

# COLLBRAN BOARD OF TRUSTEES MEETING

Tuesday, February 5, 2008

REGULAR MEETING  
7:30 p.m. Collbran Town Hall

The regular meeting of the Collbran Board of Trustees was called to order at 7:30 p.m. by Mayor Frank Jones. The Pledge of Allegiance was recited.

**PRESENT ON ROLL CALL:** Yes - Trustees Ed Satterfield, David Schuman, Rich Sharples, Roland Hall, Lee Lent, Rachel Maigatter, Mayor Frank Jones

**OTHERS PRESENT:** Edith Ann Power, Manager/Clerk; Jim Neu, Town Attorney; Adam Appelhanz, Marshal; Joe Fox, Public Works; Vic Sturm, Land Use; Mike Ralston, Gene Scott, Tom Kerrigan, Rick Lucas, Chuck Shear, Loyal May, Debbie Desmarteau, Janice Satterfield, Kaleb Julius, Kayla Fox, Debbie Hamm, Linda Ayers

Marshal Appelhanz introduced Tony Ortiz who has applied as a reserve officer for the Marshal Department.

## CONSENT AGENDA

### *MINUTES: January 8, 2008 Regular Meeting*

Trustee Maigatter noted that per C.R.S. 31-22-01, publication of expenditures is required monthly rather than quarterly as typed in the minutes. The correction was noted. The expenditures will be published to comply with Colorado Statute. Trustee Satterfield suggested publishing in the PV Times.

Trustee Satterfield moved to approve the minutes of the January 8, 2008 Regular Meeting as corrected; seconded by Trustee Maigatter

**ROLL CALL:** Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

## *BILLS AND EXPENDITURES*

Manager Power explained there are additional expenditure pages due to changing to the Caselle accounting program. The staff decision to travel to the Caselle training in Utah via Amtrak rather than driving was a considerable cost savings.

Trustee Sharples moved to approve the bills and expenditures with the exclusion of the dental and vision premium until clarification is received; seconded by Trustee Maigatter

**ROLL CALL:** Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

## CITIZEN COMMENT

There were no comments.

**ITEMS ON THE AGENDA**

***PUBLIC HEARING***

*Julius, Inc. – Use By Review*

**PUBLIC HEARING OPENED**

All requirements have been met. Vic Sturm reviewed staff recommendations. Recommendation #1 was in error and deleted. Mr. Julius explained the addition of a one bedroom rental apartment to the rear of his property located at 1006 High Street. No others came forward in favor or opposition to this matter.

**PUBLIC HEARING CLOSED**

Trustee Lent moved to approve Use By Review for Julius, Inc. with staff conditions as amended; seconded by Trustee Satterfield

**ROLL CALL:** Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

***PUBLIC HEARING***

*Sunnyside Production Collbran Park – Dissolution of Lot Lines*

**PUBLIC HEARING OPENED**

All requirements have been met. Vic Sturm reviewed staff recommendations. Due to requirements in the existing Municipal Code regarding subdivisions, this has been a laborious process for Mr. Shear, further indicating the need for new land use code. No others came forward in favor or opposition to this matter.

**PUBLIC HEARING CLOSED**

Trustee Satterfield moved to approve the Dissolution of Lot Lines for Sunnyside Production Collbran Park with staff recommendations as presented; seconded by Trustee Lent

**ROLL CALL:** Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

***APPROVE RESOLUTION NO. 3, SERIES OF 2008***

***A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF COLLBRAN, COLORADO DESIGNATING PERSONS AUTHORIZED TO EXECUTE DOCUMENTS REQUIRED FOR THE WITHDRAWAL, TRANSFER AND EXPENDITURE OF TOWN FUNDS.***

Roland Hall, as Mayor Pro Tem, is added as a designated authorized person. Trustee Sharples moved to approve Resolution No. 3, Series of 2008; seconded by Trustee Maigatter

**ROLL CALL:** Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

**APPROVE ORDINANCE NO. 2, SERIES OF 2008**

**AN ORDINANCE OF THE TOWN OF COLLBRAN, COLORADO, SUBMITTING TO THE ELIGIBLE ELECTORS OF THE TOWN AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON APRIL 1, 2008 A QUESTION WHETHER TO IMPOSE A TAX OF SEVEN PERCENT (7.0%) ON LODGING ACCOMMODATIONS FOR THE PURPOSE OF FUNDING THE CONSTRUCTION AND MAINTENANCE OF INFRASTRUCTURE IMPROVEMENTS IN THE TOWN, SETTING THE TITLE AND CONTENT OF THE BALLOT ISSUE FOR THE ELECTION, AND FURTHER ADOPTING A NEW CHAPTER 5.08 OF THE COLLBRAN MUNICIPAL CODE, "LODGING TAX" SUBJECT TO APPROVAL BY THE CITIZENS OF COLLBRAN AT THE 2008 REGULAR MUNICIPAL ELECTION.**

Lodging refers to any lodging 30 days or less. The Board had directed the lodging tax be designated for the water and sewer enterprise funds; however, as discussed before, enterprise funds cannot be subsidized more than 10 per cent by outside funds. Therefore, the Ordinance was adjusted to fund the construction and maintenance of infrastructure improvements which could also include water and sewer. A new Lodging Tax Fund will be created. The Ordinance allows the Town to adjust collection and violations as needed with Mesa County if the measure is voter approved. It is the Trustees individual responsibility to educate the public concerning this ballot question, but the Town cannot take a position, nor can Town funds be utilized on the issue. The alternative is for an issue committee to be formed to campaign for the tax. Reference to Town Manager in the Ordinance will be changed to Town Administrator to be consistent with the Municipal Code. This tax will be collected with no Tabor or other statutory limitations, if passed by the electorate.

Trustee Satterfield moved to approve Ordinance No. 2, Series of 2008 as amended; seconded by Trustee Maigatter

**ROLL CALL:** Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

**REOPENED – MOTION MODIFIED**

Trustee Satterfield moved to amend Ordinance No. 2, Series of 2008 to also have the ballot question published in the Plateau Valley Times; seconded by Trustee Maigatter

**ROLL CALL:** Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

**APPROVE ORDINANCE NO. 3, SERIES OF 2008**

**AN ORDINANCE OF THE TOWN OF COLLBRAN, COLORADO, SUBMITTING TO THE ELIGIBLE ELECTORS OF THE TOWN AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON APRIL 1, 2008 THE ISSUE OF WHETHER TO PERMIT THE PUBLICATION OF ORDINANCES BY TITLE ONLY.**

Publishing by title only will save on publication costs. The Ordinance was amended to read 'any person' may obtain a copy of such ordinance free of charge. It was further amended to also have the ballot question published in the Plateau Valley Times.

Trustee Sharples moved to approve Ordinance No. 3, Series of 2008 as amended; seconded by Trustee Hall

**ROLL CALL:** Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

Trustee Satterfield moved to have any Town of Collbran notices published in the Plateau Valley Times and with discretion in the Grand Junction Daily Sentinel; seconded by Trustee Maigatter

It was noted this would raise publication costs for the Town and land use public notice costs for land use clients.

**ROLL CALL:** Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

***CLARIFICATION OF ORDINANCE NO. 1, SERIES OF 2008 – OUT-OF-TOWN WATER/SEWER SURCHARGE DISCUSSION***

It was clarified that the water and sewer out of town \$12 surcharge was to be charged per property, per month. It was further clarified the water and sewer users rates were increased to \$55 per 10,000 gallons. A senior citizen discount was not a part of this ordinance. The Board of Trustees could set that with policy in the future.

Craig McDaniels asked to speak concerning an agreement past administration had with his now deceased father guaranteeing in-town sewer rates for an easement which was placed across the McDaniels property for access to the sewer plant when it was constructed. McDaniels does not have a written agreement. No agreement has been discovered in the Town files to date. The Town will be order a title search.

***REVIEW AND ACTION ON EMPLOYEE DENTAL/VISION BENEFITS***

Manager Power presented rate information for the dental and vision benefit as requested previously by the Board. The cost is minimal.

Trustee Satterfield moved that the Town of Collbran stop paying for employee dental and vision coverage; seconded by Trustee Maigatter

**ROLL CALL:** Yes - Hall, Lent, Maigatter, Satterfield, Sharples  
No – Jones, Schuman

**STAFF REPORTS**

**MARSHAL:** The Marshal had nothing to report.

**PUBLIC WORKS:** The Water General occasionally experiences shut off issues due to sediment in the solenoid. Public Works is cleaning and checking it frequently. Supervisor Fox will investigate pressure reduction. Snow piles will be removed as soon as haulers are available. The Marshal donated his time and expertise to install new warning lights on the F450 which is used for snow plowing. The sewer line in the Scott Subdivision has been located.

**MANAGER:** The Caselle training was excellent. Staff received compliments from the instructors for excellent records for the Caselle import. Cash receipting equipment will be purchased for the front counter at minimal cost. The Source Water Protection Plan is in draft form for review before approval. Keith Encke and Edith Ann Power will serve on the Steering Committee. The Board was encouraged to read the plan. Staff met with representatives from

the five major energy producers in this area and presented, as they had requested, a list of Town needs amounting to over \$1,800,000. The Public Forum was poorly attended. The main concern voiced was traffic. Teri Appelhanz has resigned as van driver. The job opening will be posted. It was noted to the Board that 2008 is the 100 year anniversary of the incorporation of the Town in case they wanted to start planning a celebration. The employee gift certificates which have not been received will be purchased.

**ATTORNEY:** The Nichols water line easement litigation trial will be February 11, 12, and 13. Nichols would not settle. Legal advised the Board to comprehensively approve and adopt job descriptions, salary schedules, and rewrite the Code to coincide. Trustee Satterfield stated the Board paid an outside firm in 2005 to write job descriptions with salary schedules for the Clerk, Administrator, and Marshal positions.

Trustee Satterfield moved to increase the Public Works Supervisor salary \$.54 per hour retroactively to the six-month employment anniversary date; seconded by Trustee Sharples

**ROLL CALL:** Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

### **COMMENTS FROM MAYOR AND COUNCIL**

A Special Meeting was scheduled for Thursday, February 7, 2008 at 6:30 p.m. for approval of job descriptions and salary ranges for the Marshal, Deputy Marshal, Public Works Supervisor, and Public Works Assistant positions.

The Public Works Supervisor position salary is \$17.70 per hour.

### **ADJOURNMENT**

Trustee Lent moved to adjourn the meeting at 9:51p.m.; seconded by Trustee Maigatter

**ROLL CALL:** Yes - Hall, Jones, Lent, Maigatter, Satterfield, Schuman, Sharples

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Approved

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Clerk