

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

**MONDAY, JUNE 25, 2012 - 6:30 p.m.**

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

Mayor:	Richard Furton
Mayor Pro-tem:	Ben Scanga
Trustees:	Aaron Kroschel, Galen Angelo, Ron Slaughter, Rebecca Massey, Darryl Wilson
Town Attorney:	Brad Redmiles
Town Administrator:	Jerry L'Estrange
Public Works Director:	Greg Smith
Clerk/Treasurer:	Diana Heeney
Town Planner:	Dee Miller - Absent
Visitors:	Joe Stone(Mtn. Mail), Jim Wingert(CCFPD), Dee & Dana Nachtrieb, Vernie Martz

**PUBLIC COMMENT:**

Mayor Furton called for any public comments. The visitor's did not have comments.

**APPROVAL OF MINUTES:**

**MOTION: Trustee Slaughter made a motion to approve June 11, 2012 Board meeting minutes; seconded by Trustee Kroschel. Motion carried unanimously.**

**OLD BUSINESS:**

**Citizen Concern – Traffic on Hot Springs Road/CR 115**

Information included in Administrator's memo. Administrator L'Estrange stated this item has been discussed at other times, noting suggestions of speed humps, more patrolling, and closing the disc golf parking lot have been brought forward. L'Estrange went on to say the he and PW director Smith have discussed this concern with the County and they are amenable to help resolve the issue. Trustee Kroschel stated this is an on going problem noting the few seem to ruin it for the many. He suggested asking for more patrol and signage. Dana & Dee Nachtrieb, 224 Pinyon Dr., ask for 20 mph speed limit signs in better locations and signage indicating Pinyon Dr. has no outlet. Mayor Furton stated the town will work on the signage, noting the town needs to contact CIRSA(insurer) regarding speed humps/bumps to see if there is a liability issue. Trustee Scanga suggested speed limit signage be placed at the disc golf parking entrance/exit. The Board directed Staff to do the follow-up on the signage and contact CIRSA(insurance company).

**NEW BUSINESS:**

**Resolution #2012-2, Adoption of Policy Regarding Access to Public Records**

Information provided in the Administrator's memo. Administrator L'Estrange informed the Board it seems practical to have a policy in place for open records requests. Noting currently the town does not

and if a request comes in staff spends a good deal of time compiling the records and there is not a fee schedule in place that outlines staff hours/costs.

**MOTION: Trustee Kroschel made a motion to approve Resolution #2012-2, Adopting a Policy Regarding Access to Public Records and Adopting Fees in Association Therewith; seconded by Trustee Slaughter. Motion failed 2-5, with Trustees Kroschel and Slaughter voting for.**

Mayor Pro-tem Scanga and Trustee Angelo stated concern with the costs outlined in the fee schedule, noting it might disenfranchise citizens if the costs were more that could be paid. Trustee Wilson stated a good percentage of the records are available online, noting citizens that do not have a computer could use one at the library at no cost. The Board directed Staff to provide more information and other examples of fee schedules for Board review. Staff will follow-up.

### **Discussion Regarding an Ordinance Prohibiting or Restricting Sale/Use of Fireworks**

Chief Jim Wingert, Chaffee Count Fire Protection District, informed the Board that fire conditions are extreme throughout the County/State. He went on to say there is currently a Stage I Fire Ban in the County and this will be upgraded to Stage II tomorrow. Wingert informed the Board that Salida Council just approved a ban on sale and use of fireworks. The Board discussed banning the sale/use of fireworks in Poncha Springs at length. Attorney Redmiles stated there is a State ban on private use of fireworks, noting the town has no means to enforce. The Board agreed to ban both the sale and use of all fireworks within town limits.

**MOTION: Mayor Pro-tem Scanga made a motion to approve Ordinance #2012-2, Banning the Sale and Use of Fireworks; seconded by Trustee Wilson. Motion carried unanimously.**

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

#### **Board & P&Z Joint Work Sessions**

Information provided in the Administrator's memo. Administrator L'Estrange ask the Board if they would like to continue the joint meeting with the Planning Commission the first Monday of each month. The Board agreed to continue the joint work sessions.

#### **Update on CDOT Intersection Scoping Meeting – June 13, 2012**

Information provided in the Administrator's memo. Administrator L'Estrange stated the minutes from the scoping meeting were included in the packets. He went on the say the Town has funding that could go toward the intersection/Hwy diet project, noting the Impact Fee account has approximately \$49,000 and the Little river Ranch Hwy 50/Poncha Springs Lane account has \$50,000. Mayor Furton stated concern with not knowing how much funding the town will be required to put towards the project, noting he would like CDOT to report to the Board at the July 9, 2012 regular Board meeting and not at the joint work session on July 2, 2012. Trustee Angelo stated he would like to see the plan for the medians before moving forward with implementation. PW Director Smith stated CDOT has not ask for a percent of project as a match, noting he feels the approximately \$99,000 the town has may be what it takes to move the project forward. The Board agreed that CDOT should present at the July 9<sup>th</sup> board meeting. Staff will follow-up.

#### **Update on CCEDC Business Forum – Mt. Princeton, June 18, 2012**

Information provided in the Administrator's memo. Administrator L'Estrange stated the forum was geared towards opportunities for funding for new businesses more so than existing businesses.

### **Xcel Streetlight Policy**

Information provided in the Administrator's memo. Administrator L'Estrange stated Xcel is restricting signage and decoration that can be placed on their street lights.

### **Land Sale Update**

Information provided in the Administrator's memo. Administrator L'Estrange informed the Board he has met with two out of the three interested realtors, noting he will make a decision and report at the July 9<sup>th</sup> Board meeting.

### **Update on Action 22 Annual Fundraiser – Saturday, June 23, 2012**

Information provided in the Administrator's memo. Administrator L'Estrange stated the event went well with good attendance.

### **Poncha Springs Parks and Recreation Master Plan American Planning Association Award**

Information provided in the Administrator's memo. Administrator L'Estrange stated Matt Farrah is getting the APA Award for his Student Project, Poncha Springs Parks and Recreation Master Plan. He went on to say he would attend the Awards Ceremony.

### **Water Concerns**

Information provided in the Administrator's memo. Administrator L'Estrange stated Water Commissioner, Bruce Smith, stated his opinion is this year is shaping up to be drier than 2002. L'Estrange stated the Town may have to look at implementing more stringent conservation measures going into July.

### **Cross Roads Church – Request to Use Town Park for Family Day, August 11, 2012**

Administrator L'Estrange stated Cross Roads Church has requested use of the town park for their annual Family Day. The Board approved the request.

### **ATTORNEY REPORT:**

Town Attorney Redmiles reported he had worked on the Fireworks Ban and Records Access documents, noting he should have documents to finalize the Farrow case by the next board meeting.

### **MAINTENANCE & UTILITIES:**

#### **Reschedule July 4<sup>th</sup> Meeting**

Meeting rescheduled for July 11, 2012.

#### **June 6, 2012 meeting report**

Included in the packets. PW director Smith reported:

-water main project is nearing completion

Trustee Slaughter ask for an update on system water loss. Smith reported it is down to 10%, noting staff will continue to work on the matter.

Mayor Pro-tem Scanga ask about the air in town water. Smith stated Well #4 has pumped some air into the system due to slow recharge of water. He went on to say he has made adjustments to alleviate the matter.

Citizen, Vernie Martz, ask for procedure on emergency response, noting the town ditch/culvert plugged and overflowing into a residents yard and coming close to the houses foundation. Smith stated PW Staff carries a cell phone for response measures. Mayor Furton stated it is common for debris to clog ditches/culverts, noting most times residents are able to clear the debris, but in some instances he would

understand if a resident were not able to and would need staff assistance. Smith stated in most instances staff is able to respond in a timely matter.

**Draft of Revised Water Ordinance**

PW director Smith stated a draft copy of the water ordinance revision was included in the packets for Board review/comment. Attorney Redmiles stated Public Notice is needed when the Maintenance & Utilities Committee discusses the revisions that will be made.

**VISITOR'S CENTER:**

PW Director Smith stated work continues on the VC landscaping, noting donations of boulders and materials for sidewalks have been committed. He noted a Grand Opening is being planned.

**FINANCE:**

The June 18<sup>th</sup> Finance Committee meeting was rescheduled for June 25<sup>th</sup> at 6:00 p.m.

**MOTION: Trustee Slaughter made a motion to pay April bills; seconded by Trustee Wilson. Motion carried unanimously.**

**EXECUTIVE SESSION:**

**MOTION: Mayor Furton 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: the Farrow case; to include the Board, with Trustee Massey not attending due to conflict of interest, Town Attorney and Town Administrator; seconded by Mayor Pro-tem Scanga. Motion carried unanimously.**

The regular Board meeting adjourned at 8:25 p.m.

The Executive Session convened at 8:29 p.m.

The Executive Session adjourned at 9:04 p.m.

The regular Board meeting reconvened 9:04 p.m.

With no further business the Board meeting adjourned at 9:04 p.m.

Respectfully Submitted:

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Diana K. Heeney  
Clerk/Treasurer

Approved As To Form and Content:

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Richard Furton, Mayor

Attest:

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Jerry L'Estrange  
Town Administrator