

COLLBRAN BOARD OF TRUSTEES MEETING MINUTES

January 3, 2012

REGULAR MEETING

7:30 p.m. Collbran Town Hall

The regular meeting of the Collbran Board of Trustees was called to order at 7:37 p.m. by Mayor Roland Hall. The Pledge of Allegiance was recited.

PRESENT ON ROLL CALL: Trustees: Stricklan, Lent, Maigatter, and Mayor Hall

ABSENT: Trustee Satterfield arrived at 7:55 p.m.

OTHERS PRESENT: Administrator Lance Stewart, Marshal Adam Appelhanz, Oxy representatives Chris Clark, Benjamin Reynolds, John Hessenbrook, Craig Richardson, David Blackman, Mike Anderson, Carol Anderson, Tamera Clark and Kendall Wilcox.

MINUTES OF MEETING APPROVAL

MOTION: Trustee Lent motioned to approve the minutes of December 6, 2011; seconded by Trustee Maigatter.

ROLL CALL: Yes-Stricklan, Lent, Maigatter, and Hall

Motion Passed.

CITIZEN COMMENTS

Carol Anderson approached the Board with concerns about Code Enforcement. She volunteered to act as a Code Enforcement Officer so that the codes could be enforced. Mr. Stewart responded that he would take her offer under advisement and make sure that snow was removed from public walkways in a timely manner.

PUBLIC HEARING

Public Hearings (9:48 p.m.)

LDS Church discussion to reduce October 2011 water/sewer utility billing.

Open Hearing

- ✓ Applicant/Customer Comments
- ✓ Public Comments
- ✓ Close Public Hearing-Closed at 10:00 p.m.
- ✓ Board & Staff Comments

✓ Motion/Decision

Mr. Wilcox submitted that church personnel notified the Town with a request to turn the water off at the church property near the end of September, and that if the town's response would have been timelier, water usage would not have occurred on the property in October or November. Mr. Stewart responded that Town staff did notify church staff that the water could not be turned off without shutting off a portion of the Town. However, the Town staff did not follow-up to make sure the church arranged to put a valve on their supply line. Lance further indicated that as soon as usage was identified, he directed staff to install a valve and remove the meter as a structure no longer existed on the property. After further discussion Trustee Satterfield requested that Town staff be more responsive to such matters in the future, and that the meter be tested to ensure accuracy.

MOTION: Trustee Satterfield motioned to credit \$2472.00 minus monthly utility base rate bill; seconded by Trustee Lent.

DECISION: Unanimous vote to credit October bill in the amount of \$2472.00 minus the monthly base rate.

Motion Passed.

MAYOR AND COMMITTEE REPORTS:

Mayor Hall informed the Board that there wasn't anything new to report.

Trustee Maigatter updated the Board on her attendance at the Community Counts meeting. The next meeting will be January 11th, 2012 in Parachute, CO.

REPORTS FROM OFFICERS

- A. Town Manager updates: Previously submitted
- B. Financial Report: Submitted
- C. Board of Park Manager: Tami Clark informed the Board of the fund raising event of New Year's Eve. She said that it was a good turnout; at least 60-80 attendees. While not profitable it was a very good public relations event. BOT would like a letter sent to the Users' groups to take down the signs at the arena. Mr. Stewart volunteered to prepare a letter and sent it to Tami for her to use.

OLD BUSINESS: None

NEW BUSINESS

OXY presentation by Craig Richardson, Chris Clark and John Hessenbrook on the Stites 20-8A Injection Well Conversion.

Representatives of OXY conducted a power point presentation on their application to COGCC to change the use of a gas well to an injection well. The well is located approximately three miles east of the Town's water treatment plant and in proximity to the Hoosier Ditch. A lengthy discussion ensued after the presentation between the audience, BOT and OXY. BOT consensus was that they were very concerned about the potential impacts to the Town's watershed should problems develop due to the change in use. OXY agreed with the Town's concerns and assured the BOT that all conditions placed on the company by COGCC would be followed.

Mr. Stewart and Attorney Jim Neu both made statements regarding the status of Oxy in regards to the watershed protection district permit awarded to OXY in 2010. The permit is area-wide in nature and covers all drilling activities with conditions. A change in status of a well to accept production water would require an amendment to the permit.

The BOT directed Lance and Jim to prepare an amendment to the permit conditional on approval of applications submitted to Mesa County and COGCC.

Ordinance No. 1 Series of 2012. An Ordinance of the Town of Collbran, Colorado repealing and reenacting Chapters 13.03, 13.04, 13.05, 13.06, 13.07, 13.08, 13.09, and 13.095 of the Collbran Municipal Code to adopt by reference the 2012 editions of the International Building Code, the International Plumbing Code, the International Mechanical Code, The International Fuel Gas Code, The International Property Maintenance Code, The International Residential Code, the International Energy Conservation Code, and the 2011 Edition of the National Electrical Code, as amended, as the Official Building Codes to the Town.

MOTION: Trustee Maigatter motioned to set Ordinance 1-2012 on the public hearing agenda for the February 7, 2012 meeting; seconded by Trustee Satterfield.

ROLL CALL: Yes- Stricklan, Lent, Maigatter, Satterfield and Hall.

Motion passed.

Ordinance No. 2 Series of 2012. An Ordinance of the Town of Collbran, Colorado, submitting to the registered Electors of the Town at the Regular Municipal Election to be held on April 3, 2012 The issue of whether the operation and licensing of Medical Marijuana Centers, optional premises cultivation operations, and Medical Marijuana infused products manufacturers shall be permitted in the Town of Collbran, Colorado.

A lengthy discussion took place on the topic of placing a ballot measure before the voters, which would allow them to decide whether MMJ outlets should be allowed within the Town limits of Collbran. The BOT was split on the issue with some members feeling that the decision should be made by the voters, while other felt that the BOT as elected representatives should make the decision. Members of the public questioned why the BOT had waited until now to make the decision instead of last year when the Town conducted a public meeting on the MMJ issue. They were reminded that the Town has had a moratorium in place and a decision was not warranted until now considering the upcoming election. Trustee Satterfield strongly voiced a concern of some in the community that the preponderance of young voters in the Town could easily pass the measure resulting in disastrous results for activities at the Job Corps Center.

MOTION: Trustee Maigatter motioned to approve the Ordinance; seconded by Mayor Hall.

**ROLL CALL: Yes- Maigatter and Hall
No- Stricklan, Satterfield and Lent.**

Motion failed.

The Mayor directed Attorney Neu to prepare an ordinance for action at the February meeting banning MMJ facilities in Collbran.

Ordinance No. 3 Series of 2012. An Ordinance of the Town of Collbran, Colorado, submitting to the registered Electors of the Town at the Regular Municipal Election to be held on April 3, 2012 the issue of whether the Town of Collbran should levy an Occupation Tax on Medical Marijuana Centers.

Attorney Neu counseled the BOT that since Ordinance 2-2012 failed, that no action was necessary. No action was taken.

Ordinance No. 4 Series of 2012. An Ordinance of the Town of Collbran, Colorado, submitting to the registered Electors of the Town at the Regular Municipal Election to be held on April 3, 2012 the issue of whether the Board of Trustees of the Town should be reduced in number from Six to Four pursuant to C.R.S §31-4-301.5.

After discussion, it was the majority consensus of the BOT and those in the audience that there is a lack of interested citizens to serve on all the boards in the valley and it would not hurt anything to learn how the public felt about reducing the number of representatives on the Board. Trustee Maigatter believed that the current number should remain, not knowing what the future might bring, and that the present Board had not ever had a problem getting a quorum.

MOTION: Trustee Stricklan motioned to approve Ordinance No.4 Series of 2012; seconded by Trustee Lent.

**ROLL CALL: Yes- Stricklan, Lent, Satterfield and Hall.
No- Maigatter.**

Motion Passed.

Resolution No. 1 Series of 2012. A Resolution of the Board of Trustees of the Town of Collbran, Colorado reiterating a Regular time and date for the Regular meeting of the Board of Trustees and a permanent Place of Notice.

MOTION: Trustee Maigatter motioned to approve Resolution No. 1 Series of 2012; seconded by Trustee Stricklan.

ROLL CALL: Yes- Stricklan, Lent, Maigatter, Satterfield and Hall.

Motion Passed.

Resolution No. 2 Series of 2012. A Resolution of the Board of Trustees of the Town of Collbran, Colorado authorizing the use of Mail Ballots for the Regular Biennial Municipal Election scheduled for April 3, 2012.

MOTION: Trustee Maigatter motioned to approved Resolution No. 2 Series of 2012; seconded by Trustee Satterfield.

ROLL CALL: Yes- Stricklan, Maigatter, Satterfield and Hall.

No- Lent.
Motion Passed.

IGA between Mesa County and the Town of Collbran establishing duties and fees to utilize the services of the County Elections office during the 2012 Municipal Election.

MOTION: Trustee Maigatter motioned to approve the Mesa County IGA; seconded by Trustee Stricklan.

ROLL CALL: Yes- Stricklan, Satterfield, Maigatter and Hall.

Abstained: Lent

Motion passed.

APPROVE EXPENDITURES

MOTION: Trustee Satterfield motioned to approve the expenditures December 7, 2011 through January 3, 2012; seconded by Trustee Lent.

ROLL CALL: Yes- Satterfield, Stricklan, Lent, Maigatter, and Hall.

Motion Passed.

ANNOUNCEMENTS


None

ADJOURNMENT

MOTION: Trustee Lent moved to adjourn the meeting; seconded by Trustee Stricklan.

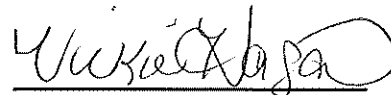
ROLL CALL: Yes- Satterfield, Stricklan, Lent, Maigatter and Hall.

Motion passed.



Approved





Attest