

Collbran Board of Trustees Meeting Minutes

Tuesday, November 5, 2013

Regular Meeting

7:00 PM Collbran Town Hall

The regular meeting of the Collbran Board of Trustees was called to order at 7:00 pm by Mayor Frank Jones. The Pledge of Allegiance was recited.

PRESENT ON ROLL CALL: Trustees: Sticklan, Stewart, Satterfield, Dorman, and Mayor Jones.

ABSENT: none

OTHERS PRESENT: Davis Farrar-Town Administrator, Jeff Phillips-Clerk-Treasurer, Steven Thayer, Susan Miller, Mariee Kelley, Janice B. Thayer, Mike Lockwood, Tamara Entwistle, Lee Lent, Sharon T. Palmer, Suzanne M. Sheley, Randy G. Sheley, Paula Creasy, Duane Lager, Brian Schroeder, Keith Hatch, Chuck Nichols, representatives from the P.V. High School Robotics Club, and others.

APPROVAL OF MINUTES

MOTION: Trustee Stewart moved to approve the minutes from October 1, 2013; seconded by Trustee Satterfield.

ROLL CALL VOTE: 5 Yes votes – Stewart, Dorman, Satterfield, Stricklan, and Jones. 0 No votes. Motion passed.

PERSONS PRESENT NOT ON AGENDA

none

PUBLIC HEARING

Variance to Height Limit: 911 Communications Tower.

Admin. Farrar describes that this is a two-part application; the Mesa County Road & Bridge Shop which is zoned “public” and the applicants, who are the Grand Junction Regional Communications Center Board. Paula Creasy, 911 Communications Tower Project Coordinator, described that they are responsible for dispatching for twenty-three agencies (including all the regional volunteer fire departments). Admin. Farrar stated that the applicants are proposing to build a 120’ steel lattice antenna in the “public” zoning area which also is a “special use”. They are also requesting a variance because the maximum building height in that zone is 35’. Paula Creasy handed Admin. Farrar proof of publication from The Daily Sentinel (published on October 13 and 20 of 2013); this was Exhibit A. Exhibit B are the certified return receipts that Paula Creasy turned over to Admin. Farrar. Admin. Farrar stated that fifteen were returned as “undeliverable”.

Paula Creasy said that the tower is taller than what they normally build, but it is needed for two reasons; one reason is to provide coverage in the Town of Collbran itself and also so that it can “see”

the Grand Mesa site to communicate with. This will enable the tower to be connected to the county-wide system. The location at the Mesa County Shop (15620 57¹/₂ Road) has parking availability, and electricity and natural gas to connect to. Admin. Farrar asked if there were other locations that were considered for the tower. Paula Creasy mentioned that the “Currier residence” was considered as a site (Spruce Point), but they could not come to terms with them. Duane Lager, who is working on 911 Communications Tower Project with Paula Creasy, informed the Board that the Spruce Point location was their first choice; there were some locations by Vega Reservoir that they looked at, but commercial power wasn’t available and some peaks were interfering with the line of sight to Grand Mesa.

Mayor Jones adjourned the Board of Trustees and convened the Board of Adjustment for the Variance to Height Limit of the 911 Communications Tower. Administrator Farrar reviewed the Variance Application section (page 9 – 11) of the Staff Report for the 911 Communications Tower. Admin. Farrar stated that the location of the variance is 15620 57 ¹/₂ Road in Collbran, Colorado. The zoning on the property is “public”; part of the zoning to the north of the property is zoned “public” (Collbran Job Corps); the remainder area north of the property, as well as south, east, and west is unincorporated Mesa County which is zoned as “AFT”. Admin. Farrar mentioned that the proposed structure is 120’ tall lattice (he had the Board look at two pictures of what it will look like). There is also an associated building that will be 16’ x 12’ (one-story). 11/10 parking spaces are required; there are twenty-three acres, as well as existing developed parking so that will not be an issue. Setbacks on the property are 10’ for the side yard, 20’ for the front yard, and 20’ for the back yard. The site will be centrally located on the property. There will be periodic visits by maintenance personnel to the site. The 16’x 12’ building will have a light on the outside. The tower will be lit so it is visible to low-flying aircraft. No landscaping is proposed, but gravel will be placed around the building and the tower. There is no planned fencing around the building or tower. Admin. Farrar mentioned that the primary impact of the proposed tower is the visual impact. He also recommended it be a non-specular surface, as well as any attached antennas to it, to not reflect sunlight as much. It is an important public benefit necessary for public safety communications. Admin. Farrar’s opinion was that this relief may be granted, without substantial detriment to the public good, and without substantially impairing the intent or purpose of the Collbran Master Plan or Title 15 of the Land Use Code. There are exceptional conditions creating undue hardship applicable to the property involved or intended use, which do not apply generally to other lands or uses in the same zone district and such exceptional conditions or undue hardship was not created by action or inaction of the applicant, appellant, or owner of the property. Admin. Farrar stated that the exceptional conditions creating hardship are the result of several factors. The site is publicly owned by Mesa County and it is occupied daily by the County. There is a reasonable level of site security, and public ownership of the property allows joint use of the facility with the agency involved. Admin. Farrar believed that granting a variance would not be detrimental to the public health, safety, or welfare of the community. A variance is required on the property due to the tower height of 120’. There is a visual impact by the presence of the tower, but using the steel lattice it still can be seen through. Admin. Farrar also recommended that the Grand Junction Regional Communications Center allows co-location of other communications / equipment on the tower.

Trustee Dorman inquired about if the tower could be camouflaged to minimize visual impact.

Trustee Satterfield mentioned that the Flight for Life helicopter lands in that area from time to time;

he wants to make sure the pilot sees it. Mayor Jones asked Paula Creasy (Project Coordinator) if co-location on their towers has been done elsewhere by them. She said that as far as private companies go, only recently on the Redlands have they had a co-locator. She also mentioned that the 911 Communications Board makes those decisions, but she cannot see why that would be a problem when there is a reasonable argument for it to be there (ex: to provide cell phone coverage where previously there was none). Paula Creasy also stated that the one-story building proposed will be large enough to accommodate equipment owned by others if that situation does arise, and that they can partition off the area that they are using to keep it secure. Dane Hilgenfeld of Mesa would like to see a fence put up around the area to help keep trespassers out; he also said that he would not want the tower to be camouflaged. Mayor Jones asked Paula Creasy about the possibility of a fence. She said that a lot of their sites do not have one, but they could do it. Video cameras already are planned to be installed on site. Jane Thayer, whose properties adjoin this location, objects to having these proposed structures hinder their view when they already had to deal with the buildings that are already there. Steve Thayer reiterated what his mother had just stated. He also requested if the structures could be built a little more to the east on the property than it is being proposed. Paula Creasy said that the line-of-sight is not an issue for moving the tower to the east, but the proposed location was chosen because of closer access to natural gas and electric, and the County employees would have an easier time maneuvering while conducting their business. Chuck Palmer, who said that he is with the Thayer family, asked if they could be ensured that the tower will be maintained. He also mentioned that he would prefer it being built to the east as well. Keith Hatch, District Manager of Mesa County Road & Bridge, maintains the County Shop located on the property where the tower is proposed to be built; he also has been with the Plateau Valley Volunteer Fire Department for a few decades. He mentioned that due to the mandatory conversion to digital communications, this area was set back twenty years; after the infrastructure is entirely in place, we will have better coverage than ever. He stressed that not having communication availability in some places in this valley greatly hinders what the volunteers, law enforcement, and first responders are trying to accomplish. Mike Lockwood, Fire Chief for Plateau Valley, mentioned that Spruce Point would have been the best location to place the tower, but unfortunately could not come to an agreement with the owners of the property for almost the past three years; the proposed site is the next best alternative. He also used to fly with St. Mary's Care Flight; he said that the helicopter needs 200' clearance to land and takeoff, and that he supports the tower to not be camouflaged at the proposed site. He also mentioned that the location gets used five to six times a year for helicopter takeoff and landings; the radio coverage area is a huge public safety concern. Marshal Appelhanz mentioned that after the federally-mandated conversion to digital, it has been very inconvenient for himself and the others who use this system due to the lapses in coverage. He doesn't like the visual impact the tower will have, but due to the necessity for law enforcement, fire, and emergency personnel to have a clear line of communication to perform the function of their jobs, it is a must. Tamara Entwistle asked if there were any other site that would be a possibility that is fairly close to the current location. Paula Creasy mentioned that the biggest problem would be power; they would have to go with a solar-powered unit instead. Admin. Farrar suggested for himself, the residents, and the applicants to tour the site in the near future to explore the possibility of moving the site of the tower a little more east on the property.

Mayor Jones closed the public hearing and asked for Board of Adjustment deliberation. Trustee Satterfield wanted on the Variance and Special Use Application, Section VI: Staff Recommendation

on the Variance Application (page 11, point 3) to change “make reasonable accommodations for” to “allow”. It would read “The owners and operators shall *allow* co-location of other communications antennas/equipment, ...” Trustee Satterfield also wanted to make sure that the tower would in no way interfere with helicopter landings near the site regardless of which direction it is coming in.

MOTION: Trustee Stewart moved to approve the Variance to Height Limit of the 911 Communications Tower with two additional recommendations: Fencing the tower location and meeting with adjacent landowners to look at alternative locations on the same property that do not interfere with radio coverage; seconded by Trustee Stricklan.

ROLL CALL VOTE: 5 yes votes – Dorman, Satterfield, Stricklan, Stewart, and Jones. 0 no votes. Motion passed.

PUBLIC HEARING

Special Use Permit: 911 Communications Tower.

Mayor Jones adjourned the Board of Adjustment and re-convened the Board of Trustees. Mayor Jones then opened up the public hearing for the Special Use Permit of the 911 Communications Tower. Administrator Farrar reviewed the Special Use Application section (bottom of page 11 –13) of the Staff Report for the 911 Communications Tower. Staff Recommendations (VII, page 13) are the same as the Variance Application with the two additions from the prior variance motion that was approved. No comments were made by the public.

Mayor Jones closed the public hearing and asked for Board of Trustee deliberation.

MOTION: Trustee Satterfield moved to approve the Special Use Permit for the 911 Communications Tower with two additional recommendations: Fencing the tower location and meeting with adjacent landowners to look at alternative locations on the same property that do not interfere with radio coverage. Also, recommendation 3 will read “The owners and operators shall *allow* co-location...” instead of “The owners and operators shall *make reasonable accommodations for* co-location ...”; seconded by Trustee Stricklan.

ROLL CALL VOTE: 5 yes votes – Satterfield, Stricklan, Stewart, Dorman, and Jones. 0 no votes. Motion passed.

NEW BUSINESS

Representatives from the Plateau Valley High School Robotics Club introduced themselves. They thanked the Board of Trustees for use of the Auditorium. 94 people went through their Haunted House on October 26, and on October 31 they made around \$1,000 (chili was also served that night). Feedback was that the Haunted House/Chili Dinner was a fun, safe alternative to spend Halloween. Later in the year they might want to try a “movie night” fundraiser at the Auditorium if the fees might perhaps be waived again. They mentioned that the cost to run the Robotics program each year is approximately \$20,000. Also, the Robotics Club is working on the request form for a donation for 2014.

Brief discussion by Trustee Stewart about Cowboy Christmas; Sammi White was not present, but Admin. Farrar did talk to her earlier in the day.

Tamara Entwistle spoke to the Board about consideration of retail marijuana being placed on the April 2014 election ballot. For clarification, Admin. Farrar stated that medical marijuana operations and cultivation centers are prohibited (Ordinance 5, 2012), and retail marijuana establishments have a moratorium until December 31, 2013 (Ordinance 2, 2013). To be placed on the April 2014 ballot, the topic of retail marijuana would have to be an advisory question, not a binding question (a binding question would have to be in a November election). Trustee Satterfield would like to extend the retail marijuana moratorium until after the April 2014 Municipal Election takes place where there can be an advisory question on the ballot. Mayor Jones supports an advisory question on the April 2014 Election ballot to find out what the people of the Town want. Admin. Farrar suggested that if an advisory question is placed on the April 2014 ballot, the retail marijuana moratorium be extended to June 1, 2014 in order for the election to take place and to give the new Board a little time to decide what to do.

MOTION: Trustee Satterfield moved to approve an advisory question about retail marijuana on the ballot of the April 2014 Municipal Election; and have the Town Attorney draw up an ordinance, to be voted on at the December 3, 2013 Regular Meeting, to extend the retail marijuana moratorium (Ordinance 2, 2013) to June 1, 2014; seconded by Trustee Stewart.

ROLL CALL VOTE: 5 yes votes – Stricklan, Stewart, Dorman, Satterfield, and Jones. 0 no votes. Motion passed.

Suzanne Sheley of Elk Mountain Caregivers and Cultivators LLC gave a PowerPoint presentation about wanting to be considered to be elected for the privilege and responsibility of opening a medical/retail marijuana store in Collbran. After the presentation; the Board of Trustees, Admin. Farrar, Suzanne Sheley, Randall Sheley, Tamara Entwistle, Brian Schroeder, and Chuck Nichols all discuss the topic of marijuana.

MAYOR and COMMITTEE REPORTS

Mayor Jones stated that he had met with Mesa County Commissioner Rose Pugliese. There might be County funds available to repair our bridge on Main Street or replace it with a wider one. Mayor Jones suggested if she wants to talk with the community, walking Main Street and engaging citizens would be a better idea than having a Coffee with the Commissioners gathering at Town Hall, which historically has not been well attended.

STAFF REPORTS

Admin. Farrar reviewed the Plateau Valley Fair in Mesa that himself and Mayor Jones attended on October 29. He also mentioned the discussion about the bridge on Main Street with Commissioner Pugliese; also discussed was her support of the eventual paving of the Silt cutoff road.

Admin. Farrar reviewed the DOLA Economic Development meeting at Town Hall on October 30. Another meeting will be on November 13. Putting together a number of options about a plan for Collbran for economic development in the future was discussed.

Admin. Farrar discussed talking with Trustee Stewart about having a tree in Lilac Park as part of the Cowboy Christmas festivities. The American Servicewomen's Memorial has a tree that is decorated during the holiday season, but it is done by representatives of the memorial. The Lilac Park tree would be for the kids of the community to decorate. Admin. Farrar was hoping a live tree could be used so it can be planted and already be there for future Cowboy Christmas festivities as well.

Admin. Farrar mentioned that Clint Dennison had a pool table that he was willing to donate for the Auditorium. Dr. Dennison had communicated to Admin. Farrar that he would make a cover to protect it. Trustee Satterfield commented on how sensitive pool table maintenance is. The Board briefly discussed the topic.

APPROVE EXPENDITURES

Trustee Stricklan asked about the expenditure to the Colorado Department of Labor & Employment. Admin. Farrar explained that it was a quarterly unemployment benefit to a former employee.

MOTION: Trustee Stewart moved to approve Town expenditures from October 2, 2013 through November 5, 2013; seconded by Trustee Dorman.

ROLL CALL VOTE: 5 yes votes – Stewart, Dorman, Satterfield, Stricklan, and Jones. 0 no votes. Motion passed.

ADJOURNMENT

NON-ROLL CALL VOTE: 5 yes votes – Stricklan, Stewart, Dorman, Satterfield, and Jones. 0 no votes. Motion passed.

Meeting adjourned at 10pm.