

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

MONDAY, JULY 22, 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 - Absent
Trustees Present:	Aaron Kroschel, Galen Angelo, Ron Slaughter, Rebecca Massey, Darryl Wilson - Absent
Town Attorney:	Brad Redmiles
Town Administrator:	Jerry L'Estrange
Public Works Director:	Greg Smith
Clerk/Treasurer:	Diana Heeney
Visitors:	Joe DeLuca, Jan & Chuck Azzopardi

APPROVAL OF MINUTES:

MOTION: Trustee Slaughter made a motion to approve June 24, 2013 Board meeting minutes and July 8, 2013 Special Board meeting minutes; seconded by Trustee Kroschel. Motion carried unanimously.

OLD BUSINESS:

Midyear review of 2013 Budget

Administrator L'Estrange requested this item to be moved down on the agenda. The Board agreed to move the item down.

Revised Town Organizational Chart

Trustee Kroschel asked if the Board was in agreement with the title and what the pay scale would be for the position. Administrator L'Estrange stated the position would be multi-task and a job description would need to be developed along with a pay scale. Mayor Furton stated the position is there and a decision can be made to fill it if/when needed. Trustee Kroschel stated the title will drive the pay. Mayor Furton stated the Board can wait and see what the need is and decide on a job description.

MOTION: Trustee Kroschel made a motion to adopt the Town Organizational Chart as presented with the date of approval added to the footer of the document; seconded by Trustee Slaughter. Motion carried unanimously.

Consideration of Lifting Ordinance Banning Sale & Use of Fireworks

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

NEW BUSINESS:

Acceptance of the 2012 Audit

MOTION: Trustee Slaughter made a motion to accept the 2012 Audit; seconded by Trustee Kroschel. Motion carried unanimously.

OLD BUSINESS:

Continuation of Work on the LUC

Joe DeLuca, Crabtree Group, led the Board through a review of the Transect Zone Descriptions, taking Board comment to update the draft LUC in preparation for the next meeting. DeLuca will provide a larger scale map of the zones for the July 29, 2013 work session for the LUC. The board agreed to continue work on the LUC update scheduling meetings/ work sessions as needed.

ADMINISTRATOR'S REPORT:

Update on Potential Ballot Question to Stop Sales Tax Distribution to Municipalities

Administrator L'Estrange reported:

This issue came up rather quickly on the County Commissioners agenda. I attended their meeting to voice concern regarding the impact such an action would have on Poncha Springs Budget. It was decided to have Public Hearings on the issues and that time was too short for a ballot question this fall. County Staff was directed to go back and revive discussions regarding the tax sharing proposition designed a couple of years ago. Town/City Staff members in attendance agreed to work with County people on that effort.

SCEDD Annual Review

Administrator L'Estrange reported:

For those of you that don't know we are under the umbrella of the Southern Colorado Economic Development District; every year we get together with the other municipalities and the County to review the Chaffee County Development Strategy. I was able to update the progress Poncha has made toward our goals and took out a couple of things that no longer seemed applicable.

Update on Appraisal of the Friend Ranch Property

Administrator L'Estrange reported:

Tuesday July 9, 2013 I met with Brian Stafford who wanted some time to update the status of the appraisal of the Friend Ranch property. I asked Greg to join us to answer historical questions. I explained that the water case had been settled and we got 216 acre feet of water through the settlement. I was pretty emphatic that the Town owned the water and while there had been a share-back agreement in the past, that was void. We would expect as a starting point for any new developer repayment to the Town of legal fees and other costs incurred by the Town since the demise of FR/Ben Tree. Brian said that he understood our position and would include things we had told him in his report to the Bank.

Public Works Director Smith informed the Board that he had gone over the 75 pre water change case taps that were outlined in the agreement, noting now the water court case is finalized these 75 taps are no longer available. Smith went on to say he gave the appraiser information on the water rights as they exist today for municipal use. He noted he feels the appraiser is on board with all the information provided

regarding the water.

Administrator L'Estrange stated he had informed the appraiser of other costs associated with the Friend Ranch property that would effect a developer getting through the door to begin working with the town on developing the property.

Attorney Redmiles stated claims have been dropped between TOMAR and the Bank and the appeals process will follow.

BOSH Global Scores Update

Administrator L'Estrange reported:

These are the people I reported to you a few months ago regarding economic development to the area. This is the company working under the University of Colorado on the integration of UAV's into the general aviation air space. Colorado is still in the running for one of the six test sites the group has been cut to 26 states. Although we don't control an airport we are closer to Harriet Alexander than Salida. This activity could produce some viable jobs for our area.

Concerns at South Park Parking Area

Administrator L'Estrange reported:

We have gotten concerns about people expanding the parking areas down by the picnic area near the new bridge located on the highway side of South Park. We have gone there several times to disrupt fire rings, etc. It seems people may be trying to get further back into the woods to avoid detection and doing overnight camping even though signs are posted that prohibits that activity. We could place some large rocks or tree trunks at strategic locations to try and stop encroachment. It is such a great spot I would be hesitant to cut off all access to the picnic area.

The Board agreed boulders and/or portions of trees should be used to mark off a designated parking lot and deter motor vehicles encroaching into other areas. Staff will follow up.

Water Case Update

Administrator L'Estrange reported:

We are including a short email from Steve Monson stating the final exchange decree in 09CW138 which has been entered by the Water Court. It has been a long process but with a positive outcome. Staff still has work to do and will be meeting with Steve soon to outline implementation requirements.

L'Estrange stated he and PW Director Smith will meet with the Town's professionals and go over what the town has to do to firm up the water rights.

L'Estrange stated he would like to have Town Water Attorney Steve Monson meet with the Board and go over the water rights. Mayor Furton spoke in favor of meeting with Monson, noting if the town/developer does not water the golf course what are the options. L'Estrange agreed. Staff will follow up.

Retail Marijuana Establishments

Administrator L'Estrange reported:

We thought that this issue was behind us with the vote on medical marijuana but perhaps that isn't true under Amendment 64. This memo from the State brings up some interesting questions. We've had some one inquire about opening such a facility. We seem to need direction to Staff and our Attorney.

ATTORNEY'S REPORT:

Attorney Redmiles had nothing further to report.

PLANNING & ZONING:

July 8, 2013 minutes included in the packets.

MAINTENANCE & UTILITIES:

PW Director Smith reported Trustee Kroschel was the only attendee, noting they reviewed ongoing items with there being no new projects at this time. Smith stated he thinks Well #4 has made a positive difference in the Town’s ability to supply water needs this summer. He informed the Board that he is working with CDOT to see if the town can use SGM to continue the CR 120 Trail project with the new plan in place to move forward with the grant funding and cash matches that are currently in place.

FINANCE:

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

OTHER:

Mayor Furton stated he has interest in resurrecting the Poncha Springs Booster Club. He noted this would mean the Board room would revert back to the museum and the Board could possibly meet at the Fairgrounds meeting room. Trustee Kroschel stated there would be a lot of details to work out. Trustee Slaughter noted ADA might come into play. Furton asked the Board to give the idea some thought for future discussion.

With no further business the Board meeting adjourned at 9:06 p.m.

Respectfully Submitted:

Diana K. Heeney
Clerk/Treasurer

Approved As To Form and Content:

Richard Furton
Mayor

Attest:

Jerry L’Estrange
Town Administrator