

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

**330 BURNETT AVE., PONCHA SPRINGS, COLORADO**

**MONDAY, APRIL 26, 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, Ron Slaughter, Darrell Donahoo
Town Attorney:	Brad Redmiles
Town Administrator:	Jerry L'Estrange
Public Works Director:	Greg Smith
Clerk/Treasurer:	Diana Heeney
Town Planner:	Absent
Visitors:	Colleen Perschbacher, Audrey Gilpin (Mtn. Mail)

**ADDITIONS, DELETIONS, OR CORRECTION TO AGENDA:**

**APPROVAL OF MINUTES:**

**Motion: Trustee Slaughter made a motion to approve April 12, 2010 Board minutes; seconded by Trustee Roberts. Motion carried unanimously.**

**OLD BUSINESS:**

**Fairgrounds Lease/IGA**

**MOTION: Mayor Pro-tem Kroschel made a motion to approve the Chaffee County Fairgrounds Lease and IGA, removing "sewer" from #5 Utilities; removing "time to time" from #8 Sales Tax; seconded by Trustee Slaughter. Motion carried unanimously.**

**Hutchinson Homestead Contract**

Attorney Redmiles noted he had just received the proposed changes to the contract, noting he needs time to review them. Administrator L'Estrange stated the town's proposed changes were not available on Friday for the Board packets. Attorney Redmiles stated he could review the changes and add the town's changes and e-mail the document to Ms. Perschbacher. The Board agreed to table the item until the next Board meeting.

### **Hutchinson Homestead Ditch Update**

Ms. Persbacher informed the Board that the feeder ditch would not have to be relocated as planned at the last Board meeting, noting another plan was implemented.

### **Standardized Trail Easement, Amend Land Use Code**

Attorney Redmiles stated he has contact Attorney Cordova for some clarification on the Thai Mini Café trail easement, noting when he receives a response he will provide a draft of a standardized trail easement for Board review. He went on to say it would be beneficial to have a standard trail easement for land use applications.

### **Finalization of Contract with EPS – Impact Fee Study**

Administrator L'Estrange informed the Board that some confusion has arisen regarding the final payment to EPS for their work on the Impact Fee Study. He went on to say he was under the impression that all outstanding fees had been paid when we finished out the grant, but it appears that other arrangements had been proposed that would increase payment to EPS for drafting ordinances for implementation of the program. He stated this amount is approximately \$5,000 additional dollars, this additional funding although talked about between Staff and the Board did not make it into the 2010 budget. Administrator L'Estrange went on to say that he and Ms. Dee Miller have negotiated a settlement with EPS that they feel will allow the town to finish the project and make it viable for implementation. He stated the proposal is the Town will receive the final documents and legal work, including the Final Report and Draft Ordinances, the town paying EPS \$2,000 as a final settlement. He stated the town will be responsible for review of the draft ordinances and any necessary revisions, noting he feels this can be accomplished with minimal cost and reduce the amount taken from our surplus funds. Administrator L'Estrange stated the proposal is predicated upon the Board's approval.

**MOTION: Mayor Pro-tem Kroschel made a motion to approve Administrator L'Estrange's proposal to make a final payment of \$2, 000 to EPS, with EPS providing the Final Report and Draft Ordinances; seconded by Trustee Roberts. Motion carried unanimously.**

### **NEW BUSINESS:**

#### **Appointment of Town Offices and Commissions**

**MOTION: Mayor Thonhoff made a motion to appoint Diana K. Heeney as Town Clerk/Treasurer, Jerry L'Estrange as Town Administrator, and Brad Redmiles as Town Attorney; seconded by Mayor Pro-tem Kroschel. Motion carried unanimously.**

Mayor Thonhoff appointed Ron Slaughter, Trustee, as ex-officio, and Bret Collyer, Trustee, as alternate ex-officio, to the Planning Commission.

## **ADMINISTRATOR'S REPORT:**

### **Sewer Agreement Exhibits Progress**

Administrator L'Estrange informed the Board that exhibits are close to being completed noted a formula for the Little River Ranch II up-front development fees is in place, noting it appears this will be equitable to both parties. He went on to say \$152,000 is the estimated amount.

### **Request for Letter of Support for Salida's Geothermal Project Grant**

The Board approved a letter of support for the Salida Geothermal project. Administrator L'Estrange will follow-up.

### **Update on Water Matters**

Administrator L'Estrange informed the Board the Town's water case is going back to the Water Judge per Board approval. He stated he is reviewing the Friend Ranch water Case No. 09CW138, staff will participate in a conference call with town Water Engineers, Water Attorney and representatives of the BLM regarding an issue with the Velotta Ditch. He went on to say although the town thought there was an understanding with the BLM for a right-of-way on their property, the BLM is now asking for further costly studies, noting his recommendation is to make the most cost effective decision regarding this matter. Administrator L'Estrange informed the Board that the town has surplus storage water with the South East Water Conservancy District that will be used in 2010, noting in 2011 this will be revisited.

### **County Wide Sales Tax – Joint Meeting**

Administrator L'Estrange informed the Board that a time and date will be set for the county wide sales tax. Board members agreed a Thursday night would work, if this is possible. He went on to say the county wide sales tax did not poll well, noting the group will need to discuss options and make a decision to/not to place the question on the upcoming ballot in the November election.

### **Request for Letter of Support – “To Assist the Boston Red Sox in Celebrating Their 100<sup>th</sup> Anniversary”**

Administrator L'Estrange informed the Board that Salida has submitted this request to the town. The Board agreed a letter of support would be sent in support of the effort. Administrator L'Estrange will follow up.

### **Growth Area Boundary**

Administrator L'Estrange informed the Board that Ms. Miller, Town Planner, and himself had discussed the town's proposed growth area boundary, noting Ms. Miller says it needs to be adopted annually. The Board agreed the item should be addressed by the Planning Commission, agreeing it would be beneficial to hold a joint session with the Board on the matter. Administrator L'Estrange will follow up with Ms. Miller.

## **ATTORNEY'S REPORT:**

Attorney Redmiles stated he would report in executive session.

## **MAINTENANCE & UTILITIES:**

### **Visitor's Center Update**

PW Director Smith stated he is in the process of getting an RFQ out for the design of the Visitor's Center. Trustee Slaughter ask if the design was already in place. Smith relied the group has decided to go with a design and build in an attempt to maximize the size and quality of the VC building. He went on to say the group agreed this approach would open up options for the dollars that will be spent on this project. Trustee Slaughter ask if Mr. Mike Forro has contacted the town on moving forward with the proposed BMX track at the VC site. Smith replied he has not heard from Mr. Forro at this time.

## **FINANCE:**

### **April 19, 2010 Meeting**

Administrator L'Estrange informed the Board that the committee reviewed the monthly financials. He added the committee discussed continuing ways to contain costs as the year progresses, noting the budget figures will need to be monitored as sales tax is down.

**MOTION: Trustee Roberts made a motion to pay March bills; seconded by Trustee Donahoo. 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);**

**1. Friend Ranch Water Issues**

**to include Town Attorney, Mayor, Mayor Pro-tem and Trustees, Town Administrator, and PW Director;**

**2. Unemployment Matter**

**to include Town Attorney, Mayor, Mayor Pro-tem and Trustees, and Town Administrator; seconded by Mayor Pro-tem Kroschel. Motion carried unanimously.**

The regular Board meeting was adjourned at 7:15 p.m.

The Executive Session convened at 7:23 p.m.

The Executive Session adjourned at 7:47 p.m.

The Regular Board meeting reconvened at 7:47 p.m.

**MOTION: Mayor Pro-tem Kroschel made a motion to pay the Upper Arkansas Water Conservancy District \$32,400, invoice dated April 13, 2010, Certificate #1771 for Annual Maintenance & Storage fee for the 216 augmentation units related to Friend Ranch, \$16,200 is Friend Ranch Investors Group LLC portion of the billing, with the condition that when Friend Ranch Investors Group LLC pays the town the \$16,200, the funds go back into the town's reserves; seconded by Trustee Roberts. Motion carried unanimously.**

With no further business the regular board meeting was adjourned at 7:48 p.m.

Respectfully Submitted:

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Diana K. Heeney, CMC  
Clerk/Treasurer

Approved As To Form and Content:

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Mark F. Thonhoff, Mayor

Attest:

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Jerry L'Estrange  
Town Administrator