

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

MONDAY, MARCH 11, 2013 - 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, 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 - Absent
Visitors:	Charles Collman, Dave Ward, Corwin Bowers & Josh Weum(PDGA Disc Golf Tournament), Joe Stone(Mtn Mail)

APPROVAL OF MINUTES:

MOTION: Trustee Wilson made a motion to approve February 25, 2013 Board meeting minutes, March 1 and March 4 Special Board meeting minutes minutes; seconded by Trustee Slaughter. Motion carried unanimously.

OLD BUSINESS:

DOLA Water Grant Decision Request

Administrator L'Estrange reported:

We have been considering what to do with the pending portion of Friend Ranch Water Project since our early 2013 budget discussions. Now the time is getting closer for us to make a decision so we are starting discussions. The Grant was originally obtained to do various improvements to benefit the Town over and above what was planned by the developer. Some was used to increase the size of the reservoir, oversize the water main and increase the size of the potential water tank that would benefit the Town. There are some considerable strings tied to the money and it cannot be used to "in-rich" the developer. If we decide to bring the money back into Town we will have to re-file and change the scope of the Grant. All this was a little clearer cut when it seemed there was no progress on the FR case. Never the less in order to utilize the remaining \$155,000 of grant money the Town would have to come up with around \$90,000 of matching funds. We need to carefully consider this issue so you can give Staff guidance as how to proceed.

The Board agreed to have staff look into options for possibly using the DOLA grant funding for water upgrades within the town, two possibilities discussed were production well(s) at water tank site and added storage.

NEW BUSINESS:

Resolution #2013-3, Change of Control of the Cable Franchise

Attorney Redmiles reported he has reviewed the Resolution and finds it satisfactory. He noted an additional section was included outlining financial workings for Charter, he stated he does not see any issues with this.

MOTION: Trustee Kroschel made a motion to approve Resolution #2013-3, Change of Control of the Cable Franchise; seconded by Mayor Pro-tem Scanga. Motion carried unanimously.

Land Use Code Enforcement

Administrator L'Estrange reported:

As we get closer to establishing our new Land Use Code and reviewing concerns that have recently come up it is obvious we will need some type of enforcement as we go into the future. Dee has put together a memo as a starting point for this discussion. We have talked about starting the outline for a Town Code Book and enforcement could be a chapter heading in that document. Christy Culp from DOLA has offered to come in and speak to the Board along with others who have planning experience and ideas that may help us. Do you want us to take advantage of that opportunity? Also included is the Ordinance #2009-3 that you asked us to research regarding the Special Review Process as it pertains to the Don Dill property. Around this time we were changing our method of recording meetings so there is no tape of the actual conversation to get a "feel" of what may have been intended. At this point if you feel the language is inappropriate, misleading or not what you want we can amend the ordinance and it gets further refinement as the new code is developed. My recent conversations with Mr. Dill indicated that he knows we were in the process of revision and he wasn't overly concerned, however you can direct Staff to make immediate revisions.

Attorney Redmiles stated currently the town does not have the means to enforce, noting implementing a code enforcement officer/municipal court would provide the means for enforcement. He went on to say it is up to the Board what direction they would like to take. The Board agreed to have DOLA come in and present ideas/options on Land Use Code enforcement.

The Board directed staff to work on updating/clarifying the current Land Use Code language under 4.9.1, regarding nonconforming uses. Staff will follow up.

ADMINISTRATOR'S REPORT:

Update on Water Exchange Case 09CW138

Administrator L'Estrange reported:

We are once again working with the various objectors to get them out of our exchange case. The State has stipulated out which is a good sign hopefully others will follow their lead. Chaffee County is once again causing us problems and running up the bill with questions that seem to represent private concerns. Greg has been working on the possibility of leasing some of our excess water as a revenue source; a suggestion made by the Mayor. I have cautioned him to spend minimal legal and engineering time on this effort. We don't want to eat up any potential profits with external costs.

Results of the February 28, 2013 Meeting

Administrator L'Estrange reported:

I know that P&Z are going to review these results at their next meeting but we wanted you to have them now. The turnout for the meeting was above my explications and the people participated some more than others, but spirited debate isn't all bad.

Fairgrounds Master Plan

Administrator L'Estrange reported:

Chaffee County Commissioners have retained the services of Axle Bishop from Design Concepts to develop a master plan for the Fairground site. I had a brief meeting with Mr. Bishop to give some input as to how the fairgrounds could be better utilized. We would be grateful for any and all ideas you have to make the area a better draw for Poncha Springs.

PDGA Disc Golf Tournament

Administrator L'Estrange reported:

We have gotten an inquire from a Josh Weum regarding a stop on the Professional Disc Golf Association for Poncha Springs in early May. Anticipating the Board would be in favor we have contacted Josh to explain the conditions required for the event. This could become a nice focus event for the Town. We have suggested parking be adjacent to Hwy 285 and crowd accommodations also be set up in that area. We'll see what happens.

Josh Weum informed the Board he is proposing a two day event at the Town's Disc Golf Course, noting locals, and in/out of state disc golfers would participate. He complimented the Town on its high quality course. Weum noted a temporary additional hole is proposed for the tournament, stating he will deliver a set of plans to the Town. Weum stated they would comply with the town's request for the event. Mayor Furton stated the town's insurance company, CIRSA, should be contacted to see if there would be any additional requirements for this type of event. He also stated he wanted adequate sanitary services (porta potties) and trash receptacles. Weum stated PDGA does provide insurance coverage for co-coordinators and participants. Weum stated he feels the event will be a positive impact for the area, noting if all goes well it could become an annual event. Weum stated he will follow up with staff in a timely manner to enable things to move forward as quickly as possible.

Unmanned Vehicle Testing

Administrator L'Estrange reported:

Ever since the article came out in the paper there has been some uproar regarding "drones" in Chaffee County. I attended the presentation at the BV Airport regarding the testing program and it has nothing to do with military applications. The FAA is the only governmental allowed to be involved with this testing program and only six test sites will be approved in the US. There is a mandate which requires the FAA to establish a program to integrate unmanned aircraft into the National Airspace System within the next two years. While the airports are in Chaffee County the testing would be done over the South Park area. The investment here is from the private sector and mainly in the software portion of the new systems. Poncha has the closest developed industrial park to any airport that could accommodate research facilities. Of course there are some privacy issues of concern with the program that can be answered if Colorado is selected.

Charles Collman, 6011 CR 210, stated his concern if the unmanned aircraft/drones are able to detect other aircraft and avoid collision, noting he is a glider plane pilot. Mayor Pro-tem Scanga asked if the drones are subject to the same regulations manned aircraft are. L'Estrange stated more so. L'Estrange went on to say Poncha Springs might benefit if a facility were to be built, noting it could possibly mean opportunity for employment and economic development for the town. Trustee Slaughter spoke in favor of staying in the loop to take advantage of any opportunities that might come to the town. Trustee Wilson also spoke in favor noting the Poncha Springs Business Park could possibly benefit from some high tech jobs. L'Estrange stated he would keep the Board informed as things move forward.

Easter Egg Hunt

Administrator L'Estrange reported:

It's always nice to end with something positive. Once again this year, Aubrey our event coordinator, has the project all set up and we pay a minimal amount for supplies which is in the budget.

ATTORNEY'S REPORT:

Attorney Redmiles reported

- 1 - he received the order to publish the Cross Roads Retail Park quiet title action.
- 2 - there is some movement in the TOMAR case, he will continue to update the Board as things progress.

MAINTENANCE & UTILITIES:

March 6, 2013 meeting report

Included in the packets.

PW Director Smith informed the Board:

1 - a Colorado Tree Board grant for trees at the Welcome Center has been awarded to the town. He stated Kay Krebs will coordinate the project for part of her Master Gardeners thesis. Smith stated GARNA and other entities have volunteered to participate in the project. Mayor Furton asked if a drip system will be installed. Smith stated yes. Trustee Kroschel asked if deer fencing would be installed. Smith stated yes, he would look into this.

2 – he is moving forward with options for leasing some of the towns excess water, noting two entities have contacted him. Mayor Furton stated upfront engineering and attorney fees need to be tracked for the project to ensure the leasing of the water is monetarily beneficial to the town.

With no further business the Board meeting adjourned at 7:35 p.m.

Respectfully Submitted:

Diana K. Heeney
Clerk/Treasurer

Approved As To Form and Content:

Richard Furton, Mayor

Attest:

Jerry L'Estrange
Town Administrator