

**REGULAR MEETING
OF THE
PONCHA SPRINGS BOARD OF TRUSTEES**

330 BURNETT AVE., PONCHA SPRINGS, COLORADO

MONDAY, MARCH 22, 2010 - 6:30 p.m.

The meeting was called to order at 6:30 p.m. by Mayor Thonhoff, who asked for a roll call.
Those present:

Mayor:	Mark Thonhoff
Mayor Pro-tem:	Aaron Kroschel
Trustees:	Rick Roberts, Galen Angelo, Ruby Taylor, Ron Slaughter, Darrell Donahoo
Town Attorney:	Brad Redmiles
Town Administrator:	Jerry L'Estrange
Public Works Director:	Greg Smith
Clerk/Treasurer:	Diana Heeney
Town Planner:	Dee Miller
Visitors:	Angie Drumm, Dale Martinez, Karrie Neet, Mike McVaugh, David Ward, Dennis Daley, Ken MacNicol, Gene Ritter, Cinda Riley, Audrey Gilpin (Mtn. Mail)

ADDITIONS, DELETIONS, OR CORRECTION TO AGENDA:

Mayor Thonhoff stated Planning & Zoning items would be moved up on the agenda.

APPROVAL OF MINUTES:

Motion: Trustee Taylor made a motion to approve March 8, 2010 Board minutes and March 15, 2010 Special Board meeting minutes; seconded by Trustee Slaughter. Motion carried unanimously.

OLD BUSINESS:

CDOT Access Control Plan Presentation – Mike McVaugh

Mr. Mike McVaugh gave a power point presentation on the proposed Scope of Work/Access Control Plan, noting the town limits need to be identified, proposing a “highway diet”, for Hwy. 50 through Poncha Springs, that would change the existing five lanes to three, with right hand turn lanes replacing the east/west outside lanes, proposing a feasibility study on a roundabout versus signalized intersection at Highways 50/285. He stated the Access Control Plan (ACP) will help define what the town, public and CDOT want the highways through town limits to look like. He stated public input will be needed to develop the ACP to develop the overall character of the highways within town limits. Mr. McVaugh stated the proposed ACP will be a living document

that can be changed/updated over time to meet current needs, and an IGA between the town and CDOT will be needed. He went on to say the proposed “highway diet”, five lanes to three, will be the first proposed in the state, noting the process needs to be done right to assure the highest level of success possible. Mr. McVaugh stated the ACP will need to project to 2030 to meet long term plan goals for CDOT and the town. He noted the town had expressed interest in a roundabout versus a signal at Hwy 50/285, stating the roundabout projected costs are significantly higher than a traffic signal, noting a traffic signal is more pedestrian friendly as it allows a safer crossing. The Board decided not to pursue the roundabout concept any further. The Board and CDOT staff discussed pros and cons of the proposed changes to the Hwy 50/285 intersection, agreeing to develop what the scope of work will be, to include cost estimates for tasks within the ACP. Ms. Cinda Reilly ask what the timeline for the proposed changes to the Hwy 50/285 intersection looks like. McVaugh stated this is unknown, noting it is estimated within five to six years depending on funding and CDOT priorities. PW Director Smith ask if a fourth leg is possible at the Hwy 50/285 intersection, noting the access is needed for development on the west side of the highway. Mr. McVaugh stated this would depend on development, noting it would not be beneficial to create a dangerous intersection. Ms. Dee Miller ask if a crosswalk with cones could be put in place to aid in a safe crossing area for pedestrians. Mr. McVaugh stated he was not sure this would be the safest way to address a pedestrian crossing. The Board requested CDOT follow-up with staff on the proposed Scope of Work/ACP.

Dialogue Regarding Fairground’s Lease

Commissioner Holman informed the Board that a study to develop a master plan at the fairgrounds is underway, noting the proposed lease is needed to apply for grant funding for further development at the fairgrounds. Mayor Thonhoff stated the town has some interest in an escape clause in the proposed twenty five year lease, with the option to renew for an additional twenty five years. Commissioner Holman ask if the town would consider selling the fairgrounds to the county. Mayor Pro-tem Kroschel spoke in favor of the proposed lease, noting it is in the Town’s best interest to be a partner to the county in the development of the fairgrounds, stating it will benefit the county as a whole. Mayor Thonhoff ask if it is realistic for the county to buy the fairgrounds. Commissioner Holman stated he had not thought of this option until tonight, stating the county’s main concern is having a solid lease in place in regards to applications for grant funding. Trustee Roberts stated the town would like to see all events/vendors collecting Poncha Springs sales tax, noting in the past this has not always been the case. Commissioner Holman ask if the event coordinators sign a lease/agreement with Mr. Mick at the fairgrounds. Administrator L’Estrange stated the event coordinators do sign an agreement, but the town does not always see the sales tax, possibly due to how the state issues the licenses. Commissioner Holman stated he would follow up on this. The Board agreed to move forward with the Fairgrounds Lease/IGA.

PLANNING & ZONING:

Ordinance #2010- , Amend Land Use Code

Ms. Dee Miller outlined the proposed changes in the ordinance, noting the proposed changes are being considered to make agricultural use a good neighbor by providing a plan for cleanliness and maintenance in regards to animal sheltering. Mr. David Ward ask the Board to table the proposed ordinance as it contains a good deal of change. He stated he had bought his property in

Poncha Springs considering the existing land use code, noting the proposed changes would drastically change the allowed uses. Mr. Ward stated he would like to work with Ms. Miller and the Planning Commission on the proposed changes. The Board tabled the item for further discussion at a joint meeting with the Planning Commission. Mr. Ward thanked the Board for their time and consideration.

Ordinance #2010-6, Amend Land Use Code – Development Application Fee Increases/Additions

MOTION: Mayor Pro-tem Kroschel made a motion to adopt Ordinance #2010-6, Amend Land Use Code Development Fee Increases / Additions; seconded by Trustee Taylor. Motion carried unanimously.

Resolution #2010-4, Rodeo Park Final Acceptance

MOTION: Mayor Pro-tem Kroschel made a motion to approve Resolution #2010-4, Rodeo Park Final Acceptance; seconded by Trustee Taylor. Motion carried unanimously.

OTHER BUSINESS

Development on West Side of Town

Ms. Cinda Reilly ask for Board direction in regards to developing the land she owns on the west side of town. The Board agreed development would trigger future access, noting it is unknown at this time what will develop in regards to the Hwy 50/285 intersection.

OLD BUSINESS:

Impact Fee Study Update

Ms. Dee Miller, Town Planner, informed the Board that DOLA granted an extension, September 30, 2010, on the Impact Fee Study Grant. She went on to say this will allow time for EPS to complete the study and provide the Ordinances.

Building Permit Expiration Extensions

The Board tabled the item.

Geothermal Development In and Around Poncha Springs

PW Director Smith ask if the Board has interest in pursuing geothermal development. The Board agreed there is interest but funding is a concern at this time.

NEW BUSINESS:

Appoint Election Judges

MOTION: Trustee Roberts made a motion to appoint Patricia Chambers, Ann Thomas and Marlin Minor as election judges, appointing Ray Perkins and Verne Hayward as alternate judges; seconded by Trustee Slaughter. Motion carried unanimously.

Clean-up Day, Yard Sale, and Arbor Day – May 22, 2010

The Board agreed on May 22, 2010 for the annual clean-up day/yard sale and Arbor Day. Staff will follow up with planning.

Annual Easter Egg Hunt

Administrator L'Estrange stated Ms. Aubrey Best has organized the 2010 annual Easter Egg Hunt in Chipeta Park for April 3rd at 10 a.m.

Prohibition of Fire Arms in Town Hall

After discussion the Board took no action on this item.

ADMINISTRATOR' S REPORT:

Town Hall Style Special Meeting Re: Sewer Agreement with Salida.

Administrator L'Estrange suggested having a town hall style meeting regarding the Salida sewer agreement. The Board agreed not to hold a town hall meeting due to the continued negotiations on the agreement.

Friend Ranch Request Regarding Overpayment

Administrator L'Estrange stated he had received a letter from Friend Ranch Manager, Richard Chick, regarding what he perceives was overpayment by Friend Ranch with issues regarding the reservoir enlargement, asking for Board direction on the matter. The Board agreed Friend Ranch needs to provide an itemized accounting of what they perceive to be overpayment.

County Wide Sales Tax Update

Administrator L'Estrange stated the proposed county wide sales tax will be on the joint meeting agenda for March 30, 2010 at the SteamPlant.

GARNA/Chaffee County Heritage Area – Request for Letter of Support

Administrator L'Estrange informed the Board GARNA/Chaffee County Heritage Area sent a request for a letter of support for an interpretive sign/byway grant. The Board agreed to send a letter of support.

ATTORNEY'S REPORT:

Attorney Redmiles stated he would report in executive session.

FINANCE:

March 15, 2010 Meeting

A Finance Committee meeting was held March 15, 2010, the finance committee recommends paying February bills.

MOTION: Trustee Taylor made a motion to pay February bills; seconded by Trustee Slaughter. Motion carried unanimously.

EXECUTIVE SESSION:

Mayor Thonhoff made a motion to adjourn to executive session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. §24-6-402 (4) (b); and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. §24-6-402(4)(e) regarding:

1. Friend Ranch

2. Salida Sewer Agreement

to include Mayor, Mayor Pro-tem and Trustees, Town Attorney, Town Administrator, and PW Director; and for discussion of a personnel matter under C.R.S. §24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; to include Mayor, Mayor Pro-tem and Trustees, Town Attorney, and Town Administrator; seconded by Mayor Pro-tem Kroschel.

Motion carried unanimously.

The regular Board meeting was adjourned at 9:45 p.m.

The Executive Session convened at 9:52 p.m.

The Executive Session adjourned at 10:40 p.m.

The Regular Board meeting reconvened at 10:40 p.m.

With no further business the regular board meeting was adjourned at 10:41 p.m.

Respectfully Submitted:

/s/ _____
Diana K. Heeney, CMC
Clerk/Treasurer

Approved As To Form and Content:

/s/ _____
Mark F. Thonhoff, Mayor

Attest:

/s/ _____
Jerry L'Estrange
Town Administrator