

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

**MONDAY, FEBRUARY 27, 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 Absent
Clerk/Treasurer:	Diana Heeney
Town Planner:	Dee Miller - Absent
Visitors:	Ken MacNicol, Vermie Martz, Mickey Barry, Joe Stone(Mtn. Mail)

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

Administrator L'Estrange stated an executive session would be held at the end of the meeting, regarding the TOMAR case and the Farrow case.

**APPROVAL OF MINUTES:**

**MOTION: Trustee Slaughter made a motion to approve February 13, 2012 Board meeting minutes; seconded by Trustee Collyer. Motion carried unanimously.**

**NEW BUSINESS:**

**UAACOG 2012 Recycling Program/Angel of Shavano Recycling Proposal**

Administrator L'Estrange informed the Board that the town has participated in the UAACOG recycling program for some years, noting when UAACOG started the service there were no private entities. He went on to say at the group meeting on February 16<sup>th</sup> meeting the enclosed agreement from Angelo of Shanvano Recycling was reviewed, noting it provides expanded services. Mickey Barry, Angel of Shavano Recycling, stated he will collect cardboard, mixed paper, newspaper, tin, aluminum, glass, plastics numbers 1-7, plastic bags, and cartons, including juice boxes and milk cartons. Barry stated he is proposing to give 5% of revenue generated by materials collected back to the participating entities. Barry noted the change over will not occur until the 4<sup>th</sup> quarter of 2012, at the earliest date. L'Estrange stated UAACOG officials outlined an exit strategy if/when the town should decide to sign a contract with Angel of Shavano. The Board spoke favorably about the expanded services for town citizens and directed staff to follow up and report progress to the Board. Barry informed the Board that he is working on placement of a blue CDOT "Angel of Recycling" sign similar to the Industrial Park signs on Hwy. 50.

## **Discussion of Land Use Code Revisions**

Administrator L'Estrange stated at the February 21, 2012, P&Z meeting Tareq Wafale, DOLA, gave a presentation regarding Land Use Planning. He noted it was an excellent presentation regarding land use planning, the land use code, zoning and updating the code. L'Estrange stated staff and the Board have discussed the need to update the Land Use Code to fall in line with the updated Comprehensive Plan. He added Tareq's presentation was great and well received but the attendance was less than hoped for, noting staff may have been ahead of the Board's expectations in that the need to update the land use code was recognized but realized that the town had not budgeted for this task in 2012. L'Estrange stated DOLA's offer to help with available expertise seemed like a natural progression to staff, therefore the presentation was scheduled, noting in hind sight staff should have ask for Board direction regarding the LUC update process due to potential for four new persons serving on the Board after the April 3, 2012 election. He noted it was not staff's intent to circumnavigate the Boards authority but rather seize an opportunity to move forward before the building season got started. L'Estrange stated it is evident that the town cannot do a total overhaul of the Land Use Code, asking for Board direction on how to proceed. Mayor Thonhoff suggested the town wait until the ACP is completed before starting the LUC update. The Board agreed to wait for the completion of the ACP and then look at updates needed for the LUC.

### **ADMINISTRATOR'S REPORT:**

#### **Update on Water Case Proceedings**

Administrator L'Estrange stated Town Water Attorney, Steve Monson, is making progress negotiating with objectors to get them to stipulate out. He added good progress is/has been made.

#### **Status of Business License Development**

Administrator L'Estrange informed the Board the Business License would be on the March 12 Agenda for further Board review/comment.

#### **Access Control Plan (ACP) Update**

Administrator L'Estrange informed the Board the official comment period has passed and all additional materials have been forwarded to CDOT for their review. He added staff is working toward a March adoption of the plan, with CDOT supplying revised documents for Public viewing, noting the display area will be upstairs in Town Hall.

#### **Potential for Park Land on the Baumdicker Property**

Administrator L'Estrange stated a concern at this time is a possible communication breakdown with the potential of obtaining a portion of the Baumdicker property adjacent to the river west of Hwy. 285 as a potential Town Park. He added this idea is/was the product of a private citizen and his association with Mr. Baumdicker. L'Estrange stated his knowledge of the project came when it had already started some momentum with some discussion at the P&Z level over ownership of the property at this time. L'Estrange stated Planner Miller picked up the idea of possible development of a park area in conjunction with other work related to the Highway Corridor Plan. He went on to say Miller had an opportunity to combine the possibility of developing a park at the Baumdicker property into a grant process that would cost the Town little or no cash out lay, referring to Miller's memo included in the packet. L'Estrange stated it might appear that staff was getting ahead of the Boards consideration on a major Town Park, but that was not the intent. He stated it was/is more of an effort to take advantage of some grant opportunities. L'Estrange stated he has ask staff to take a step back, bring the topic to the Board for their consideration and then look at the next grant cycle, if the Board gives direction to move forward. L'Estrange stated staff is

constantly on the lookout for ways to make improvements to the Town in the most economical fashion, but in the future will do a better job of communicating ideas to the Board first. Town resident, Ken MacNicol, informed the Board that he has been interested in the Baumdicker property for some time, noting it is on a personal level, not acting on the Town's behalf. He stated he would like to gain ownership of the property considering future development of the parcel for the benefit of the town. The Board expressed budget concerns related to development/maintenance of another town park at this time.

### **Economic Development Efforts**

Administrator L'Estrange informed the Board town staff is doing it's best to promote localized economic development as well as work with the Chaffee County Economic Development Corporation. He noted Planner Miller's Business Development Group has generated a lot of positive feedback from local business owners, noting Miller is involved with CCEDC's Local Technology Planning Team trying to expand Broadband into our area. L'Estrange stated he attended The Blueprint Colorado Road Tour from the Colorado Office of Economic Development that offers expertise and technical help to local efforts, noting staff is trying to promote economic generators to locate in Poncha Springs.

### **Comments for Monarch Ski Area**

Administrator L'Estrange stated the Town has been contacted by various agencies to make comments regarding the Monarch Ski Area Expansion. He went on to say the Town has written letters of support for this project, asking for Board direction on the comment requests. The Board agreed the Town should continue to provide comments in support of the Monarch Mountain expansion.

### **ATTORNEY REPORT:**

Attorney Redmiles informed the Board that he has drafted the CR120 contract for design and it has been sent to CDOT for review/approval.

### **FINANCE:**

#### **February 21, 2012 meeting**

**MOTION: Mayor Pro-tem Kroschel made a motion to pay January bills; seconded by Trustee Slaughter. Motion carried unanimously.**

### **OTHER:**

#### **Trustees – 2012 Election**

Trustees Collyer and Donahoo stated they will not run for re-election. Collyer encouraged other Town residents to take interest and consider serving the community.

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

#### **February 22, 2012**

Administrator L'Estrange reported the meeting went well with some decisions made for the upcoming season.

Trustee Slaughter complimented Joe Stone, Mtn. Mail, on his CPA awards.

**EXECUTIVE SESSION:**

**MOTION: Mayor Thonhoff made a motion to adjourn to executive session for a conference with the Town Attorney 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) and receiving legal advice on specific legal questions under C.R.S. §24-6-402(4)(b) regarding: town water cases and the Farrow case; to include the Town Administrator; seconded by Mayor Pro-tem Kroschel. Motion carried unanimously.**

The regular Board meeting adjourned at 7:50 p.m.

The Executive Session convened at 7:55 p.m.

The Executive Session adjourned at 8:55 p.m.

The regular Board meeting reconvened 8:55 p.m.

The Board directed Town Attorney Redmiles to follow up with the Farrow's Attorney regarding negotiations on the Farrow case.

With no further business the Board meeting adjourned at 9:00 p.m.

Respectfully Submitted:

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Diana K. Heeney  
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