

Collbran Board of Trustees Meeting Minutes
Tuesday, June 6, 2017
Regular Meeting
7:00 PM Collbran Town Hall

Mayor Sturm called the Regular Meeting of June 6, 2017 of the Collbran Board of Trustees to order at 7:00pm. The Pledge of Allegiance was recited.

PRESENT ON ROLL CALL: Trustees Schowalter, P. Sturm, Pell, Evans, and Mayor V. Sturm.

ABSENT: none

OTHERS PRESENT: Administrator Farrar, Town Clerk/Treasurer Phillips, Marshal Appelhanz, Admin. Asst. Matarozzo, Mark McGowan, Kendall Wilcox, Tilda Evans, Monica Klingler, Jevon Klingler, Cheryl Bryant, Charlotte Adams, Dave Edwards, and Bill Hoffman.

APPROVAL OF MINUTES

MOTION: Trustee Evans moved to approve the Minutes from the Regular Meeting of May 8, 2017; seconded by Trustee Pell.

ROLL CALL VOTE: 5 Yes votes – P. Sturm, Pell, Evans, Schowalter, and V. Sturm. 0 No votes. Motion passed.

PERSONS PRESENT NOT ON AGENDA

Cheryl Bryant (411 Spring St) approached the dais to explain that last winter she had a water service line break, which caused her sewer rate to rise sharply since the overage is based on water use in the winter. She said the Town helped her in informing her that there was a water break since she was not in Town at the time, and Marshal Appelhanz was able to get her water shut off. She asked the Board for a reduction in her sewer rate. Admin. Farrar explained that this has happened to others in the past so the staff could average winter water use absent the leak for billing purposes. It was the consensus of the Trustees that this method of recalculating the bill was acceptable.

OUT-OF-TOWN WATER CHARGES – Monica Klingler

Monica Klingler (15545 59 1/2 Rd) approached the dais to explain that the new water/sewer rates effective in the June 15 billing cycle will cause a hardship because out-of-town properties will be charged 200% of in-town rates. She said her bill will increase \$100 per month. Admin. Farrar mentioned that Admin. Asst. Matarozzo prepared a spreadsheet with before and after rate scenarios for out-of-town customers. Admin. Farrar suggested that the Board schedule a work session to discuss the situation. He said that an analysis had been performed on how different rate changes would affect customers. Admin. Asst. Matarozzo explained some of the details on the spreadsheet. Admin. Farrar mentioned that the majority of water customers use 1,000-4,000 gallons per month. He said that higher fees for out-of-town water users are common and justified because out-of-town customers are not burdened by the water system debt and other obligations that in-town users are responsible for. He suggested holding a work session on Thursday, June 15. The Board agreed and scheduled it for 5pm. The Board proposed delaying charging the new utility rates and charge the old rates for the June 15 billing cycle.

RESOLUTION NO. 3, SERIES 2017 – A RESOLUTION OF THE TOWN OF COLLBRAN, COLORADO, UPDATING THE FEES COLLECTED BY THE TOWN BUILDING OFFICIAL TO ALIGN WITH THOSE FEES IMPOSED BY MESA COUNTY

Admin. Farrar mentioned that Resolution No. 3 is a housekeeping measure. He said that Mesa County Building Department is raising their fees, so we should follow suit because we contract for their services. He mentioned that Mesa County's new fee schedule commences on July 1.

MOTION: Trustee P. Sturm moved to approve Resolution No. 3, Series 2017 as written; seconded by Trustee Pell.

ROLL CALL VOTE: 5 Yes votes – Pell, Evans, Schowalter, P. Sturm, and V. Sturm. 0 No votes. Motion passed.

LICENSE TO USE TOWN PROPERTY AND FACILITIES AT GANDI PARK – Optimus Communications

Admin. Farrar mentioned that Optimus Communications uses a site at Gandi Park for their equipment and antennas. He said the Town does not have a franchise agreement with the company. He mentioned that the Town Attorney said that a franchise agreement was not necessary at this time, but a license to occupy Town property would be needed. He said that the proposed license includes a \$200 fee per month. Mark McGowan of Optimus Communications said that he agreed with the license, except for the \$200 per month fee. He said that he would have difficulty paying the fee because of his small customer base and that this cost would be passed on to his customers. He said that the building on Gandi Park is 100 square feet, there is fencing around it, and the antenna is on the site. He mentioned that he pays Julius Equipment \$100 per month to have an office in Town and that he would have to seriously consider moving his site off Gandi Park if he had to pay \$200 per month. He proposed paying \$50 per month, and he does not take up much land at Gandi Park. Mayor Sturm said that land is valuable. Trustee Pell asked about a comparison between what T-Mobile is offering, which will be mentioned later in the meeting, and what a fair price to charge Optimus would be. Mr. McGowan said that one difference is that T-Mobile would be using one site, and he has to use several. He mentioned that when the tower on Kimball Creek gets built, he would like to have a site there, because it would have better coverage than Gandi Park. Admin. Farrar said that the term of the license is five-years. Trustee Pell mentioned that he would be interested in a twelve-month term for the license, instead of five years. Trustee Evans concurred, since that would give an opportunity to see how it is going a year from now and to make adjustments. Mr. McGowan said that he would prefer a longer term than twelve months, but the \$200 fee per month is too high for him. Admin. Farrar proposed a twelve-month term at \$100 per month. Mr. McGowan said that instead of the rent being due within fifteen days of the due date, he would prefer it be forty-five days. Trustee Pell said he would agree to thirty days, but not forty-five. Admin. Farrar asked Mr. McGowan to provide proof that he is not required to carry workers' compensation specified in the license agreement.

MOTION: Trustee Pell moved to approve the license agreement with Optimus Communications to use Town property and facilities at Gandi Park, with the adjustment to be made by the Town Attorney that states the term is for twelve months and the fee is \$100 per month, net thirty days; seconded by Trustee Evans.

ROLL CALL VOTE: 5 Yes votes – Evans, Schowalter, P. Sturm, Pell, and V. Sturm. 0 No votes. Motion passed.

LICENSE TO USE TOWN PROPERTY AND FACILITIES AT GANDI PARK – Brainstorm Internet

Admin. Farrar said that Brainstorm Internet provides free Internet to Town Hall and Public Works in return for use of the Gandi Park antenna site. He said the proposed license is for a 5-year term, and they are offering 15 MB per second service up from the existing 10 MB per second service. Mark McGowan said that the Brainstorm site in Gandi Park is in a different location than his site. Admin. Farrar mentioned the two Internet operators (Optimus and Brainstorm) are operating without agreements with the Town and that is why the license agreement is being proposed. He mentioned that Brainstorm has faster Internet service than CenturyLink. Trustee Schowalter asked if made more sense for Brainstorm Internet to pay the Town for use of the site, and the Town pay them for the Internet. Admin. Farrar said the license essentially provides for that by offering Internet service at no charge in exchange for use of the site. Trustee Pell asked about the possibility of a 2-year agreement instead of five years.

MOTION: Trustee Evans moved to approve the license agreement with Brainstorm Internet to use Town property and facilities at Gandi Park as written, with the exception of making the agreement a term of two years instead of five years; seconded by Trustee Pell.

ROLL CALL VOTE: 4 Yes votes – Schowalter, P. Sturm, Pell, and Evans. 0 No votes. Mayor V. Sturm abstained. Motion passed.

USER AGREEMENT FOR POCKET PARK – 106 MAIN STREET – GRAND VALLEY BANK

Admin. Farrar reviewed the Town's proposed pocket park in front of Grand Valley Bank. He said that the agreement between the Town and Grand Valley Bank says the Town will maintain the pocket park and provide insurance. He said that the Town proposed moving Grand Valley Bank's sign if it is obscured by the improvements. He said that the project will be initiated in the summer. He said that the agreement should have language about the style of the sign (Western motif) if it needed to be replaced. He proposed capping the cost of replacing the sign at \$10,000. There was additional discussion about the sign and its replacement. Trustee Pell asked about insurance; Admin. Farrar mentioned that liability insurance would be provided by the Town. The Board said that the agreement needed more language about moving and/or replacing the sign. Trustee Pell suggested that the Job Corps students could help with building the sign.

REQUEST FOR REVISED CONDITIONS OF APPROVAL – ENCANA

Admin. Farrar explained that Encaca is required to perform water quality monitoring because their facilities are within the Town watershed. The company has requested that the Town waive this requirement because they have had no identified contamination at the site. He explained that Encaca previously requested that the Town waive this requirement and the Trustees declined. He said that he forwarded the request to Town Watershed Administrator Jeff Simonson and requested that he provide a recommendation. Mr. Simonson recommended that the Town continue requiring water quality monitoring because problems arise as wells age and potential for leakage/contamination increases. The Board agreed to keep the current water quality monitoring requirements in place.

DISCUSSION AND DECISION ON TOWN DEPUTY CLERK POSITION

Admin. Farrar said that there was a week-long training in July for municipal clerks, and he wanted Admin. Asst. Matarozzo to attend. He said there is a potential for a scholarship, and staff designated as deputy clerk have a higher priority to receive scholarships. Trustee Pell asked if a pay raise was planned to go along with the promotion as well; Admin. Farrar said not now, but we will be joining Mountain States Employers Council who will perform a salary survey later this year. Trustee Schowalter asked if she was helping the Marshal's Department as was planned earlier in the year; Admin. Farrar said yes.

MOTION: Trustee Evans moved to promote Melonie Matarozzo to Deputy Clerk; seconded by Trustee P. Sturm.

ROLL CALL VOTE: 5 Yes votes – P. Sturm, Pell, Evans, Schowalter, and V. Sturm. 0 No votes. Motion passed.

TOWN FINANCIAL REPORT THROUGH APRIL 2017

Admin. Farrar noted that the Board was given the Town financial report of the General, Water, Sewer, and Conservation Trust Funds through April 2017. He said that staff will provide a mid-year report when that is available. This information is valuable for budgeting for next year. He mentioned that expenditures in the Marshal Department are high, but Marshal Appelhanz had explained that some grant funding is expected to help cover the overages. Admin. Farrar said that a new box plow (\$4,000) for the backhoe had to be purchased because the old one failed. Town Clerk/Treasurer Phillips offered to answer any questions that they might have about the financial report. He mentioned that tax revenue coming from the State have a two-month delay, so the financials through April would only reflect two months of revenue. He said that any tax revenue coming from the County has a one month delay, so the financials through April would show three months of that revenue. He said that after the year ends, two more months of tax revenue arrive from the State and will be credited to 2017 along with one more month from the County. He said that because of the revenue delay, the financials appear for most of the year as if the General Fund is behind, but actually is not.

Trustee Pell asked if each department is allotted an amount that it cannot spend beyond each year. Admin. Farrar explained that the financial report before the Board is a budget to actual comparison. He said that departments do need to keep within their budgeted expenditures, but legally the Town needs to stay within its budgeted expenditures for the General Fund as a whole. Town Clerk/Treasurer Phillips noted that the actual to budget percentages stated on the financial report are helpful when a revenue or expenditure comes in or goes out incrementally throughout the year, but not when it occurs only once a year. Trustee Pell asked about the budget process. Admin. Farrar said that the budget process for 2018 will begin in August. He mentioned that the departments will submit requests on how much they believe is needed to spend in the new year, and then he will present the figures to the Board in budget work sessions where they work to balance the budget. Trustee Pell asked if the monthly expenditures are already spent, whether the Board approves them or not. Admin. Farrar briefly reviewed the budget process and how it relates to the monthly expenditure report. Trustee Pell asked if once a department has spent its allotted amount for the year, it cannot spend anymore. Admin. Farrar said yes, but legally it is the entire General Fund that cannot be overspent. He said that if unexpected expenditures were needed and the General Fund would exceed the appropriate amounts, then the Trustees would be required to approve a supplemental appropriation at the end of the year to account for that. He said that the State requires a balanced budget. Dave Edwards, Mayor Pro-Tem of Palisade, spoke briefly on the budget process. Trustee Pell mentioned that he believed that if a supplemental appropriation was required in a given year, the next year that much less should be budgeted, and more specifically the department that overspent. He mentioned that the expenditures listed in the report do not mention what specifically they are for. Town Clerk/Treasurer Phillips said that he can look up any expenditure and show him what the items are. Trustee Pell said that the report indicates \$300 was spent at Ace Hardware, but it does not say what was bought. Town Clerk/Treasurer Phillips said that information is not included on the report, but it is filed and he could look up the details of each expenditure. Admin. Farrar mentioned that his job is to check with the departments on expenditures, and with Town Clerk/Treasurer Phillips to see the detail on what was spent. Administrator Farrar offered Trustee Pell time with him or Town Clerk/Treasurer Phillips to answer these detailed questions. Town Clerk/Treasurer said that the monthly expenditure report shows how much and what type of expenditure was received, whether it is a product or a service, but was not paid for yet. He mentioned that if a check was cut for an expenditure, it would show in the

report. He explained that the CD3 report is a Visa card, so those amounts would already be spent. Admin. Farrar said that larger organizations use a purchase order system, but that in a small town like Collbran, this type of system is not efficient.

BOARD OF TRUSTEES REPRESENTATIVE TO ARENA ADVISORY COMMITTEE (AAC)

Trustee Evans mentioned that he would be willing to be the Board liaison to the AAC. Trustee Schowalter said that she was misunderstood at the last Regular Meeting and was not resigning from the position, but that would be okay if Trustee Evans took it over. She said that she did not know about the last AAC meeting that took place. The Board agreed that Trustee Evans will be the AAC liaison.

ARENA ADVISORY COMMITTEE (AAC) MINUTES

Admin. Farrar asked about what the AAC's \$892 represented. Trustee Evans mentioned that it was their running balance. Admin. Asst. Matarozzo said that the Kentucky Derby Special Event Fundraiser at the Auditorium in May lost \$147.77. Admin. Farrar asked about clarification about the LED Arena lights that were tested but not used because they were not bright enough. Trustee Evans said that they did not make an LED bulb bright enough that fit into the existing sockets. Admin. Asst. Matarozzo said that AAC member Tilda Evans did not realize that the alcohol for the special event was purchased, and not donated.

TRUSTEE COMMENTS

Trustee Evans welcomed Trustee Pell to the Board. He thanked Trustee Schowalter for her years of service as liaison to the AAC. He also said that he was glad that Trustee P. Sturm is back. Mayor V. Sturm mentioned that the Town received an award from the FFA.

STAFF REPORTS

Town Administrator

Admin. Farrar commented on the progress of the Collbran Auditorium's historical landmark designation. He mentioned that the Downtown Improvements Project is moving along slow but sure. Trustee Schowalter asked if the crosswalks would be done before the 4th of July; Admin. Farrar said they would be usable, but not completed. Trustee Pell asked about a project manager; Admin. Farrar said that Keith Encke of Public Works is, but ultimately he is responsible.

Admin. Farrar told the Board that the Town had received a cell tower inquiry by T-Mobile in Gandi Park. He mentioned that T-Mobile, Optimus Communications, and others such as 911 could co-locate on the tower if that was worked out in an agreement with T-Mobile. He asked the Trustees whether they would be interested in pursuing this option and that T-Mobile's initial proposal for a fee was \$14,000 a year for use of the site. The Trustees said they were interested and directed Mr. Farrar to pursue discussions with T-Mobile.

Admin. Farrar gave the Board an update on the Collbran Arena electrical upgrades. He showed the Board "whips" that connected the arena lights to the wiring between the poles. The "whip" connectors were the source of the problem with the electrical overload. They were constructed out of wire that was not specified for exterior use, connections were wrapped with electrical tape not specified for the purpose, and there are numerous places where the insulation on the wires was missing and conductors were exposed. The repairs that were made were permitted and inspected by the County, complied with all electrical code requirements, and were completed by a properly licensed contractor. Admin. Asst.

Matarozzo mentioned that the Cattlewomen’s Association contacted her about a letter that the Plateau Valley Heritage Days Rodeo Committee asked them to cosign. She said the letter stated that the work being completed at Collbran Arena was not up to code, a shabby job was being done, lives were being put in danger by having any event taking place over there, and Mesa County was not inspecting it. She mentioned that the Cattlewomen invited her to one of their meetings. Before the meeting, she met with the electricians working on the Arena to get a better understanding on the specifics to present that information to the Cattlewomen. She said the Cattlewomen unanimously decided not to cosign on the Plateau Valley Heritage Days letter. She explained that she also attended the Heritage Days Rodeo Committee meeting last night and brought them the same information that the Cattlewomen received. She said that the letter was written without obtaining any information from the Town or the electrical company doing the work. Admin. Farrar mentioned that the electrical fix is a permanent repair. Admin. Asst. Matarozzo said that the “whips” were replaced at the Arena; a new 200 amp service box was put in the concession stand to replace the two old boxes. Admin. Farrar said that the electrical work was intended to repair the lights, but the improvements have provided some amperage freeboard, which may help other electrical demands at the Arena. Admin. Asst. Matarozzo said that a final inspection will be performed by Mesa County on Friday or early next week.

Admin. Farrar said that the Town received an email directed to Town Clerk/Treasurer Phillips about obtaining a new liquor license in Town. He said that the interested party did not identify the location for the liquor license or the type of liquor license. He explained that after the Town responded with information, it was sixteen-days before there was any response from the interested party. He noted that when Town Clerk/Treasurer Phillips heard back from the potential applicant, they explained they were proposing to open a tavern in the location of the previous Grand Mesa Tavern (1006 High Street). The party explained that they wanted to be open by the Fourth of July. He explained that staff informed the party that the liquor law requirements would not allow that short of a timeframe. Subsequently, the Town finally started receiving some, but not all of the required application materials. Town Clerk/Treasurer Phillips noted that he is working with the applicants and there are still some required materials they were lacking, but it is coming together. Admin. Farrar said that it was alleged that Town staff was not cooperative and was not working with the applicants, but affirmed that the allegation was incorrect. Trustee Schowalter said that she was approached by someone regarding this, and that she was just trying make an inquiry. Town Clerk/Treasurer Phillips said that if all the required material is received by the end of the week, the hearing for the new liquor license could be on the July 11 Regular Meeting agenda. He explained the various required steps in the application process. He explained that if the Grand Mesa Tavern liquor license had not expired, that owner could have signed off on a transfer of liquor license, which would have enabled the current applicants to obtain a temporary permit while waiting for their liquor license to go through the State, instead of having to wait until the State issues the new liquor license. Admin. Farrar requested that if a Trustee hears allegations on the street that they please stop by Town Hall and obtain information first hand. Trustee Schowalter said that some people in Town knew about the portable patio for Collbran Café a few weeks before she did. Admin. Farrar explained that the right-of-way use permit agreement was presented to and approved by the Board of Trustees. Mayor V. Sturm said that he stops by Town Hall regularly to inquire about input he hears on the street to verify the information.

Admin. Farrar said that the liquor tasting dates for Main Street Liquor discussed last month were dates associated with their approved permit which expires July 7, and not with the new permit that begins the next day. He said that Main Street Liquor is keeping the original dates that they had submitted to Town Hall, for the current permit and the new permit.

Admin. Farrar gave the Board an update on the Buckskin Hill Road, noting that it was in-service with a graveled surface. He noted that this was a County project and he had made an inquiry to County staff because of local interest.

Admin. Farrar noted the paperwork associated with the street closure request that was approved last month for the car show on Elm Ave on July 4 is included in the Board packet.

Town Marshal

Marshal Appelhanz distributed his monthly report to the Board. He mentioned a driving simulation that he took part in. He mentioned a \$7,900 POST training grant. He spoke of a new bill in Colorado not signed yet by Governor Hickenlooper related to forfeitures. Marshal Appelhanz said that the line items for expenditures in his department will be up, but he is expecting to receive a grant to offset the expenditures. He said that you will receive \$10,000 from Plateau Valley School District 50 for ongoing services rendered by the Marshal’s Department. He explained that he previously approached the School District about Marshal’s Department law enforcement services and requested funding assistance. They agreed to help with \$10,000 this year. The Town has signed a Memorandum of Understanding with the School District for this purpose. Trustee Pell asked Marshal Appelhanz if he receives a confirmation that he will receive a grant before he makes the expenditure. Marshal Appelhanz said yes. Marshal Appelhanz offered additional information about grant revenues and expenditures.

APPROVE EXPENDITURES

MOTION: Trustee Evans moved to approve the expenditures for the Town of Collbran from May 9, 2017 through June 6, 2017; seconded by Trustee P. Sturm.

ROLL CALL VOTE: 5 Yes votes – Evans, Schowalter, P. Sturm, Pell, and V. Sturm. 0 No votes. Motion passed.

ADJOURN

MOTION: Trustee Evans moved to adjourn the Town of Collbran Board of Trustees Regular Meeting of June 6, 2017; seconded by Trustee Pell.

ROLL CALL VOTE: 5 Yes votes – Schowalter, P. Sturm, Pell, Evans, and V. Sturm. 0 No votes. Motion passed.

The Regular Meeting adjourned at 9:33pm.

Approved

Attest