

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

**MONDAY, OCTOBER 22, 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 Present:	Aaron Kroschel, Galen Angelo, Ron Slaughter, Darryl Wilson
Town Attorney:	Brad Redmiles
Town Administrator:	Jerry L'Estrange
Public Works Director:	Greg Smith
Clerk/Treasurer:	Diana Heeney
Town Planner:	Dee Miller
Visitors:	Jim Mick, Ken MacNicol, Joe Stone(Mtn. Mail)

**APPROVAL OF MINUTES:**

**MOTION: Trustee Wilson made a motion to approve October 8, 2012 Board meeting minutes; seconded by Trustee Slaughter. Motion carried unanimously.**

**OLD BUSINESS:**

**UAWCD Case No. 12W97**

Administrator L'Estrange reported:

As all water cases it takes a long time to get them completed. This application by the UAWCD is to establish reasonable diligence on the original North Fork Reservoir case and to make a portion of that water absolute for irrigation use. While most times it may be prudent to get into a water case near us as an objector so we can get information, we have looked at this area in a previous case and stipulated out. To become an objector could cost us several hundred dollars in a budget area that is already over burdened. If Steve Monson has a good reason to file I will let you know.

The Board directed staff to report back to them after contacting Water Attorney Monson.

**NEW BUSINESS:**

**Chaffee County Fairgrounds Water Leak**

Jim Mick, Chaffee County Fairgrounds, reported there was a leak at the Fairgrounds resulting in a \$3,296.00 water bill. Mick reported the water line is located next to a French drain. He went on to say as soon as the water surfaced he made repairs to the line. PW Director Smith stated historically this meter is used only at Fair time, noting it is not read every month. The Board requested that the meter be read every month going forward, asking if there are other meters that are not read every month. PW Director Smith stated he does not believe so.

**MOTION: Mayor Pro-tem Scanga made a motion to average the last two years water billing for this line and credit the balance to the bill, with the meter to be read every month; seconded by Trustee Slaughter. Motion carried unanimously.**

### **Resolution #2012-5, Certify Delinquent Water Fees**

**MOTION: Trustee Slaughter made a motion to approve Resolution #2012-5, Certify Delinquent Water Fees to Chaffee County Treasurer; seconded by Trustee Angelo. Motion carried unanimously.**

### **Resolution #2012-6, Adopting Amendments to Chaffee county Building Code regarding Electrical, Plumbing, and Mechanical Fees**

Attorney Redmiles stated the document needs to be an Ordinance with the specifics in the document consistent with what the County adopted, noting a Public Hearing is required. The item was tabled to allow staff time to develop the document and post for public hearing.

### **P&Z Recommendation for Changes in the Composition of that Commission**

Ken MacNicol, Planning Commissioner, informed the Board that the Planning Commission is recommending restructuring the makeup of the Planning Commission as allowed by C.R.S. 31-23-227. He went on to say the recommendation is to define separation between the Commission and the Board, noting currently the Mayor and another Board member serve on the Commission as Ex-officios. MacNicol stated the Commission is asking for Board guidance before moving forward with restructuring and a bylaw proposal. The Board agreed to the recommendation to restructure the Commission. Trustee Kroschel requested the Commission submit the proposed bylaws to the Board for review before Attorney Redmiles reviews. MacNicol stated agreement, noting the Commission will work on the proposed restructuring/bylaws.

The Board recognized the need for an Ex-officio appointment to fill the current vacancy. Mayor Furton appointed Mayor Pro-tem Scanga as Ex-officio to the Planning Commission.

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

#### **Geothermal Update**

Administrator L'Estrange reported:

On Tuesday October 16, 2012 representatives from the City of Salida, their Consultants, Becky Massie, Mayor Furton and I met on site at the Farrow property to discuss potential drilling locations. All reviewed maps presented by Fred Henderson describing the locations for test holes that may locate future "hot spots" for more exploration. One drilling site may be on Poncha Springs property near the existing water tanks. We will keep you updated as funding becomes clearer.

L'Estrange noted the project will require grant funding, noting the Town might consider in-kind services vs any cash commitment if the grant opportunity develops.

#### **Crossroad Retail Park Question**

Administrator L'Estrange reported:

It was brought to his attention that the Town is advertising lots #9 & #10 at the Crossroads Retail Park and that the Town was supposed to hold onto lot #10. Ordinance 2006-5 states that lots shall be sold at prices to be determined by the Board of Trustees at the time of sale. If you wish I can

instruct our Real Estate Company to move the sign.

Trustee Kroschel stated the Board agreed to keep Lots 9 & 10 for a possible Town maintenance site. Trustee Angelo ask if the Town still wants to retain Lots 9 & 10 when considering the land that was donated to the Town along Hwy. 50. Board discussion followed, with the Board agreeing the Town retain Lots 9 & 10, leaving the realtor signs in place.

### **Atmos Energy Rate Increase**

Information included in the packets.

### **Budget Workshop**

Administrator L'Estrange requested a Budget work session following the Board meeting. The Board agreed to the Budget work session.

### **Land Use Code Update**

Administrator L'Estrange reported signing the contract with Matt Farrah for the \$1,500 for Land Use Code graphics as approved for 2012.

Mayor Furton ask if Planner Miller has received a quote from Davis Farrah on the Land Use Code update. Miller reported not at this time.

### **Quarterly Intergovernmental Meeting – Tuesday, October 30, 2012**

Administrator L'Estrange reported the quarterly meeting will be held Tuesday, October 30<sup>th</sup>, asking those that will attend to let staff know.

### **ATTORNEY'S REPORT:**

Attorney Redmiles reported:

- 1 – he has sent letters out to Industrial Park lot owners regarding the water tap fee matter
- 2 – he continues to do follow-up work on the TOMAR case
- 3 – will work on the Quiet Titling for the Cross Roads Retail Park in November

### **MAINTENANCE & UTILITIES:**

#### **October 9, 2012 meeting report**

Included in the packets.

PW Director Smith reported:

- 1 - the Little River Ranch paving is nearing completion
- 2 – he has met with Xcel regarding pole replacement at the cemetery and their improvements to the substation west of Town on Hwy. 50

### **OTHER:**

#### **Broadband Update**

Planner Miller reported:

- 1 - the broadband project continues to move forward, noting the service may come in from the Monarch or San Luis Valley. Miller ask if the Board has interest in developing a “Carrier Neutral” facility in regards to broadband service. Mayor Furton ask for a cost estimate. Miller stated she wanted Board

consensus on interest before moving forward. Trustee Kroschel stated the Town may have interest, but without cost estimates it is unknown if it will be affordable for the Town. Miller stated the project would require grant funding. Mayor Pro-tem Scanga ask if private enterprise might have interest in developing a carrier neutral facility. Miller will follow-up on Board questions and report back.

2 – Sandy Cruz, Permaculture Project, is seeking volunteers for the upcoming study to be done for the Town. Mayor Furton suggested giving Sandy a copy of the survey results from the Town's Comprehensive Plan update. Mayor Pro-tem Scanga suggested the information coming from this type of study might be incorporated into the Land Use Code update, asking if there are other areas it is relative to.

**FINANCE:**

October 22, 2012 meeting

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

With no further business the regular Board meeting adjourned at 7:45 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