

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

MONDAY, SEPTEMBER 10, 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 - Absent
Clerk/Treasurer:	Diana Heeney
Town Planner:	Dee Miller
Visitors:	Vernie Martz, Brett Collyer, Cailey McDermott(Mtn. Mail)

APPROVAL OF MINUTES:

Attorney Redmiles noted a grammatical correction; his report should be "who owes whom".

MOTION: Trustee Slaughter made a motion to approve August 27, 2012 Board meeting minutes as corrected; seconded by Trustee Massey. Motion carried unanimously.

OLD BUSINESS:

Discussion/Update of CR 120 Trail Project

Administrator L'Estrange informed the Board that PW Director Smith had discussed the CR 120 Trail project at the Maintenance & Utilities meeting, noting Schmueser Gordon Meyer has submitted an engineered set of plans for completion of the entire project.

PW Director Smith reported in his meeting report:

CR 120 trail project. I reviewed the process and provided background. The trail is to follow CR 120 from the Salida water treatment plant to the fairgrounds and then from the fairgrounds to the Welcome Center. The grant for the project is an enhancement grant from CDOT which requires FHWA oversight and a 20% cash match which has been budgeted from Town funds and Chaffee County funds. The trail was started in 2006 but not completed. The project is to incorporate the unfinished portion from early work with the extension from the fairgrounds to the Welcome Center. A contract was signed in early 2012 between Poncha and SGM engineering to provide an engineered set of plans for completion of the entire project, complete all required environmental studies/clearances and a projection of expected costs to complete the project. Last week I received the estimate for total cost from SGM which was for \$1,143,366. This projection is almost 40% higher than expected. I was not sure how the original grant numbers were established, but obviously if these cost estimates are accurate, we will not be able to afford the entire trail at this time. The members agreed that we will need to evaluate alternatives to complete as much as the grant will allow and complete the rest at a later date. I will complete the initial contract for the design so we have the entire trail design ready. The earliest that any construction could occur will be next Spring.

The Board discussed the CR 120 Trail project projections and agreed to complete as much of the trail as possible with the current funding. The Board agreed to wait for the initial contract for the trail design to

be completed before making a determination on process for the project, i.e. where to start construction, at the east end or west end of the proposed trail. Attorney Redmiles stated the Town needs to stay within the parameters of the \$100,000 contract for the project. PW Director Smith stated this is outlined in the contract/agreement with CDOT.

Revisiting Quiet Title Action at the Cross Roads Retail Park

Administrator L'Estrange informed the Board that the quiet title had been discussed in the past and the Board had agreed to postpone the process due to costs involved. Attorney Redmiles stated the parcel has a deed restriction prohibiting the sale of alcohol. Attorney Redmiles stated he would estimate 4-5 hours of his time for the process. The Board discussed the pros and cons of quieting the title, directing staff to determine if the funds are in the 2012 budget before moving forward.

Land Use Code Budget

Administrator L'Estrange stated staff, the Board and Planning Commissioners are engaged in the process of revising the Town's Land Use Code. He noted the direction has changed from a "fix and repair" of the existing document to a "Form Based Code" update, stating while this was not a budgeted item for 2012 staff has found a way to allow us to get started by wringing out some funds from the existing budget. L'Estrange stated the Town runs a "bottom line" budget allowing moving funds to meet needs. He went on to say a memo from Planner Miller was included in the packets, outlining the LUC budget for the 2013 calendar year. L'Estrange stated at the joint meeting of September 4, 2012 a suggestion was made to seek a cost proposal from an outside consultant which staff is in the process of doing. He added the time line for developing this new product is extremely compact and ambitious, but to do it properly and involve the community in a totally new process will take the proper amount of time, with the end product being a tool that can enhance economic development for the future. L'Estrange stated he is a little concerned about the cost of an outside consultant, but this it is why the town has un-appropriated surpluses. Planner Miller stated LiveWell suggested the Town look into interns for help with the LUC Update. L'Estrange stated DOLA offers a dollar for dollar grant for these type of projects, up to \$25,000. Planner Miller stated she will look for grant funding at Rural Philanthropy Days for this project.

MOTION: Mayor Pro-tem Scanga made a motion to approve entering into an agreement with Matt Farrah to do the graphics for the Land Use Code update; cost not to exceed \$1,500; seconded by Trustee Slaughter. Motion carried unanimously.

NEW BUSINESS:

Dispatch Cost Sharing Agreement

Administrator L'Estrange informed the Board the IGA for consolidation of cost sharing of dispatch communications was included in the packets. He noted the County has offered a 20% discount if the Town signs the agreement before October 1, 2012. L'Estrange noted the \$9,049.87 is reduced to \$7,239.90, which is a significant savings. Trustee Angelo ask if funding the communications Center would be in addition to the funding the Town currently pays to the Sheriff's Department. L'Estrange stated this will be determined during the budget work sessions, noting the 2012 Sheriff's Department funding has been returned to the Town. Trustee Kroschel ask what would happen if Poncha Springs is the only one that enters into the IGA. L'Estrange

stated this has been discussed, and Poncha Springs would not be expected to pay more than its percentage, noting this will be an annual agreement that outlines costs. Attorney Redmiles stated paragraph #19 addresses this.

MOTION: Trustee Angelo made a motion to approve entering into an IGA with Chaffee County for cost sharing of the dispatch center; 2013 cost to Town \$7,239.90; seconded by Mayor Pro-tem Scanga. Motion carried unanimously.

ADMINISTRATOR'S REPORT:

Clarification of Businesses Listed on Town Website

Administrator L'Estrange noted staff found that this was determined at the July 9th Board meeting.

Update on Incident Command Systems Training

Administrator L'Estrange stated he attended a daylong training workshop hosted by the Chaffee County Incident Command Systems training on September 3, 2012. He stated this was a prelude to a full-scale exercise on September 28th in Buena Vista, noting he has not been very active with this group during his time with Poncha, but it was a real eye opener for possible concerns with our community. L'Estrange stated the instructor was Jim Reid, Incident Commander for El Paso County during the Waldo Canyon fire near Colorado Springs. He stated it's hard to believe everything involved in that fire fighting incident, adding the Town could have something like this happen here in the Poncha area on a smaller scale. L'Estrange stated he will stay in closer touch with this group in the future. Trustee Kroschel stated the Town developed a plan and suggested it might need to be revisited for update purposes.

Update on the Farrow Agreement

Information included in the packets. Administrator L'Estrange stated when the mylars are received everything will be recorded.

Invitation to Jewel Ball

Information provided in the packets.

ATTORNEY'S REPORT:

Attorney Redmiles stated he would advise in executive session.

PLANNING & ZONING:

September 4, 2012 minutes

Included in the packets.

MAINTENANCE & UTILITIES:

September 5, 2012 meeting report

OTHER:

East Poncha Avenue 15 MPH Speed Limit Sign Update

Mayor Pro-tem Scanga informed the Board that the citizens on East Poncha Avenue are contacting DeAnza Vista owner to see if he will pay for the 15 MPH speed limit signs, noting if this does not work out there is a person(s) that will make a donation to pay for the signs. Administrator L'Estrange stated the Public Works crew can install the signs when they are ready.

EXECUTIVE SESSION:

MOTION: Mayor Furton 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: Industrial Park Lot Tap Fee; to include the Mayor, Board of Trustees, with Trustee Massey recusing herself due to conflict of interest, and the Town Administrator; seconded by Mayor Pro-tem Scanga. Motion carried unanimously.

The regular Board meeting adjourned at 7:45 p.m.
The Executive Session convened at 7:50 p.m.
The Executive Session adjourned at 8:13 p.m.
The regular Board meeting reconvened 8:14 p.m.
With no further business the regular Board meeting adjourned at 8:14 p.m.

Respectfully Submitted:

/s/ _____
Diana K. Heeney
Clerk/Treasurer

Approved As To Form and Content:

/s/ _____
Richard Furton, Mayor

Attest:

/s/ _____
Jerry L'Estrange
Town Administrator