

**Collbran Board of Trustees Meeting Minutes**

**Tuesday, January 6, 2015**

**Regular Meeting**

**7:00 PM Collbran Town Hall**

The Regular Meeting of the Collbran Board of Trustees was called to order at 7:03pm by Mayor Jones. The Pledge of Allegiance was recited.

**PRESENT ON ROLL CALL:** Trustees Dorman, Entwistle, Schowalter, and Mayor Jones.

**ABSENT:** Trustee Sturm.

**OTHERS PRESENT:** Administrator Farrar, Treasurer/Clerk Phillips, Marshal Appelhanz, Town Attorney Jim Neu, Municipal Court Prosecuting Attorney Jeffrey Conklin, Municipal Court Judge Gregory Mueller, Kristen Anderson, Pat Noel, Lew Evans, Tilda Evans, and Angela Taylor.

**APPROVAL OF MINUTES**

**MOTION:** Trustee Schowalter moved to approve the minutes from the Regular Meeting on December 2, 2014; seconded by Trustee Entwistle.

**ROLL CALL VOTE:** 4 Yes votes – Entwistle, Schowalter, Dorman, and Jones. 0 No votes.

**Motion passed.**

**PERSONS PRESENT NOT ON AGENDA**

No one came forward.

**GENERAL DISCUSSION WITH MUNICIPAL JUDGE, MUNICIPAL PROSECUTOR, AND MUNICIPAL ATTORNEY ABOUT COURTS AND TOWN LEGAL BUSINESS**

Town Attorney Jim Neu reintroduced himself to the Board and mentioned that he has worked with the Town since 2006. He said that his presence before the Trustees was not needed with as much frequency over the last year because Admin. Farrar takes care of many of the issues he handled when Collbran was without an administrator. He also noted that he previously conducted the elected official's liability training after elections, but Tami Tanoe from CIRSA handled that last April. Town Municipal Court Prosecuting Attorney Jeffrey Conklin briefly introduced himself to the Board. Attorney Neu mentioned that he and Admin. Farrar work together on various Town issues when needed. Mr. Neu said that he would attend meetings with the Board when something on the agenda warranted it. He mentioned that he enjoys working with small communities like Collbran. Attorney Neu commented that he might be at the February Regular Meeting to discuss the bulk water agreement with Rainbow RV and Trailer Park that is being worked on. Mayor Jones asked what the Board could do to assist. Attorney Neu said that if Trustees periodically attended Municipal Court, they can observe and offer input to them (Attorney Neu and Attorney Conklin). Attorney Conklin said he likes to maintain an open line of communication between himself, Admin. Farrar, Attorney Neu, Marshal Appelhanz, and Treasurer/Clerk Phillips. The

Board asked Attorney Conklin to provide an overview of the Municipal Court process. Municipal Court Judge Gregory Mueller described the court process to the Board from his perspective. He said he believes it is working well. He said that there are some possible changes to consider for court due to changes in the state statutes such as the maximum \$1,000 fine which now can be up to \$2,600. Collbran could change these fine maximums by ordinance. Judge Mueller discussed use of the public defender for cases they qualify. The Town is required to cover the cost of a court-appointed counsel. Attorney Neu said the Board could pass an ordinance eliminating jail time for Town violations; thereby, dispensing with the need for court-appointed counsel. Judge Mueller said Municipal Court is an opportunity for citizens to understand how court works. He said he carefully explains procedures during court to help understanding of procedures by participants. Mayor Jones asked Attorney Neu if defendants can call Town Prosecuting Attorney Conklin directly because that is a town expense. Attorney Neu said the new procedure is to request defendant contact information so the prosecutor can contact them. He also said there is better communication between the prosecutor and the Marshal. Marshal Appelhanz noted that Municipal Court should not be viewed as a revenue-generating source for the Town although managing court costs is important.

**PUBLIC HEARING: APPLICATION FOR NEW TAVERN LIQUOR LICENSE – COWGIRL CAFE & RANCHERS SALOON, LLC – 108 MAIN STREET – KRISTEN ANDERSON**

Liquor license applicant Kristen Anderson was present at the meeting. Admin. Farrar said the staff recommends approval of the New Tavern Liquor License. There were no Trustee questions. Mayor Jones opened the Public Hearing. Angela Taylor said that she supports the approval of the liquor license for Cowgirl Cafe & Ranchers Saloon; Lew Evans said that it would be a welcome addition to Main Street. Mayor Jones closed the Public Hearing.

**MOTION: Trustee Dorman moved to approve the Application for a New Tavern Liquor License for Cowgirl Cafe & Ranchers Saloon, LLC on 108 Main Street in Collbran; seconded by Trustee Entwistle.**

**ROLL CALL VOTE: 4 Yes votes – Schowalter, Dorman, Entwistle, and Jones. 0 No votes. Motion passed.**

**DISCUSSION ON DRAFT ORDINANCE ALLOWING OFF-HIGHWAY VEHICLES ON DESIGNATED TOWN STREETS**

Admin. Farrar had provided a draft ordinance for the Board to review; he spoke briefly. The Board asked about golf carts. Marshal Appelhanz said golf carts are considered a type of four-wheeler; he mentioned that Grand Junction allows them on some streets. The Board said that they would like golf carts to not be permitted. Admin. Farrar reviewed the draft ordinance and noted that the section on fines needs to be added. Marshal Appelhanz recommended that careless drivers of OHVs should have higher penalties because the impact of collisions between OHVs and highway vehicles are more severe for OHVs. Marshal Appelhanz said a driver of an OHV would still need to have a driver license and eye protection.

**RESOLUTION NO. 1, SERIES 2015: A RESOLUTION OF THE BOARD OF TRUSTEES 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**

**MOTION:** Trustee Entwistle moved to approve Resolution No. 1, Series 2015 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 Schowalter.

**ROLL CALL VOTE:** 4 Yes votes – Dorman, Entwistle, Schowalter, and Jones. 0 No votes.

**Motion passed.**

**RESOLUTION NO. 2, SERIES 2015: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF COLLBRAN, COLORADO, SUPPORTING THE AGREEMENT BETWEEN THE TOWN OF COLLBRAN AND THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND**

**MOTION:** Trustee Schowalter moved to approve Resolution No. 2, Series 2015 supporting the agreement between the Town of Collbran and the State Board of the Great Outdoors Colorado Trust Fund; seconded by Trustee Entwistle.

**ROLL CALL VOTE:** 4 Yes votes – Entwistle, Schowalter, Dorman, and Jones. 0 No votes.

**Motion passed.**

**RESOLUTION NO. 3, SERIES 2015: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF COLLBRAN, COLORADO, ADOPTING THE COLLBRAN DOWNTOWN MASTER PLAN**

Admin. Farrar said the Resolution is valuable to show town support of the master plan.

**MOTION:** Trustee Schowalter moved to approve Resolution No. 3, Series 2015 adopting the Collbran Downtown Master Plan; seconded by Trustee Entwistle.

**ROLL CALL VOTE:** 4 Yes votes – Schowalter, Dorman, Entwistle, and Jones. 0 No votes.

**Motion passed.**

**STAFF REPORTS**

**Town Administrator**

Admin. Farrar said he wanted to set up a meeting with the Collbran Job Corps to discuss assistance from their students for administrative support and possible downtown improvements. Trustee Schowalter said she helped set up a meeting. Admin. Farrar said that the new Bobcat was delivered. Lew Evans mentioned that it was difficult to see some parts of the street during Cowboy Christmas and the proposed solar lighting recommended in the Collbran downtown Master Plan would be good addition. Admin. Farrar mentioned that he has a Great Outdoors Colorado (GOCO) contract for acceptance of the grant for the Fairgrounds; he asked the Board if they take formal action to approve him as a signatory.

**MOTION: Trustee Entwistle moved to approve Administrator Farrar to sign the contract between the Town of Collbran and Great Outdoors Colorado concerning acceptance of the grant awarded to the Town by GOCO for the Fairgrounds; seconded by Trustee Dorman.**

**ROLL CALL VOTE: 4 Yes votes – Dorman, Entwistle, Schowalter, and Jones. 0 No votes.**

**Motion passed.**

Admin. Farrar continued his report noting that the Trustees in the 2015 budget discussions asked that the town solicit proposals for legal and audit work. The Board reaffirmed their support for those solicitations. The topic of Town Hall hours was raised. Treasurer/Clerk Phillips mentioned that because of only one full-time and one part-time office employee, it would be easier to be open 9am to 5pm Monday through Friday instead of 9am to 6pm. Lew Evans mentioned that maybe volunteers would be available to help in the office. Trustee Schowalter suggested using Collbran Job Corps students that would receive school credit. She recommended that Admin. Farrar contact Marilyn Anderson at the Job Corps. The Board agreed to the change in Town Hall hours from 9am to 6pm to 9am to 5pm. Admin. Farrar reminded the board that the budget would include a change in utility rates and asked the board for time to discuss the topic. The Trustees agreed to a 6pm workshop before the February Regular Meeting.

### **Town Marshal**

Marshal Appelhanz asked the Board if they had any questions about his monthly activity report. He reviewed his recent training session on first entry teams conducted in Grand Junction. He noted that this was excellent training and he reviewed the philosophical and tactical changes that have been made for events such as Columbine. The approach currently is for first responders to take immediate action instead of the past practice of waiting for SWAT or other support that may take considerable time and result in higher casualties. The Marshal said that the Deputy will be riding along with him for a few months as part of his training and then will be allowed to operate independently. Marshal Appelhanz mentioned that the Arena Committee should serve as stewards of the Fairgrounds and should report any issues they observed at the facility such as illegal alcohol use or abuse of the facility. Lew Evans said the good ‘ol boy way doesn’t work anymore; he said that too many people know what is done by who, etc. Marshal Appelhanz said the attitude that “it’s the way they do things” should not be acceptable. Marshal Appelhanz said Collbran will be approved as an intoxilyzer site soon because there will be a new law requiring an Intoxilyzer site within 30 minutes of a jurisdiction in order to conduct DUI enforcement.

### **APPROVE EXPENDITURES**

Mayor Jones asked Marshal Appelhanz about expenditures in his department. The Marshal explained that his weapon not reliable and he needed to purchase a new one and an additional one for Deputy Marshal Mitchell. Marshal Appelhanz said he also purchased ammunition. Trustee Schowalter said the local cable company is closing January 15th.

**MOTION: Trustee Schowalter moved to approve the expenditures for the Town of Collbran from December 3, 2014 through January 6, 2015; seconded by Trustee Entwistle.**

**ROLL CALL VOTE: 4 Yes votes – Entwistle, Schowalter, Dorman, and Jones. 0 No votes.**

**Motion passed.**

**ADJOURN**

**MOTION: The Board of Trustees collectively moved to adjourn the Regular Meeting of January 6, 2015.**

**NON-ROLL CALL VOTE: 4 Yes votes – Schowalter, Dorman, Entwistle, and Jones. 0 No votes.**

**Motion passed.**

The Regular Meeting adjourned at 8:54pm.