

**REGULAR MEETING
PONCHA SPRINGS BOARD OF TRUSTEES
330 BURNETT AVE., PONCHA SPRINGS, COLORADO**

MONDAY, JANUARY 23, 2012 - 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, Darrell Donahoo, Ron Slaughter, 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:	Ken MacNicol, Vernie Martz, Sara Cothren McCleary(Mtn. Mail)

ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:

APPROVAL OF MINUTES:

MOTION: Trustee Collyer made a motion to approve January 9, 2012 Board meeting minutes; seconded by Trustee Slaughter. Motion carried unanimously.

OLD BUSINESS:

Business License recommendation from Planning Commission

Town Planner Miller provided the Business License recommended by the Planning Commission. Board discussion followed, with staff directed to make some minor changes in the form and bring back to the Board for approval.

NEW BUSINESS:

2012 Election

Clerk Heeney stated the 2012 Election will have the Mayor and three Trustee positions on the ballot, all positions are four year terms. Heeney stated anyone interested in running for office can pick up a nomination petition on February 13, 2012.

Appointment of Ex-officio to Planning Commission

Mayor Thonhoff appointed Trustee Collyer and himself as Ex-officios to the Planning Commission.

ADMINISTRATOR'S REPORT:

DOLA names Christy Culp as new South Central Regional Manager

Administrator L'Estrange stated Christy Culp will serve as the DOLA South Central Regional Manager.

Access Control Plan (ACP) meeting scheduled for Monday, February 6, 2012 @ Chaffee County Fairgrounds

Administrator L'Estrange informed the Board a presentation on the ACP Study will be given by CDOT, with questions and answers to follow. He noted the goal is to inform citizens of the ACP project and provide them an opportunity to comment.

Upper Arkansas Water Conservancy District (UAWCD) pending legislation concerns

Information provided in the packet. Administrator L'Estrange stated staff will provide updates as they become available.

Update on Town water change case issues

Administrator L'Estrange informed the Board Town Water Attorney Monson continues moving the case forward. L'Estrange stated Monson would like to meet with the Board in executive session regarding legal advice on the case, asking if February 13th at 6:00 p.m. would work for Board members. The Board agreed this date and time would work. L'Estrange will confirm with Monson and follow up with Board members.

First Citizen Bank response on Friend Ranch

Information provided in the packet. Administrator L'Estrange stated First Citizens Bank, Mitch Bennett, sent an e-mail stating until the ownership/lien issues are resolved he does not think the bank can do anything other than wait to hear the court's decision.

ATTORNEY REPORT:

Attorney Redmiles informed the Board that the TOMAR case is back in trial court, noting he filed a response for the town and the case will move through the legal channels.

MAINTENANCE & UTILITIES:

Well Report

PW Director Smith informed the Board that a leak was found at Well #3, and has been repaired. Trustee Collyer ask for an update on the water tanks. Smith stated that due to problems with the Scada system the tanks did overflow, noting the problem has been fixed. Smith informed the Board that replacement of the transducer for the Scada system was not in the 2012 budget, he added a pump and motor for Well #3 was budgeted for, the cost \$3,500. The Board approved the purchase of the pump and motor. Administrator L'Estrange stated staff will monitor the system and keep the Board apprised of any problems.

PLANNING & ZONING:

Planner Miller informed the Board that DOLA will make a presentation on Land Use Code update options in February and a Poncha Springs Business Owners meeting has been scheduled for January 31, 2012 – 12 noon at Town Hall. Miller invited Board members to attend if possible, noting it is bring your own lunch.

FINANCE:

January 17, 2012 meeting

MOTION: Trustee Slaughter made a motion to pay December 2011 bills; seconded by Trustee Collyer. Motion carried unanimously.

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 specific legal questions under C.R.S. §24-6-402(4)(b) regarding: easements subject of possible legal action; to include the Board, Town Attorney, Town Administrator, and PW Director; seconded by Mayor Pro-tem Kroschel. Motion carried unanimously.

The regular Board meeting adjourned at 7:13 p.m.

The Executive Session convened at 7:18 p.m.

The Executive Session adjourned at 8:22 p.m.

The regular Board meeting reconvened 8:22 p.m.

The Board directed Town Attorney Redmiles to follow up with the Farrow's Attorney regarding negotiations on the Farrows constructing a turn-around to the west of the proposed a gate; defining town easements; retention of the Town's existing Right-of-Way; an Encroachment License to construct a privacy fence in the Town's R-O-W; and negotiate a Quit Claim Deed to the portions of the existing road on the west side of the proposed gate.

With no further business the Board meeting adjourned at 8:25 p.m.

Respectfully Submitted:

Diana K. Heeney
Clerk/Treasurer

Approved As To Form and Content:

Mark F. Thonhoff, Mayor

Attest:

Jerry L'Estrange
Town Administrator