

**Collbran Board of Trustees Meeting Minutes**  
**Tuesday, October 4, 2016**  
**Regular Meeting**  
**7:00 PM Collbran Town Hall**

Mayor Sturm called the Regular Meeting of October 4, 2016 of the Collbran Board of Trustees to order at 7:09pm. The Pledge of Allegiance was recited.

**PRESENT ON ROLL CALL:** Trustees Schowalter, Shrope, Evans, and Mayor V. Sturm.

**ABSENT:** Trustee P. Sturm

**OTHERS PRESENT:** Administrator Farrar, Town Clerk/Treasurer Phillips, Marshal Appelhanz, Administrative Assistant Melonie Matarozzo, Town Attorney Jim Neu, Margaret Eversole, six members of the P.V. School Robotics Team, Randy Kittell, Jeff Wendland, and Dave Edwards.

**APPROVAL OF MINUTES**

**MOTION:** Trustee Schowalter moved to approve the Minutes from the Regular Meeting of September 6, 2016; seconded by Trustee Evans.

**ROLL CALL VOTE:** 4 Yes votes – Shrope, Evans, Schowalter, and V. Sturm. 0 No votes. Motion passed.

**MOTION:** Trustee Evans moved to approve the Minutes from the Special Meeting of September 28, 2016; seconded by Trustee Schowalter.

**ROLL CALL VOTE:** 4 Yes votes – Evans, Schowalter, Shrope, and V. Sturm. 0 No votes. Motion passed.

**PERSONS PRESENT NOT ON AGENDA**

Margaret Eversole gave an update on the farmers' market. She said that they are pleased with how it is going. She mentioned that they hope to operate until November. She asked the Board if they could use the Auditorium in the event of inclement weather, unheated, since the firehouse is not in the right location. She said that they could probably use Angie Taylor's old real estate office on Main Street in the spring. Administrator Farrar asked that she meet with the staff to discuss use of the Auditorium. She asked about the Town budget; she said that she would like to see a skate park. Admin. Farrar explained that community requests for the budget will be starting soon; Ms. Eversole asked about the old tennis courts on Gandi Park. She said that support for a bike path next to Highway 330 is growing and that she was working on the project; she mentioned a grant. Administrator Farrar recommended that she meet with him on this project because he was also interested. She also mentioned the old items that were to be sold at the Auditorium.

**PLATEAU VALLEY SCHOOL ROBOTICS TEAM AUDITORIUM RENTAL REQUEST FOR HALLOWEEN WEEKEND – Tucker**

Six students on the P.V. School Robotics Team introduced themselves to the Board. They asked to use the Auditorium from October 21 through November 5; they said that would be enough time to set up what they need and take it down afterward. The Team requested that if they could have a street closure of

Main Street on October 31 like last year. Admin. Farrar explained that the fee to the Auditorium has been waived in the past, but not the deposit. It was also noted that heating the auditorium is very expensive and that the facility would be heated the day before and during the actual event, but would not be heated during the entire requested timeframe.

**MOTION: Trustee Evans moved to approve the use of the Auditorium from October 21 through November 5 for the P.V. School Robotics Team for Haunted Auditorium with the rental fee waived; seconded by Trustee Shrope.**

**ROLL CALL VOTE: 4 Yes votes – Schowalter, Shrope, Evans, and V. Sturm. 0 No votes. Motion passed.**

**STREET CLOSURE REQUEST – OCTOBER 31 – Plateau Valley High School Robotics Team**

**MOTION: Trustee Schowalter moved to approve the street closure application request for Main Street from the P.V. High School Robotics Team for October 31 from 5pm to 10pm; seconded by Trustee Evans.**

**ROLL CALL VOTE: 4 Yes votes – Shrope, Evans, Schowalter, and V. Sturm. 0 No votes. Motion passed.**

**AUDIT PRESENTATION OF TOWN FINANCIAL STATEMENTS FOR FISCAL YEAR 2015 – Jeff Wendland, CPA, LLC**

Admin. Farrar mentioned that the auditor works directly for the Board, just like the town attorney. Jeff Wendland said that he could come back soon at a workshop to answer more questions if the Board would like more detail and discuss the audit. He explained what the audit process entails. He said that it is important for the Board to keep a close eye on financials, and his review of the minutes shows they are doing so. He said there have not been many major changes in town finances in the past few years, nothing outstanding or unusual. He mentioned the Water and Sewer Funds have been slowly building reserves. He said that the expenditures in all the Town's funds for 2015 were less than what was budgeted. Admin. Farrar asked about the changes in fund balances in the audit. Mr. Wendland mentioned that the General Fund added \$115K to reserves, and the Conservation Trust Fund's reserves decreased due to a budgeted expenditure. Admin. Farrar said that the goal in recent years has been to use Town reserves to leverage grants or for capital expenditures, but not for operating purposes. He also mentioned that in the Water Fund and the Sewer Fund, depreciation each year should be added to reserves to cover eventual replacement of these important capital assets. Mayor Sturm said that he would like to schedule a workshop to discuss the financials in more detail; Mr. Wendland welcomed the opportunity. He also said that he appreciates Town Clerk/Treasurer Phillips and Admin. Farrar's cooperation during his audit. He said that the Town records are in good order and there are no problems finding the information he needs for the audit. He complemented Clerk/Treasurer Phillips for his excellent work and for accommodating him during the week he is in Collbran on the audit. Mr. Wendland said that the financial statements were recently submitted to the State. Town Atty. Jim Neu said that the State requires an annual audit, and that Mr. Wendland does a good job at a fair price. Admin. Farrar proposed a date for a work session in two weeks. He explained that there are no "dumb questions" for the Board to ask Mr. Wendland. It is important that the Board understand the details of the audit and the Town's financial condition.

**ALCOHOL TASTING PERMIT APPLICATION – MAIN STREET INVESTMENT, LLC – MAIN STREET LIQUOR – Sylvia Pell**

Admin. Farrar explained that Ordinance 5, Series 2016 passed last month included language that among other things, allows tastings at liquor stores. He said staff recommends approval after Ms. Pell submits a control plan, completes the application in its entirety and the ordinance is in effect (2 days after the meeting).

**MOTION: Trustee Evans moved to approve the alcohol tasting permit application of Main Street Liquor pending completion of the control plan and application; seconded by Trustee Schowalter.**

**ROLL CALL VOTE: 4 Yes votes – Evans, Schowalter, Shrope, and V. Sturm. 0 No votes. Motion passed.**

**TOWN ATTORNEY VISIT WITH BOARD OF TRUSTEES INCLUDING DISCUSSION OF ORDINANCES 6, 7, AND 8 – Jim Neu (Karp, Neu, Hanlon, P.C.)**

Town Attorney Jim Neu introduced himself to the Board. He mentioned that he has worked with the Town since 2006. He said that he enjoys working with the Town. He mentioned that he works with other municipalities as well; he said that Collbran benefits from work that is completed for other municipalities.

**ORDINANCE NO. 6 SERIES 2016 – AN ORDINANCE OF THE TOWN OF COLLBRAN, COLORADO AMENDING CHAPTER 14.10 OF THE COLLBRAN MUNICIPAL CODE REGARDING OFF-HIGHWAY VEHICLE USE ON TOWN STREETS.**

Town Atty. Neu introduced Ordinance 6, regarding OHVs. Admin. Farrar said that after adoption of the OHV ordinance (Ordinance 1, Series 2015) passed last year, kids were observed in the laps of drivers. Mr. Edwards, an audience member, asked about OHVs crossing State Highway 330. Admin Farrar explained that OHVs are allowed on county roads nearby as well as Town streets; he said that, however, OHVs are not allowed on state highways, such as Hwy 330. Marshal Appelhanz mentioned that he can cite people who operate OHVs on state highways.

**MOTION: Trustee Evans moved to approve Ordinance No. 6, Series 2016, amending Chapter 14.10 of the Collbran Municipal Code regarding off-highway vehicle use on town streets; seconded by Trustee Schowalter.**

**ROLL CALL VOTE: 4 Yes votes – Schowalter, Shrope, Evans, and V. Sturm. 0 No votes. Motion passed.**

**ORDINANCE NO. 7 SERIES 2016 – AN ORDINANCE OF THE TOWN OF COLLBRAN, COLORADO AMENDING CHAPTER 8.02 OF THE COLLBRAN MUNICIPAL CODE RELATING TO THE ACCUMULATION OF REFUSE AND THE ABATEMENT OF NUISANCE.**

Town Atty. Neu introduced Ordinance 7. He said that there are some properties in Town where accumulation of refuse is an issue; he said that Ordinance 7 simplifies the process for dealing with this problem. He mentioned that the Board decided that two weeks would be the maximum time limit for the refuse to remain before it is removed for disposal. He said that this ordinance was needed for those in Town who do not respond to warnings about accumulated refuse and to simplify the enforcement process.

**MOTION: Trustee Shrope moved to approve Ordinance No. 7, Series 2016, amending Chapter 8.02 of the Collbran Municipal Code relating to the accumulation of refuse and the abatement of nuisance; seconded by Trustee Evans.**

**ROLL CALL VOTE: 4 Yes votes – Shrope, Evans, Schowalter, and V. Sturm. 0 No votes. Motion passed.**

**ORDINANCE NO. 8 SERIES 2016 – AN ORDINANCE OF THE TOWN OF COLLBRAN, COLORADO AMENDING SECTION 11.12.080 OF THE COLLBRAN MUNICIPAL CODE REGARDING LOITERING FOR THE PURPOSE OF BEGGING.**

Town Atty. Neu introduced Ordinance 8. He said that begging has been an issue for Grand Junction, and the ACLU successfully sued to overturn their ordinance. The ACLU has challenged several other municipal ordinances on the same topic. The courts have determined that begging is a protected activity. He said that Section 11.12.080 of the Collbran Municipal Code regarding loitering has been revised to eliminate a prohibition on begging. Mayor V. Sturm mentioned that a traffic safety issue can be enforced, however. Mr. Edwards, an audience member and Palisade Trustee, clarified what can be done on public versus private property.

**DELIVERY OF DRAFT BUDGET TO COLLBRAN BOARD OF TRUSTEES FOR FISCAL YEAR 2017**

Admin. Farrar said that in accordance with state requirements that the draft 2017 budget has been delivered to the Board of Trustees; he said that the draft budget will be subject to changes during the board and staff review process.

Trustee Schowalter mentioned that the use of the Town senior van should also be available for all town residents.

**POTENTIAL POCKET PARK AT GRAND VALLEY BANK – LETTER FROM GVB PRESIDENT**

Admin. Farrar reviewed the letter from the president of Grand Valley Bank about use of the area in front of the bank for a pocket park as part of the downtown master plan project. The letter from the bank said that they would allow use of that portion of the property for the park and it included a bank request for additional space on the adjoining Town property to widen the access to the drive-up window. Larger trucks are not able to fit in the existing space. He explained that the Board could direct staff to prepare an easement document. Town Atty. Neu said that he recommends using a revocable license instead of an easement. The Board directed staff to proceed with the revocable license. Admin. Farrar said that he would include a license on a future agenda.

**ARENA ADVISORY COMMITTEE MINUTES**

No AAC minutes provided for the agenda. Mayor V. Sturm asked why minutes were not submitted. Trustee Schowalter said that Tilda Evans does the minutes for the meetings, but she was sick and did not attend the last meeting. She apologized and said that she did not realize that the minutes had not been submitted.

### **TRUSTEE COMMENTS**

There were no Trustee comments.

### **STAFF REPORTS**

#### **Town Administrator**

Admin. Farrar summarized the provisions of Colorado House Bill 16-1309. Town Atty. Neu explained the bill, which is an unfunded mandate. He reviewed the new municipal court requirements that are covered in the bill. Town Atty. Neu and Marshal Appelhanz discussed the topic of jail terms. Marshal Appelhanz said that if a judge signs the warrant, the jail must incarcerate the individual. Town Atty. Neu mentioned that many towns are dealing with this issue now.

Admin. Farrar reported on meeting with Plateau Valley School Superintendent Greg Randall about the school sewer lift station.

Admin. Farrar reviewed a meeting about energy impact grants and the importance partnerships. Town Atty. Neu said DOLA likes applications that include partnerships like the one Collbran in pursuing with FML and DOLA. Mr. Edwards said that the Town should ask FML for \$50K every year. Admin. Farrar mentioned the FML street grant from last year; he said \$50K was approved, but Collbran only used \$32K.

#### **Town Marshal**

Admin. Farrar suggested having known scams posted on the community Facebook page so people are aware. Marshal Appelhanz mentioned that locals are annoyed by the scams, but are not fooled. He said that the elderly and those financially strapped are the targets. Marshal Appelhanz reviewed unfunded, mandated training that his department must complete. He mentioned that he and Admin. Asst. Matarozzo attended front desk security training in Denver; he said that it would be good information for P.V. School and Job Corps to know about also. He said that he and Deputy Marshal Mitchell attended training on opiates. He mentioned that he needs to have his department's standard operating procedures (SOP) updated. Mayor V. Sturm asked about locking a gate on Gandi Park storage area. Marshal Appelhanz said that he has firearms training this month.

### **APPROVE EXPENDITURES**

**MOTION: Trustee Evans moved to approve the expenditures for the Town of Collbran from September 7, 2016 through October 4, 2016; seconded by Trustee Schowalter.**

**ROLL CALL VOTE: 4 Yes votes – Schowalter, Shrope, Evans, and V. Sturm. 0 No votes. Motion passed.**

Town Clerk/Treasurer Phillips asked about the upcoming budget work session in a few weeks.

### **ADJOURN**

**MOTION: Trustee Schowalter moved to adjourn the Town of Collbran Board of Trustees Regular Meeting of October 4, 2016; seconded by Trustee Evans.**

**ROLL CALL VOTE: 4 Yes votes – Shrope, Evans, Schowalter, and V. Sturm. 0 No votes. Motion passed.**

The Regular Meeting adjourned at 8:51pm.

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Approved

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Attest