

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

MONDAY, OCTOBER 28, 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, Rebecca Massey, Darryl Wilson
Town Attorney:	Brad Redmiles
Town Administrator:	Jerry L'Estrange
Public Works Director:	Greg Smith - Absent
Clerk/Treasurer:	Diana Heeney
Visitors:	Richard Chick, Norm Karasa, Brian McCabe(Mtn. Mail)

APPROVAL OF MINUTES:

MOTION: Trustee Slaughter made a motion to approve September 23, 2013 Board meeting minutes and October 14, 2013 Special Board meeting minutes; seconded by Trustee Wilson. Motion carried unanimously.

OLD BUSINESS:

Developer Request for Board of Trustees Sense of Potential Annexation

Administrator L'Estrange reported:

Over the years the Town has seen at least three presentations regarding property south and east of the present Town, owned by Norm Karasa. The land in question is currently accessed by Hutchinson Lane along the power line as it heads east. Mr. Richard Chick approached me on Mr. Karasa's behalf and asked if he could come in and talk to Council "to take their temperature" regarding a possible development/annexation. They provided a packet of information that was presented to Chaffee County for a development proposal after being turned down by the Town. Please take note of the comment letter prepared by Dee Miller 12-14-2010 expressing Poncha Springs concerns. Those concerns still remain valid. We can listen to the presentation and I will let you formulate your own opinions but I could not recommend approval in its current form.

Richard Chick, representing Norm Karasa, was present to talk to the Board regarding the Karasa parcel southeast of town in regards to annexation/development. Richard Chick stated he is helping Mr. Karasa with the potential approval process of the Karasa parcel. He went on to say he is working as a realtor/consultant on the proposed development. Chick stated since Karasa last met with the town regarding the parcel a lot has changed, noting number one – the economy. He stated the current economy is supporting retirees, noting some have only a portion of their retirement remaining due to the past years economy. Chick stated the proposed project would offer condominiums in the \$300,000 range, which is a marketable figure in this economy, noting he thinks the proposed project is saleable. He added the town's use tax and development fees would serve as revenue for the town, noting it is understood residential development is not considered a money maker. Chick stated the developer did apply to the County the County encouraged the developer to apply to Poncha Springs. Mayor Furton asked for clarification on sewer service for the proposed development. Chick & Karasa stated the Little River Ranch low pressure sewer system will need to be checked into to see if the developer is willing to allow tapping into it and if

there is capacity to serve in the existing LRR system. Karasa stated he has looked into ISBS for the proposed development. Furton asked if the proposal is for septic and leech for each unit. Karasa stated he has considered pits before the LRR low pressure sewer system. Trustee Kroschel asked Town Attorney Redmiles if the board could discuss this generalized proposal, noting in the past a full application would be needed for Planning Commission and Board review. Attorney Redmiles stated the developer should follow Town procedure on this. Furton stated a lot more information is needed. Karasa stated he is asking for a cursory review from the Board. Furton stated the Town is nearing completion/adoption of a new Land Use Code. Chick asked if there is a problem with the proposal in regards to the new code. Furton stated the town's stance is for infill is preferred before annexations. Karasa stated his previous submittal was for 28 lots now he is proposing cluster building with less impact and less density. Furton asked if the proposal is compatible with surrounding development, noting septic systems are not in line with annexation/development within town. Trustee Kroschel stated the town will have to talk to their water attorney regarding the proposal, noting a full plan needs to be submitted before the town incurs costs. Furton stated the well Karasa drilled is pumping from 360', noting this would create big maintenance costs. Furton stated there are a lot of things to sort out, noting water and sewer to be important issues. Karasa stated he would like to pursue the proposed development if there are no road blocks. Trustee Kroschel stated he feels a full application is needed before the town makes any type of decision regarding the proposed annexation/development. Karasa stated he wants a feel/sense if the town is utterly opposed to an annexation. Karasa stated he asked if the Little River Ranch development has been good for the town, noting the sense is that it is. He went on to say his proposal is a normal extension of this development. Furton stated infill is preferable to annexation with the new Land Use Code. Furton stated the town does not have enough information, more work needs to be done on the developer's part. Trustee Kroschel stated the parcel is challenging due to its location. Karasa asked what the road standard would be for the development. Trustee Kroschel stated the town owns Hutchinson Lane but will never take over maintenance on it, noting the storm water issue has to be considered due to maintenance costs that can occur with storm water damaging the terrain and roads. Karasa stated he feels he has addressed this by centering the buildings in the ravines forcing the storm waters to the outside. He went on to say with looking at what has occurred in the past it is manageable. Furton stated he does not want to send the developer off to spend a lot of money if the proposal is not going to work out. Kroschel stated the Board does not want to encourage or discourage, noting he would like a full plan before anything is determined. Kroschel added the Karasa parcel is not in the Town's three mile plan due to challenge to serve the parcel. Karasa stated when he came to the town in 2008 available sewer taps was the issue. Kroschel asked what happened at the County with the proposal. Karasa stated the Salida Water Shed Plan and the fact that Reimer likes developments to hook up with municipal services. Administrator L'Estrange stated in the new Land Use Code the proposed development could be considered T2 or T3, neither a fit for what is being proposed due to density. He went on to say he does not want the town to adopt a new code and then not follow it. L'Estrange stated T2 would not allow the density that Karasa is seeking in the proposed development. L'Estrange stated the new code allows a dense center core with less dense zone on the outer edges. Mayor Pro-tem Scanga stated he feels the town needs to stay in line with the new codes standards. The Board agreed the developer should follow up with additional information to town staff.

Continuation of Work on the Land Use Code

Administrator L'Estrange stated a couple of things need to be wrapped up for the new code

- parks requirements
- street/road standards

He stated the language from the old code will be moved to the new code if the Board is agreeable. The Board agreed to move the language from the old code to the new code for these items. Mayor Furton stated he would like to talk about the water a developer has to bring, noting he would like to see liquid water or cash in lieu as this alleviates costs associated with developing water rights. L'Estrange a dollar

amount for cash in lieu will need to be determined. The Board agreed to the suggestion of liquid/wet water of cash in lieu.

Attorney Redmiles stated he has not received/reviewed chapters 7-13. He went on to say he would like to schedule an executive session regarding the parks requirements/dedications part of the Land Use Code. The Board scheduled an executive session for November 4, 2013 at 5:45 p.m.

NEW BUSINESS:

Grimo's Italian Restaurant Lique License Renewal Application

MOTION: Trustee Slaughter made a motion to approve Grimo's Italian Restaurant Tavern Liquor License; seconded by Trustee Wilson. Motion carried unanimously.

Resolution #2013-7, Certify Delinquent Water Accounts to Chaffee County Treasurer

MOTION: Mayor Pro-tem Scanga made a motion to approve Resolution #2013-7; seconded by Trustee Slaughter. Motion carried unanimously.

ADMINISTRATOR'S REPORT:

Update from the CML Policy Meeting

Administrator L'Estrange reported:

While we often think things that happen in the Colorado Legislature don't directly affect Poncha there are some things in the works for next year that have interest to us. One is a request to CML to endorse legislation that would change Colorado Statutes to allow P & Z commissioners to be paid. I know from all my past experience that could help small municipalities' attract and retain people on that commission. Another was a request to look into the regulations regarding the amount charged by counties to municipalities in coordinated elections. It seems in some Front Range areas small municipalities and special districts have been charged as high as \$11.00 per vote by their County Clerk.

Action 22 Recommendations

Administrator L'Estrange reported:

As you know I also represent you and our area on the Action 22 Board. We were asked for consensus from the 22 Southeastern Counties on the two ballot issues. We came to the position opposing Amendment 66 for several reasons. It again adds something to the Colorado Constitution, creates a new State taxing structure and an overall tax increase that could harm the business economy. The group favored AA the tax on marijuana to help with enforcement.

The group's statement made it clear we are in favor of Education and methods that would help improve its statues in Colorado, but 66 was not the correct method.

Oversight Committee Update

Administrator L'Estrange reported:

The Oversight Committee working on the Fire/EMS consolidation is putting together a series of meetings with the various Fire Departments on October 28, 29, and 30 with the help of a facilitator to get input on the consolidation efforts. We understand there is resistance from some Departments toward this effort. You will hear some update at your 29th joint meeting.

Budget Workshop

Administrator L'Estrange reported:

We finished our last Budget Workshop without a clear direction regarding the next session. If we get the LUC done at the Potential Special Meeting on November 12th perhaps we could go into a Budget Workshop thus cutting down

on the number of meetings on your schedules.

The Board agreed to hold a budget work session on November 12th if time allowed after the Planning Commission Meeting/Special Board Meeting.

ATTORNEY'S REPORT:

Attorney Redmiles reported on the Friend Ranch/TOMAR case
- the 2 week trial was vacated
-the case is stagnant at this time

PLANNING & ZONING:

September 9, 2013 and September 14, 2013 minutes included in the packets.

FINANCE:

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

OTHER:

Administrator L'Estrange reminded the Board of the October 29th joint meeting at Grimo's.

With no further business the Board meeting adjourned at 7:55 p.m.

Respectfully Submitted:

Diana K. Heeney
Clerk/Treasurer

Approved As To Form and Content:

Richard Furton
Mayor

Attest:

Jerry L'Estrange
Town Administrator