

Collbran Board of Trustees Meeting Minutes
Tuesday, January 5, 2016
Regular Meeting
7:00 PM Collbran Town Hall

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

PRESENT ON ROLL CALL: Trustees Evans, Entwistle, Sturm, Schowalter, and Mayor Jones.

ABSENT: none

OTHERS PRESENT: Administrator Farrar, Town Clerk/Treasurer Phillips, Marshal Appelhanz, and Deputy Marshal Mitchell.

APPROVAL OF MINUTES

MOTION: Trustee Sturm moved to approve the Minutes from the Regular Meeting on December 1, 2015; seconded by Trustee Entwistle.

ROLL CALL VOTE: 5 Yes votes – Entwistle, Sturm, Schowalter, Evans, and Jones. 0 No votes. Motion passed.

PERSONS PRESENT NOT ON AGENDA

No members of the public addressed the Trustees.

ORDINANCE NO. 1, SERIES 2016 – AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF COLLBRAN, COLORADO, SUBMITTING TO THE ELIGIBLE ELECTORS OF THE TOWN AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON APRIL 5, 2016 A QUESTION WHETHER TO IMPOSE A USE TAX ON CONSTRUCTION AND BUILDING MATERIALS PURCHASED AT RETAIL OUTSIDE THE TOWN AND THE STORING, USING OR CONSUMING IN THE TOWN ANY MOTOR AND OTHER VEHICLES PURCHASED AT RETAIL ON WHICH REGISTRATION IS REQUIRED, AT THE RATE OF TWO PERCENT (2.0%) OF THE RETAIL COST OF SUCH GOODS, SETTING THE TITLE AND CONTENT OF THE BALLOT ISSUE FOR THE ELECTION.

Admin. Farrar mentioned that the topic of use tax was discussed previously during budget process. He said use tax applies to construction and building materials purchased outside of Collbran but used in the Town limits; according to Colorado Revised Statutes, vehicles are included as well. He mentioned that currently, if a Town resident purchased construction materials in Grand Junction, they would already pay sales tax (a.k.a. use tax) to the City, but Grand Junction would keep the revenues because Collbran does not have a use tax. Collbran use tax would be 2%, which is less than Grand Junction, so there would actually be a tax discount for the consumer over the Grand Junction tax. Admin. Farrar said that the ballot issue is drafted in conformance with TABOR; in Exhibit A of the ballot issue, the language requires it to indicate an amount that the Town of Collbran taxes shall be increased. The amount is an estimate on the high-end to avoid TABOR limits and only applies to the first year, but if more than that amount is collected in the first year, according to TABOR, it would have to be refunded. The Board discussed with Admin. Farrar different scenarios. Admin. Farrar said that Town funds could not be spent promoting the election; however, the Town could provide a factual information to the public which relates

to the topic of use tax. He said that the Board could pass a resolution in support of the ballot issue, and could, as well as others, issue pro/con statements individually that would appear with the ballot issue. Mayor Jones asked if they should lower the amount that is on Exhibit A, that was shown as \$100,000, to a smaller, more realistic, amount. Admin. Farrar mentioned that it probably could go down to \$20,000. The Board discussed, and then decided to place the amount to be collected in the first year not to exceed \$20,000, on Exhibit A of the ballot issue.

MOTION: Trustee Sturm moved to approve Ordinance 1, Series 2016, submitting to the eligible electors of the Town at the Regular Municipal Election to be held on April 5, 2016 a question whether to impose a use tax on construction and building materials purchased at retail outside the Town and the storing, using or consuming in the Town any motor and other vehicles purchased at retail on which registration is required, at the rate of two percent (2%) of the retail cost of such goods, setting the title and content of the ballot issue for the election; with Exhibit A stating that use tax collection is not to exceed \$20,000 in the first year; seconded by Trustee Evans.

ROLL CALL VOTE: 5 Yes votes – Sturm, Schowalter, Evans, Entwistle, and Jones. 0 No votes. Motion passed.

RESOLUTION NO. 1, SERIES 2016 – A RESOLUTION OF THE TOWN OF COLLBRAN, COLORADO, ESTABLISHING THE TIME AND DATE FOR THE REGULAR MEETINGS OF THE BOARD OF TRUSTEES AND THE OFFICIAL POSTING PLACE FOR TOWN NOTICES

Admin. Farrar mentioned that the official bulletin board for Town notices is the one outside the main entrance of Town Hall and recommended continuing to use that location.

MOTION: Trustee Schowalter moved to approve Resolution No. 1, Series 2016, establishing the time and date for the Regular Meetings of the Board of Trustees and the official posting place for Town notices; seconded by Trustee Evans.

ROLL CALL VOTE: 5 Yes votes – Schowalter, Evans, Entwistle, Sturm, and Jones. 0 No votes. Motion passed.

SIGN CODE DISCUSSION

Admin. Farrar gave a PowerPoint presentation to the Board about sign codes. During the presentation, he mentioned that a sign code can avoid sign clutter and confusion to the viewer. He also said that it creates an even playing field for all businesses with signs, avoid unnecessary competition, and it could include design standards which would maintain the small town aesthetic and Collbran. He mentioned that the lighting of signs with LEDs is a new frontier with signage. He said that a sign code prevents emulation of highway-regulated signs, and it also avoids public hazards. Admin. Farrar proceeded to show examples of types of signs. He said that a sign code should include definitions; he mentioned that sizes of signs could vary by zoning districts. He suggested that everyone take a walk downtown in the near future and look for what types of signs they like, and also talk to community members about the topic. He asked if the Board was interested in forming a sign code committee. He said that the Town should develop a schedule for drafting a sign code. He said that if a sign is in existence before a sign code is passed and it is not in compliance, it would be allowed to remain. The Board discussed ideas. Admin. Farrar mentioned a recent Supreme Court decision about sign content; he said a sign code cannot address content as long as it is not obscene or libelous. Under the Supreme Court ruling, sign codes cannot specifically identify sign types such as: real estate signs or yard sale signs; instead it would have to use the term “temporary signs” and the Town could regulate size and placement. He asked the Board to give the topic some thought, and to email him any ideas. The Trustees asked for an example of a sign code to work

from. Admin. Farrar said that he has an example of a sign code that could be a starting point for the Board to review in the near future.

INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN MESA COUNTY AND THE TOWN OF COLLBRAN ESTABLISHING DUTIES AND FEES TO UTILIZE THE SERVICES OF THE COUNTY ELECTIONS OFFICE DURING THE 2016 REGULAR MUNICIPAL ELECTION

The Board discussed whether to conduct a mail-ballot election or a traditional one. Admin. Farrar mentioned that candidate petitions for Trustee and Mayor are available starting today (January 5) and are due back to Town Hall by January 25, 2016; he said that a notice has been posted regarding petition availability as well. By State law, candidates have to be continuous residents of the Town for one year; those signing a petition need to live within Town limits and be registered to vote; ten valid signatures are required on a petition.

MOTION: Trustee Entwistle moved to approve the Intergovernmental Agreement between Mesa County and the Town of Collbran establishing duties and fees to utilize the services of the County Elections Office during the 2016 Regular Municipal Election; seconded by Trustee Evans.

ROLL CALL VOTE: 5 Yes votes – Sturm, Schowalter, Evans, Entwistle, and Jones. 0 No votes. Motion passed.

ARENA ADVISORY COMMITTEE (AAC) MINUTES

There was not an AAC meeting in the past month, so there were no minutes to present.

STAFF REPORTS

Town Administrator

Admin. Farrar mentioned there was a staff meeting earlier today and projects for 2016 were discussed. He said that soon we will be working on the backflow prevention control survey. He mentioned that Public Works is busy moving snow; he said that a lot of it is being moved to the Fairgrounds. Admin. Farrar said that he had mentioned to Public Works about not contracting someone to haul away the snow until the start of 2016 to help prevent spending more than our 2015 Supplemental Appropriation. Board members and Admin. Farrar mentioned that they received positive comments about Cowboy Christmas. Admin. Farrar said that the fireworks for Cowboy Christmas started late, and that some people might have left because of that, so he was going to contact the fireworks company about being on time for the next scheduled display. He mentioned that Cowboy Christmas overall was great and hopefully we can make it better every year. Trustee Entwistle said that Grand Mesa Tavern raised almost \$3,000 for Wounded Warriors during their poker tournament and dinner; and three huge boxes of toys were shipped to our Air Force base where our troops were killed in Afghanistan recently for the kids of the families. Admin. Farrar mentioned that the Municipalities Dinner in Palisade that was being discussed for January will be on February 4.

Town Marshal

Marshal Appelhanz said that last month he had talked with the Job Corps about the topic of active shooters. He mentioned that he will talk with P.V. School about in-house training with their staff, and also try a practice lockdown. He said that the Dodge Durango is now equipped, complete, and now in service. He mentioned that Cowboy Christmas was quiet, and New Year's Eve was relatively quiet. He said that the State has recently passed laws requiring that law enforcement personnel complete yearly training on certain topics; he mentioned that the State would suspend peace officer status if mandatory training is not completed. Marshal Appelhanz said that community policing is essential for law enforcement in a small town, as opposed to an "us-versus-them mentality". He mentioned that a recent article in the local paper about his Marshal's report at a previous Regular Meeting contained incorrect information. The Board thanked Marshal Appelhanz for helping move snow this past month.

APPROVE EXPENDITURES

MOTION: Trustee Entwistle moved to approve the expenditures for the Town of Collbran from December 2, 2015 through January 5, 2016; seconded by Trustee Evans.

ROLL CALL VOTE: 5 Yes votes – Evans, Entwistle, Sturm, Schowalter, and Jones. 0 No votes.

Motion passed.

ADJOURN

MOTION: Trustee Evans moved to adjourn the Town of Collbran Board of Trustees Regular Meeting of January 5, 2016; seconded by Trustee Sturm.

ROLL CALL VOTE: 5 Yes votes – Entwistle, Sturm, Schowalter, Evans, and Jones. 0 No votes.

Motion passed.

The Regular Meeting adjourned at 8:30pm.

Approved

Attest