

COLLBRAN BOARD OF TRUSTEES MEETING

Tuesday, May 6, 2008

REGULAR MEETING

7:30 p.m. Collbran Town Hall

The regular meeting of the Collbran Board of Trustees was called to order at 7:33 p.m. by Mayor Brad Osburn. The Pledge of Allegiance was recited.

PRESENT ON ROLL CALL: Yes - Trustees Teri Appelhanz, Roland Hall, Lee Lent, Rachel Maigatter, Ed Satterfield, Kendall Wilcox, Mayor Brad Osburn

OTHERS PRESENT: Edith Ann Power, Manager/Clerk; Jim Neu, Town Attorney; Adam Appelhanz, Marshal; Joe Fox, Public Works; Mike Wilkerson, Deputy Marshal; John Blady, Gene Scott, Debbie Desmarteau, Nancy Hall, Kris Davis, Richard Kees, Jeanne Kees, Beau Addison, Debbie Hamm, Lloyd Power, Rick Lucas

CONSENT AGENDA

MINUTES: April 8, 2008 Regular Meeting; April 15, 2008 Special Meeting

Trustee Satterfield moved to approve the minutes of the April 8, 2008 Regular Meeting and the April 15, 2008 Special meeting as presented; seconded by Trustee Wilcox

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Osburn, Satterfield, Wilcox

BILLS AND EXPENDITURES

Mayor Osburn noted that future meetings will be orderly and structured. The official motion will be the motion stated by the chair. Mayor Osburn clarified the Board directive from the last meeting that Clerk overtime must be pre-approved. Public Works Department does not have that restriction. The PW Supervisor stated he was compensated for meeting overtime with comp time. Board consensus was for Jeff to reimburse the debit card account as needed to maintain the \$2000 limit. An expenditure to budget comparison report was presented and noted that the first quarter contained several variables, but that expenditures were well below budget. Other expenditure questions were answered by staff.

Trustee Satterfield moved to approve the bills and expenditures as presented; seconded by Trustee Appelhanz

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Osburn, Satterfield, Wilcox

CITIZEN COMMENT

The Mayor stated he would restrict comments to three minutes. He further stated that he had a responsibility to the citizens and to the staff, so if comments were directed at staff he would also seek staff comment. John Blady read a prepared letter asking the Board when his sidewalk, which he had been promised by the Board for six years, would be repaired. Present staff and Board were unaware of the promise made by past administration. John Blady expressed his annoyance with the burn permit process and cost. When the Manager brought the burn permit question before the Board at the April meeting, no decision was made. The Plateau Valley Fire District does not want the liability of burn permits, so at this time, the liability remains with the Town and the Code is unchanged.

Trustee Lent moved to amend the Community Fee Schedule effective 5/6/08 to lower the burn permit fee to \$5 from \$25. The Resolution will be formally approved at the June meeting; seconded by Trustee Wilcox

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Osburn, Satterfield, Wilcox

Debbie Hamm and Richard Kees, representing the Collbran Lions Club, reported the Lions Club was awarded an El Pomar Youth and Community Service grant for \$2500 to be used for Terrell Park playground equipment. This money will be used to supplement the purchase of playground equipment by the Town either through the GOCO grant, which may be awarded in June, or with the budgeted amount. Lions Club will hold the money until time of purchase.

STAFF REPORTS

MARSHAL: See attached report. The Marshal thanked Mayor Osburn for taking time to ride with the Marshal during duty time. It was noted he is the first mayor or trustee in the Marshal's career with the Town to do so. There were no problems at the Stockgrower's Banquet and Ball which was the first alcohol event held at the Auditorium.

SUMMER RECREATION PROGRAM

Kris Davis, director, asked about the liability exposure for a dunk tank at the July 4th Carnival. The Mayor and a few Trustees agreed to participate with the dunk tank.

PUBLIC WORKS:

The DOLA grant project is in the design and planning phase. Bid specifications will be distributed soon. A failed pump was replaced at the springs pump house, damaged VFDs were replaced or rebuilt, parks have been aerated and fertilized, irrigation water is on, plumbing and fixtures at the Fairgrounds and Terrell Park replaced, meters from winter freeze replaced, 'no parking' signs installed on Cherry Lane and River Court, and storm drains cleaned. The street sweeping, paid for by energy donation money, was less expensive than quoted. The north approach to the Main Street bridge repair and asphaltting the bridge face will be completed next week. Because the Mesa County con-crew's work schedule is intermittent, the Board directed Public Works to proceed with building the Azcarraga fence as time allowed. The air monitoring and chlorine detection equipment was received and used. Joe Fox notified the Board he has accepted a position at the Collbran Job Corps as lead maintenance instructor. He will provide formal two-week notice later in the month of May.

MANAGER:

See attached report. Manager Power called attention to information provided in the packets concerning the senior van grant requirements. Other individuals are allowed to ride the van; however, the Town will only be reimbursed for those that meet the grant eligibility requirements. Based on figures of 2007, a van trip including fuel and driver wages averages \$80 per trip. The grant reimburses \$30 per trip. Each rider pays \$5 per trip.

ATTORNEY:

No ruling has been made following oral arguments at the Court of Appeals for the prior employee's lawsuit. Due to the strange decision by the Trial Court, the Court of Appeals may order it back to trial. Public meetings concerning the Land Use Code will be determined after the final draft is complete. Attorney Neu continues to correspond with the PV School District attorney concerning the sewer lift station surcharge. He suggested both Boards meet. A summons and complaint will be issued for Collbran Municipal Court concerning the Havens building code

violation. Attorney Neu, due to an inconsistency in the Utility Code and legal concerns, asked to readdress the responsibility of utility service lines policy at the June meeting.

ITEMS ON THE AGENDA

PV CHAMBER OF COMMERCE REPORT – ANGIE TAYLOR

Angie Taylor, president of the PV Chamber of Commerce, reported on the projects and activities the Chamber has planned for the future and the Heritage Days Event on July 4. Closing Main Street for the 4th, using the parking lot for a Bar-B-Q, and closing Short Street for the Summer Rec Carnival were discussed.

FACILITY USE FEE WAIVER CLARIFICATION

The Manager provided information concerning 2007 user groups, activities, and fees paid for the Auditorium and Fairgrounds

Trustee Lent moved to waive facility use fee for any groups using the Auditorium and Fairgrounds for the entire 2008 calendar year in celebration of the Town's 100-year anniversary; seconded by Trustee Hall

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Osburn, Satterfield, Wilcox

4-H HORSE CLUB – FACILITY USE FEE WAIVER REQUEST

After approval of the above motion, the 4-H Horse Club did not need to request a waiver.

TOWN OF COLLBRAN SIGN

The Mayor suggested purchasing a sign to be installed at the entrance to the Town as part of the 100-year anniversary. Size, material, and placement location were discussed.

Trustee Satterfield moved to purchase and install a Welcome to Collbran vinyl sign with solar lighting for a cost not to exceed \$500, with the Town logo, slogan, incorporation date, and elevation; seconded by Trustee Maigatter

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Osburn, Satterfield, Wilcox

APPROVE PV CHAMBER OF COMMERCE MEMBERSHIP

Trustee Lent moved to join the Plateau Valley Chamber of Commerce for 2008 for the cost of \$48 which includes a business card size ad in the PV Chamber Directory; seconded by Trustee Appelhanz

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Osburn, Satterfield, Wilcox

APPROVE ORDINANCE NO. 6, SERIES OF 2008 – REPEAL OF LODGING TAX

AN ORDINANCE OF THE TOWN OF COLLBRAN, COLORADO, REPEALING CHAPTER 5.08 OF THE COLLBRAN MUNICIPAL CODE, "LODGING TAX" ENACTED BY ORDINANCE NO. 2, SERIES OF 2008 IMPOSING A TAX OF SEVEN PERCENT (7.0%) ON LODGING ACCOMMODATIONS.

Due to a possible legal challenge to the lodging tax percentage, Attorney Neu suggested repealing this tax. Because the voters have shown they support it, the Board could include the lodging tax issue as a set fee in the coordinated election with Mesa County in November. The Town has no liability because no tax has been collected.

Trustee Lent moved to approve Ordinance No. 6, Series of 2008 to repeal the lodging tax; seconded by Trustee Maigatter

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Osburn, Satterfield, Wilcox

HIRE EMPLOYEES TO FILL VACATED POSITIONS
SUMMER RECREATION PROGRAM ASSISTANT
CUSTODIAN
PUBLIC WORKS SEASONAL

The Manager presented applicant information for the custodial and summer rec assistant positions and reported that the person hired as the Public Works seasonal employee resigned after one day.

Trustee Maigatter moved to hire Donya West for the custodian position at \$10.50 per hour; hire Brandi Wiltse for the Summer Recreation Program Assistant at \$8.00 per hour; seconded by Trustee Lent

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Osburn, Satterfield, Wilcox

Discussion continued concerning employment positions and distribution of duties.

Trustee Maigatter moved to give Joe Fox the authority to hire the Public Works seasonal employee for a 40 hour per week position under the same terms previously offered; seconded by Trustee Hall

ROLL CALL: Yes – Appelhanz, Hall, Lent, Maigatter, Osburn, Satterfield, Wilcox

APPOINT TOWN OFFICERS

Attorney Neu explained the Municipal Code and Statute concerning officer appointments.

Trustee Lent moved to appoint the existing town officers for another 30 days; seconded by Trustee Maigatter

Trustee Lent rescinded his motion.

Trustee Maigatter moved to appoint the attorney and municipal judge for two years until the next election and the clerk/treasurer for 30 days until the next Board meeting; seconded by Trustee Lent

ROLL CALL: Yes – Appelhanz, Lent, Maigatter, Osburn, Satterfield, Wilcox
No – Hall

The Oath of Office was administered to Jim Neu as Town Attorney by the Town Clerk

COMMENTS FROM MAYOR AND TRUSTEES

The Mayor encouraged the public to attend the upcoming workshop to discuss the organizational chart for the Town.

ADJOURNMENT

Trustee Maigatter moved to adjourn the meeting at 10:40 p.m.; seconded by Trustee Wilcox

ROLL CALL: Yes – Appelhanz, Hall, Maigatter, Osburn, Satterfield, Wilcox
No – Lent

Approved _____

Clerk _____