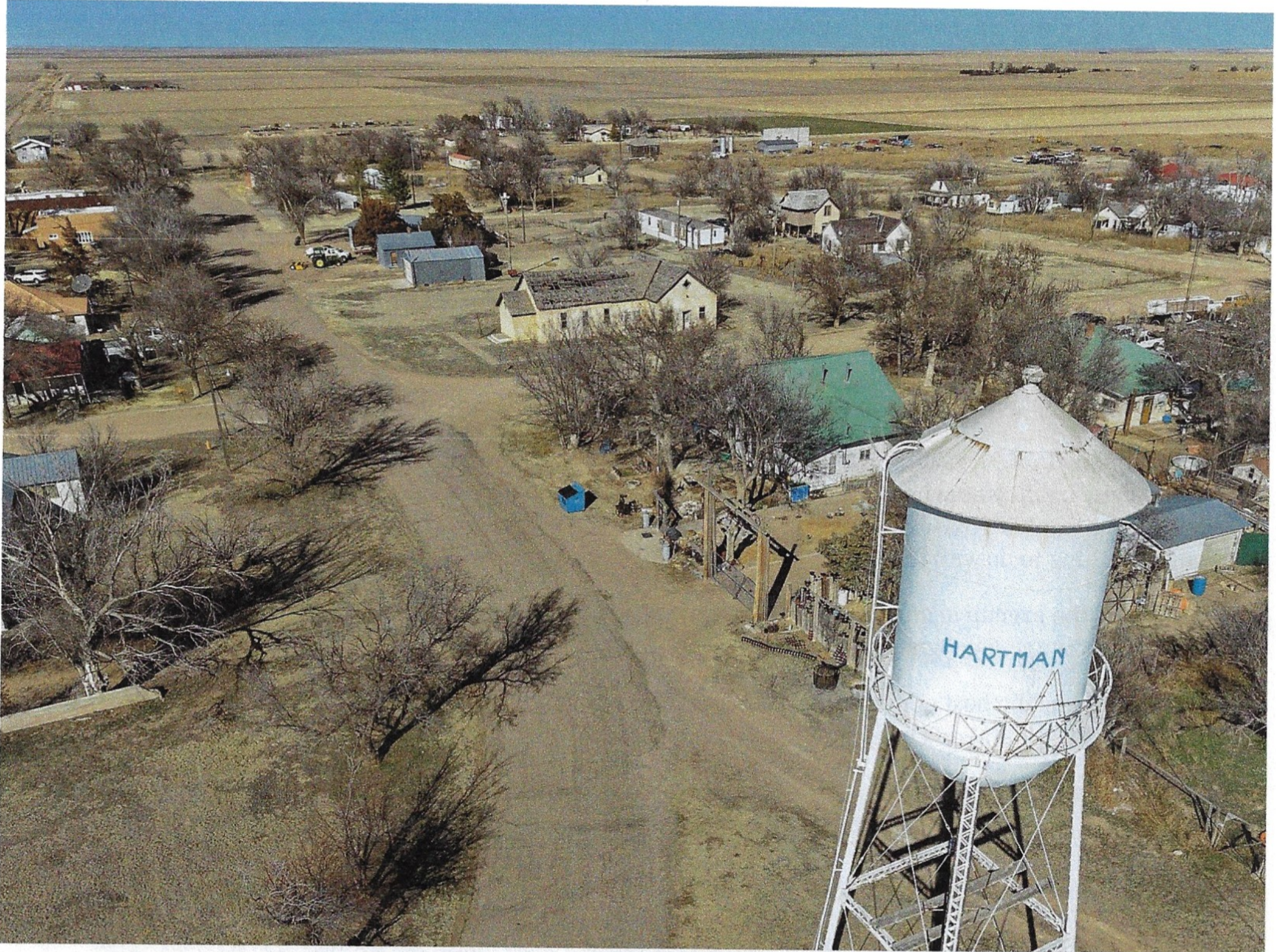


# Measure would make it easier to declare towns abandoned

Bill responds to collapse of Hartman's town government, fragile water supply



Hartman has been operating without a local government since January, when its entire Board of Trustees quit after years of infighting. HYOUNG CHANG — THE DENVER POST

BY SAM TABACHNIK AND SETH KLAMANN

THE DENVER POST

A bipartisan pair of Colorado lawmakers introduced a bill this week that would make it easier for residents and counties to declare a town abandoned, and for the state to assist dissolved municipalities with failing water systems.

Senate Bill 157 — sponsored by state Sens. Rod Pelton, a Cheyenne Wells Republican, and Nick Hinrichsen, a Pueblo Democrat — comes in direct response to a brewing crisis in the tiny town of Hartman, a community of 30 people in Prowers County near the Kansas line.

The town has been operating without a local government since January, when its entire Board of Trustees quit after years of bitter infighting and a violent scuffle that sent one of the trustees to the hospital, The Denver Post reported last month. There is no clerk in Hartman to hold an election to replace the trustees, and there are no trustees to hire a clerk.

But Hartman has its own water supply — and that system is on the brink of failure, with no elected officials to maintain it or hire an operator to oversee it.

Under current law, a town must wait five years before the secretary of state can deem it abandoned. The new bill, introduced Wednesday, allows a county, landowner or registered elector in the town to apply to the state for abandonment when a town has no board of trustees or clerk, is unable to hold an election, and operates critical infrastructure for delivering water to its residents.

The legislation also would open up \$100,000 in grant funding to cover the cost of operation and maintenance of a water system if that town is in the midst of applying for abandonment.

Pelton said the governor's office, attorney general's office and Prowers County officials were involved in the bill's drafting.

He said the chlorine that keeps the town's water supply usable is set to run out, and soon. When that happens, he said, the state is prepared to bring in water tanks for residents.

"It hasn't happened yet," he said, "but it can be activated when it's needed." The bill would insulate Prowers County from any liability attached to Hartman's flagging water supply, which still faces a six-figure fine from the Colorado Department of Public Health and Environment. Once the town is abandoned, the county — which Pelton said wants "nothing to do with" Hartman's water — could then transfer the system to another entity.

Kevin Bommer, the executive director of the Colorado Municipal League, said the bill was a significant step in fixing Hartman's immediate needs.

"This bill represents the best opportunity for the very serious drinking-water-system issues in Hartman to be resolved," he said. "But there's no guarantee that will happen."

Pelton said the nearby Granada Rural Water Authority has declined to step in and take over Hartman's system — the water authority has "been burnt by them in the past," he said.

He said the bill's drafters wanted to ensure the measure could be used by other towns whose leaders find themselves in similar situations in the future. He said some other local officials are facing the same "social media" pressure that helped drive Hartman officials to quit.

"These keyboard warriors are dangerous people," Pelton said.

State officials are planning a second meeting with residents in mid-April, and Pelton said he hoped some residents would testify during committee hearings. The bill is set for its first hearing April 22, meaning it's unlikely to pass the legislature until the final two weeks of session in May.

Hartman residents, in previous interviews, remained split on whether the town should dissolve or whether there was any way to salvage it. All agreed that the water situation needs to be fixed immediately.

One local filed a petition in district court last month, asking a judge to order a special election and appoint temporary officers so the town can conduct its business. That case remains open.

