

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

MONDAY, JUNE 24, 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, 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
Visitors:	Joe DeLuca, Kelly Landau, J.D. Longwell

APPROVAL OF MINUTES:

MOTION: Trustee Slaughter made a motion to approve May 28, 2013 Board meeting minutes; seconded by Trustee Massey. Motion carried unanimously.

OLD BUSINESS:

Xcel Substation Access

Administrator L'Estrange reported:

As a part of our ongoing conversations with Xcel the topic of access to the new substation came up. They were granted a temporary access in order to get their equipment onto the property. It is now their goal to make that location permanent. To accomplish that goal they will have to apply to C-DOT and modify our Access Control Plan. When our plan was developed we had projected a through road on the west side of the existing substation. Now that corridor would be between two substations which would make that impractical. I will work with Xcel and C-DOT with your permission to get these issues sorted out. Please review the included Xcel memo for further clarification.

The Board agreed staff will follow up on this project.

Review of Land Use Code Update

Joe DeLuca., Crabtree Group Consultant, provided draft copy of the sign codes for the Land Use Code Update. DeLuca went through the types of signs with zones they would be allowed in and specifications for each type. The Board and staff made several suggestions/comments which DeLuca will incorporate into the sign code draft for future review and approval.

NEW BUSINESS:

Consideration of Live Well Healthy Eating Active Living (HEAL) Resolution

MOTION: Trustee Kroschel made a motion to adopt the proposed HEAL Resolution; seconded by Trustee Angelo. Motion failed with Mayor Furton, Mayor Pro-tem Scanga, Trustees Wilson and Massey voting no.

Board Consideration of Direction for Plannin Position

Mayor Furton spoke against filling the position, noting there is not that much going on at this time. He went on to say Little River Ranch subdivision is almost done and Friend Ranch is not viable at this time, he suggested a contract planner if the need arises. Administrator L'Estrange asked if they (Board) wanted a contract planner on call stating several land use calls were received today. L'Estrange stated with the new Land Use Code it would be nice to have one person to respond to land use questions, noting the inquirers would get the same answer every time. He went on to say the Board needs to understand there is a need for planning. Mayor Furton stated with the new form based code land use will be less work. L'Estrange stated just explaining the code can be daunting. He added the town now has a name for progressive planning. Mayor Furton stated with a little bit of adjustment on current staff's part it should be manageable. Trustee Kroschel stated if it gets busy (land use applications) the Board can address this need. He went on to say when the town implemented the Planning position there was a lot going on and the town and a contract planner was not a workable situation. Kroschel went on to say the Board will respect current staff and if the need arises a decision can be made for a contract planner and/or staff planner, noting at this time it is not busy enough to have this position. Trustee Angelo stated the Board can look at this down the road but not right now. J.D. Longwell, citizen, stated coming out of a low growth period with more growth in the future the town will need planning. He went on to say he hoped the Board will not close the door on planning. Trustee Angelo stated it is not the intent to close the door on a planner position. Mayor Furton stated the Board needs to take a look at current positions and job descriptions, noting this is something that will need discussion. Furton stated if the Town can find the funds when the Hwy 50/285 intersection goes in there is a need to bring the waer main across the highway for fire flow and redundancy. Trustee Slaughter suggested someone in the community could volunteer to do the job. Administrator L'Estrange stated staff has the Board's direction and will go forward from there.

ADMINISTRATOR'S REPORT:

Update on BV Prison Utilization

Administrator L'Estrange reported:

I attended the meeting in BV regarding prison utilization because it is a Chaffee County wide concern if reductions are made at that facility. We have Poncha residents whose livelihood could be affected. The meeting was well attended with some fifty two people in the audience. Of that number well over half were DCO employees. A study of all the facilities is being conducted and as a result of that study recommendations will be made to the Legislature for their action. We are including some material for your information.

Xcel Fencing Project

Administrator L'Estrange reported:

We brought this issue to your attention a few weeks ago and were given direction to go out to the community to find support for a solution to screening of the new substation. We put the question out through several information sources and got very little feedback and no offers of additional funding. The Xcel ideas of some type of slats or artificial trees stuck into the fence do not appeal to me and would be a maintenance nightmare. Something like a black or dark green coated woven wire chain link may be the answer. I am open to suggestions.

The Board discussed pros and cons and the consensus was to go with Administrator L'Estrange's suggestion of black or dark green coated fencing.

Little River Ranch Plat Amendment

Administrator L'Estrange reported:

I felt my direction from the Board was to handle this ROW abatement in the most expedient way possible. I have been working with Dave Martin of Little River Ranch regarding a Boundary Line Adjustment that would eliminate the road way and give the property back to the adjacent lots. We will accomplish this administratively following procedure in the LUC. This action will not eliminate easy access to the Hutchinson property in case of fire. We have a letter from the Colorado Cattlemen's Agricultural Land Trust stating the vacation of Juniper Drive will advance the purposes of the conservation easement, and the applicant will pay all the fees. I chose not to get the County involved because it was an internal Town road. I will keep you informed as the process proceeds.

Notice of Atmos Rate Increase

Administrator L'Estrange reported:

Once again we have been informed the Atmos Energy is seeking a rate increase. We are passing along information in case your constituents have questions.

2012 Audit Update

Administrator L'Estrange reported:

The 2012 audit is in the final stages of completion. We will schedule a meeting with the Finance Committee and the Auditor as we have done in the past and then bring recommendations forward to the entire Board.

Update on SPOT/Guidestone Operating Agreement

Administrator L'Estrange reported:

We sent our Attorney's changes and suggestions to the Operating Agreement back to the applicants. They had a problem with one aspect of the contract. I am working with Brad to see if we can make a modification that will be acceptable to SPOT and also protect the Town.

L'Estrange noted the changes have been agreed upon and they will be incorporated into the agreement and then signed by all parties.

ATTORNEY'S REPORT:

Administrator L'Estrange asked if the Board had interest in adopting the Ban and Use of Fireworks as they did last year. Attorney Redmiles agreed last year's ordinance could be used by changing the dates.

MOTION: Trustee Wilson made a motion to approve Ordinance #2013-7, An Ordinance Banning the Sale and Use of Fireworks; seconded by Trustee Slaughter. Motion carried unanimously.

PLANNING & ZONING:

June 10, 2013 minutes included in the packets.

Administrator L'Estrange stated the July 8th agenda would include the Land Use Code update and Planning Commission guidelines.

MAINTENANCE & UTILITIES:

June 19, 2013 meeting report included in the packets. PW Director Smith reported on the RAMP application for the Hwy 50/285 intersection by the Visitor's Center to include Trail improvements the town had submitted. He informed the Board CDOT wanted to realign the intersection along with the other improvements that the town had submitted for, noting this increased the cost beyond the Town's ability to come up with matching funds. Smith stated at this time the town does not have the capability to match funds for a project this size, noting approximately \$200,000 would be needed. Smith went on to say a detailed design would have been needed to move to the second round of applications and the upfront engineering costs, estimate \$6,000, were not available in the town's budget, noting this was part of the application process.

Mayor Pro-tem Scanga asked for an update on cleaning the town's water tanks. Smith stated this would be done in late August of early September by a firm out of Denver. He noted Town water needs was a consideration for the scheduling as the tanks will need to be drained. Smith stated he will firm up the scheduling and report back to the Board.

FINANCE:

MOTION: Trustee Kroschel made a motion to pay May bills; seconded by Trustee Wilson. Motion carried unanimously.

With no further business the Board meeting adjourned at 8:30 p.m.

Respectfully Submitted:

Diana K. Heeney
Clerk/Treasurer

Approved As To Form and Content:

Richard Furton
Mayor

Attest:

Jerry L'Estrange
Town Administrator