

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

330 BURNETT AVE., PONCHA SPRINGS, COLORADO

MONDAY, JULY 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, Bret Collyer
Town Attorney:	Brad Redmiles
Town Administrator:	Jerry L'Estrange
Public Works Director:	Greg Smith
Clerk/Treasurer:	Diana Heeney
Town Planner:	Dee Miller
Visitors: (Mtn. Mail)	Jan & Chuck Azzopardi, Dub Chambers, Audrey Gilpin

ADDITIONS, DELETIONS, OR CORRECTION TO AGENDA:

Mayor Thonhoff stated Bent Tree LLC, legal advice and negotiations, would be added to the executive session and New Business, Dub Chambers, would be moved up to the first item on the agenda.

APPROVAL OF MINUTES:

Motion: Mayor Pro-tem Kroschel made a motion to approve July 12, 2010 Board minutes; seconded by Trustee Slaughter. Motion carried unanimously.

NEW BUSINESS:

Dub Chambers – Workshop Invite

Mr. Dub Chambers, Crossroads Baptist Church, invited the Board and Staff to a brisket dinner and “Sharpening your Supervisory Skill” workshop on August 3, 2010 at 5:30 at the Crossroads Church. He went on to say the church is working on building community within the community through gatherings like this. Mayor Thonhoff thanked Mr. Dub Chambers, noting Dub is an asset to Poncha Springs, stating the town appreciates all he does. Mr. Chambers ask for an RSVP from those that will attend.

OLD BUSINESS:

Visitor's Center Design Drawings

Mayor Thonhoff stated that at the last Board meeting the Visitor's Center design drawings were provided for review and input from the Board, noting the Board tabled the item to allow time for review. PW Director Smith informed the Board as GARNA was going through the grant funding processes it was brought up that an environmental, NEPA, site study might have to be done. He went on to say Ms. Alison Ramsey, GARNA, is working through the details on this. Mayor Thonhoff ask if this would add costs for the town. Smith stated it is uncertain, noting if the study is required, it would be an additional cost for the project. Thonhoff ask if the study is mandated. Smith replied it is, if federal money is involved in a project. Thonhoff ask if the study would only be on the footprint of the building. Smith stated he did not know, stating he is in touch with CDOT for clarification on this. Thonhoff stated CDOT should be made aware that the site is an old CDOT weigh station. Smith ask the Board for their preference on the two VC designs. The Board agreed they were favorable to the LM Kersting Construction Co, with Keith Krebs as architect design. Smith stated he and Administrator L'Estrange would represent this at the committee meeting. Smith will keep the Board informed on the progress of the project.

Update from CDOT Meeting of July 26, 2010

Administrator L'Estrange stated staff met with CDOT and discussion continues on the Highway Diet and the Access Plan Study, noting the process is somewhat more involved than was first thought. He went on to say progress is being made and staff will continue to meet with CDOT to move the project along. L'Estrange stated he had attended the annual CDOT meeting and CDOT's annual report will be available in the office for Board review. Ms. Dee Miller informed the Board that the County sent the GIS information requested by CDOT, noting from this, CDOT will create a map showing all the parcels and accesses along the highway through town to aide in the ACP. PW Director Smith stated that outlying streets and roads will need to be looked at to determine how they affect intersections, noting a broad base of information will be used to develop the plan.

Crossroads Retail Park proposed LUC Amendments – Draft Resolution

Ms. Miller stated the Planning Commission discussed several items related to the Retail Park

1 – Front Setbacks. The PC made a motion to move the front setbacks as close to the property line as possible without encroaching on the 10' area required for landscaping. The Board agreed to this recommendation.

2 – Fences. The PC made a motion to add fencing as a requirement under Special Review Use in the DIR zoning table so the Board has the opportunity to review the fencing plans for each business.

3 – Signs. The PC made a motion to recommend to the Board, to add to the Permitted Uses section of the DIR zone a requirement for a sign that states the hours of operation and the business name, which shall be displayed in the front window or door of new businesses in the retail park at all times.

4 – Zoning Table Language. PC recommends; removing hospital and related medical from the permitted uses; moving maintenance, repair, and refurbishing facilities, equipment sales and rental stores to the permitted uses; delete public utility distribution facilities; retain the language for “open sales yards” and “drive-up windows”; move liquor sales to the permitted uses section; remove the “wind energy conversion systems and associated facilities from the permitted uses; add banks as a special Review Use.

5 – Deed Restriction. PC moved to recommend a “quiet title” to remove the no alcohol sales/service from the deed. Attorney Redmiles will follow up on this.

6 – Minimum square feet requirement. PC moved to recommend 3,000 sf as a minimum, with 50% of the floor space to be dedicated to retail on the front side of the building; requiring a Special Review Use for building less than 3,000 square feet.

7 – Adjoining property owner’s request for rezoning. PC recommends waiting to consider rezoning the Furton parcel, as requested, until the recommended LUC changes have been made. The Board agreed.

MOTION: Trustee Slaughter made a motion to direct staff/attorney to draft an ordinance to make the recommended changes to the Land Use Code; seconded by Mayor Thonhoff. Motion carried unanimously.

Minor Subdivision of Duplex Lots

Administrator L’Estrange informed the Board that the developer of a lot on Kimberlin Lane was in regarding subdivision of the duplex unit he constructed in the ER1 zone, stating the town’s LUC does not provide language/process for subdividing a duplex unit in the ER1 zone. Mayor Pro-tem Kroschel stated that the minimum lot size would not be met in the ER1 zone if the duplex were to be subdivided. Trustee Slaughter stated multi-family dwellings are allowed in all four residential zones. Attorney Redmiles stated the language in the LUC stated multi and two, in regards to a dwelling unit other than single family. Mayor Pro-tem Kroschel stated a public hearing will be needed to change the minimum lot area in the LUC. The Board directed staff to schedule a Public Hearing to determine if duplex units should be allowed to be subdivide in the ER1 residential zone, and if so, is the minimum lot area for subdivision specific to the zone.

NEW BUSINESS:

Dale Anton request regarding Poncha Estates

Mr. Dale Anton informed the Board that he is under contract to buy the Poncha Estates parcel, noting the parcel has two platted lots, one 2 acres and the other approximately 23 acres, going on to say the parcel has two building envelopes and a conservation easement. He stated he would like to propose moving the building envelope on the north east side of the parcel to the north west side of the parcel, proposing to build a driveway from Mud Springs Road along the west side of the parcel and proposing well and septic for the lot. Mayor Pro-tem Kroschel stated he would like a sketch plan submitted for Board review. The Board agreed that a sketch plan of the proposed changes would be needed.

Fred Klein - request regarding lot down zone

Administrator L'Estrange informed the Board that Mr. Klein was not able to attend and the item will be rescheduled.

ADMINISTRATOR'S REPORT:

UAWCD Reservoir Ops meeting update

Information provided in the packets. Administrator L'Estrange stated the information provided helps to explain the UAWCD mission and the interaction it takes to make water available within their district boundaries. He went on to say a date for a meeting regarding the town's storage agreement is yet to be set. L'Estrange stated a give and take relationship is needed to move forward, with both sides benefiting in a positive manner.

Bent Tree Update

Information included in the packets. Administrator L'Estrange stated the assignment process between Bent Tree and the town needs to be completed to give formal guidelines for both the developer and the town.

Forest Service Update / potential annexation discussion

Administrator L'Estrange informed the Board that the applicants have to turn in their packets by Friday, noting he has discussed the annexation process with two of the applicants who are not in town limits.

Status of water in ditches

Information provided in the packets. Administrator L'Estrange informed the Board that the ditch has been shut off for the season, noting there is still a trickle due to ranchers drying up for haying.

Livewell Update

Information provided in the packets. Ms. Miller updated the Board on services provided by Livewell, stating they are willing to work with the town to get a program going.

Community Theatre Update

Administrator L'Estrange stated that Laura has done an excellent job of getting the program off to a fast start, noting this Friday the group will meet for the first time. Mayor Thonhoff directed PW Director Smith to follow up on the Hutchinson Homestead wallpaper that is stored on the stage and meet with Laura on the planned use of the stage area. Smith stated small repairs will be made to the back stairs. Trustee Collyer stated the smoke alarms should be checked/replaced.

Chaffee County Fair

Administrator L'Estrange informed the Board that he would be manning a booth for the Chaffee County Housing Authority on Friday afternoon.

ATTORNEY'S REPORT:

Attorney Redmiles stated he would report in executive session.

PLANNING & ZONING:

July 19, 2010 Minutes

July 19, 2010 minutes included in the packets.

DOLA Grant Application Mailed for Comprehensive Plan

Information provided in the packets.

FINANCE:

July 19, 2010 Meeting

Information included in the packets. Administrator L'Estrange informed the Board that the auditor was here on July 19th, and within the next week he will be reporting back to the town, noting an extension was signed in the event that it will be needed. L'Estrange reported the committee recommends paying June bills.

MOTION: Mayor Thonhoff made a motion to pay June bills; seconded by Trustee Roberts. Motion carried unanimously.

OTHER BUSINESS:

Correspondence Notification

Administrator L'Estrange informed the Board that miscellaneous incoming correspondence was included in the packets.

Dunk Tank Volunteers Needed

Trustee Angelo ask for dunk tank volunteers for an Alzheimer fund raiser at Columbine Manor.

EXECUTIVE SESSION:

MOTION: 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 governmental immunity concerning ditches and Bent Tree; 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 negotiator, under C.R.S. §24-6-402 (4) (e), regarding Bent Tree; to include the Town Attorney, Mayor, Mayor Pro-tem and Trustees, Town Administrator and PW Director; seconded by Mayor Pro-tem Kroschel. Motion carried unanimously.

With no further business the board meeting was adjourned at 8:28 p.m.

The Executive Session convened at 8:33 p.m.

The Executive Session adjourned at 9:07 p.m.

The Regular Board meeting reconvened at 9:07 p.m.

With no further business the regular board meeting was adjourned at 9:07 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