

Collbran Board of Trustees Meeting Minutes
Tuesday, September 5, 2017
Regular Meeting
7:00 PM Collbran Town Hall

Mayor Sturm called the Regular Meeting of September 5, 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, Deputy Clerk/Admin. Asst. Melonie Matarozzo, Tamara Entwistle, Kaleb Julius, Jeremy Miller, Dana Lynch, Tilda Evans, and Charlotte Adams.

APPROVAL OF MINUTES

MOTION: Trustee Pell moved to approve the Minutes from the Regular Meeting of August 8, 2017 and the Special Meeting of August 29, 2017; seconded by Trustee Evans.

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

PERSONS PRESENT NOT ON AGENDA

No one came forward.

PUBLIC HEARING - SPECIAL EVENT LIQUOR LICENSE – AMERICAN LEGION, POST 86 – COLLBRAN AUDITORIUM – 102 MAIN STREET - SEPTEMBER 9, 2017 – Kaleb Julius

Mayor V. Sturm opened the public hearing.

Kaleb Julius appeared on behalf of American Legion, Post 86 to explain that they were holding a Veterans' Ball at the Collbran Auditorium on September 9, and are requesting a special event liquor license. He said that the proceeds from the event fundraiser would go to Post 86 for the veterans' services that they provide. He said the event would begin at 5:30pm and end at 11pm. He noted that the event included a dinner, a silent auction, and a dance. Admin. Farrar said that staff recommends approval of the special event liquor license.

There was no public comment. Mayor V. Sturm closed the public hearing.

MOTION: Trustee Evans moved to approve a Special Event Liquor License for American Legion, Post 86 for September 9, 2017 at the Collbran Auditorium from 6pm to 11pm; seconded by Trustee Pell.

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

PUBLIC HEARING - SPECIAL EVENT LIQUOR LICENSE – TOWN OF COLLBRAN - OKTOBERFEST ON MAIN STREET – SEPTEMBER 15, 2017 – Melonie Matarozzo

Mayor V. Sturm opened the public hearing.

Deputy Clerk/Admin. Asst. Matarozzo explained that the Town is applying for a special event liquor license for Oktoberfest and she, as the representative, was there to answer any questions. She explained that the Oktoberfest event is proposed on Main Street, between Short Street and High Street, on September 15. Admin. Farrar said that staff recommends approval of the special event liquor license.

There was no public comment. Mayor V. Sturm closed the public hearing.

MOTION: Trustee Evans moved to approve a Special Event Liquor License for Town of Collbran for Oktoberfest on Main Street between High Street and Short Street on September 15, 2017 from 4pm to 9pm; seconded by Trustee P. Sturm.

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

STREET CLOSURE REQUEST – TOWN OF COLLBRAN – MAIN STREET (BETWEEN HIGH ST AND SHORT ST) - SEPTEMBER 15, 2017 – Melonie Matarozzo

Deputy Clerk/Admin. Asst. Matarozzo said she was present to request approval for a street closure for the Town of Collbran Oktoberfest special event from 2pm to 9pm on September 15. Admin. Farrar said that staff recommended approval of the request. He said that he has asked Deputy Clerk/ Admin. Asst. Matarozzo to work with the Public Works Department and the Marshal's Office on the street closure.

MOTION: Trustee Evans moved to approve a street closure permit for Town of Collbran on Main Street between High Street and Short Street from 2pm to 9pm for Oktoberfest on September 15, 2017; seconded by Trustee P. Sturm.

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

Deputy Clerk/ Admin. Asst. Matarozzo asked the Board if they could let her know if they could volunteer for Oktoberfest in any way; she said any help would be appreciated.

DISCUSSION REGARDING BOARD OF TRUSTEES DECORUM – Tamara Entwistle

Ms. Entwistle was not present so the Board continued to the next agenda item.

DISCUSSION REGARDING WATER AND SEWER TAP RELIEF – 904 SPRING STREET – Carl Vostatek

Admin. Farrar explained that around 1996, Mr. Vostatek acquired some lots in the Hillside Subdivision, which was approved by the Town. He said it apparently was approved and for one reason or another the developer did not extend the water and sewer mains to the property. He said that Mr. Vostatek provided documentation showing that he extended, at his cost, the water and sewer mains. He mentioned that Mr. Vostatek said he had a verbal agreement with former Town Manager Bruce Smith that in exchange for the cost of the main extensions it would be given a water and sewer tap at no charge. Admin. Farrar outlined options for the Trustees; waive the cost of the taps, take no action, or compromise somewhere in the middle. He said the current cost of the taps is \$4,500 each. He said that the Town did not find any written documentation waiving the tap fees in exchange for the line extensions. He said that Mr. Vostatek told him that he recently spoke with Mr. Smith, who acknowledged that there was nothing in writing. He

said that subdivisions are typically required to install all necessary infrastructure and installation of improvements, and should be guaranteed by a subdivision improvements agreement. Marshal Appelhanz said it was not unheard of to have these sort of deals taking place back in those days. Mayor V. Sturm said he thought Mr. Vostatek should be provided some relief. Trustee Pell mentioned that he thinks that Mr. Vostatek should have to pay for his taps like anyone else. Admin. Farrar said that Mr. Vostatek represented to him that someone else developed the land, he purchased it, and then he extended the water and sewer mains to the property which allegedly cost him more than \$20,000. Trustee P. Sturm brought up the possibility of charging Mr. Vostatek the price of the taps as they cost in 1996. Marshal Appelhanz reminded the Board that the recent increase in water and sewer rates was intended to generate needed revenue in the water and sewer funds. Trustee Pell reiterated that Mr. Vostatek should pay for the taps at the current tap price. Trustee Evans said he would be interested to know what the price of taps were in 1996.

MOTION: Trustee Pell moved to deny the request of Carl Vostatek to be provided relief for the cost of his water and sewer tap for 904 Spring Street; no second.

Motion died.

MOTION: Trustee P. Sturm moved to table the discussion regarding water and sewer tap relief for Carl Vostatek for 904 Spring Street; seconded by Trustee Schowalter.

ROLL CALL VOTE: 4 Yes votes – P. Sturm, Evans, Schowalter, and V. Sturm. 1 No vote - Pell. Motion passed.

DISCUSSION REGARDING BOARD OF TRUSTEES DECORUM – Tamara Entwistle

Tamara Entwistle read prepared a written statement regarding what she believed was the misconduct of Mayor V. Sturm. She said her original intention was to not appear to discuss this at a Board meeting. She explained that she was originally looking for an apology for behavior that she perceived as rude, disrespectful, and degrading towards herself and other community members at the August Regular Meeting. She said that after review of the audio of the past two Board meetings, it was her opinion that individuals in the audience who speaks in agreement with the Mayor's opinion is allowed more time to speak and is treated with respect, than those who hold a different opinion. She said that with the office of mayor comes high standards and professionalism. She said that she did not have an agenda when she spoke about the Grand Mesa Tavern last month. It was her perception that if someone from out of Town attended the last meeting and witnessed the dialogue that took place, they would probably choose not to invest in the Town. She said as the head of the elected body of the Town, the Mayor should represent the entire community. She said that the Mayor's behavior should be held to a higher standard than those in the audience. It was her opinion that if Mayor V. Sturm's prejudices and judgments keep him from holding the high standards of the office of mayor then maybe he should resign.

Mayor V. Sturm noted that he apologized to Ms. Entwistle at the August Regular Meeting. Ms. Entwistle said the apology was not sincere. She brought up a comment that Mayor V. Sturm made about Kaleb Julius and his liquor license for the Grand Mesa Tavern; the comment was made at the August Regular Meeting by Mayor Sturm during the American Legion, Post 86 donation request which Kaleb Julius is the commander. Mayor V. Sturm explain that last year at a Board meeting, Mr. Julius threw his framed Grand Valley Tavern liquor license at him during the meeting at which the license was discussed. He said she can petition for a recall if she does not want him in office. Mr. Julius said that the incident with the liquor license took place when he was representing the Grand Mesa Tavern, not the American Legion. Admin. Farrar thanked Ms. Entwistle for her comments. He said that the issue of Trustee decorum could be discussed at a future work session.

RESOLUTION NO. 3, SERIES 2017 – A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF COLLBRAN, COLORADO SUPPORTING AN APPLICATION FOR A GRANT FROM THE MESA COUNTY FEDERAL MINERAL LEASE DISTRICT FOR A POLICE VEHICLE FOR THE COLLBRAN TOWN MARSHAL DEPARTMENT

Admin. Farrar explained that he is working on a Mesa County Federal Mineral Lease District (MCFMLD) grant application for a patrol car for the Marshal's Office. He estimated that the patrol car would cost \$45,000 and the outfitting of the vehicle would cost an additional \$5,000. He said that the grant application requires a Trustee resolution of support. He said the application deadline is Friday, September 8. Trustee Pell asked what else FML grant funds can be used for. Admin. Farrar explained that the grants are specific to a project. He noted that this is a mini-grant and there are no required matching funds. He mentioned that FML grants are intended to offset energy impacts. He said FML grants have been used for the Downtown Project and the P.V. School sewer lift station.

Trustee Pell asked about the wording of the resolution that mentions matching funds. Admin. Farrar said that this grant is a non-match; he said he could take that wording out. Trustee Pell expressed concern on another part of the resolution that says the Town would have expenditures. Admin. Farrar said the resolution is generic and the language can be modified. Trustee Pell said he supports the grant if it does not require the Town to have any expenditures. He asked if the Town would dispose of an older police vehicle if the Marshal's Office is successful with the FML grant for a new one and where proceeds from sale of the older vehicle would go. Admin. Farrar said the revenue would go into the General Fund. Marshal Appelhanz said that if the Town is not successful with the grant request, he will still need to purchase a patrol car. He said the Town recently spent \$6,000 to repair the Explorer and it needs to be replaced and noted that the Explorer would serve as a backup vehicle. He said that even if it ends up costing \$60,000 for a new patrol vehicle, the Town's out-of-pocket cost is only \$10,000 based upon a \$50,000 grant. Trustee Pell said that he did not want to spend funds that were not budgeted. Marshal Appelhanz said that if the Board approved expenditures in the budget for fiscal year 2018, then an amount over the grant total could be covered. Trustee Pell mentioned the wording in the resolution about the Town having to expend funds necessary to meet the terms of the grant. He said it looks like if the resolution was approved, it would be granting permission to the Town to spend whatever was needed to finish the patrol car to have it ready for use. Admin. Farrar said that the MCFMLD grant agreement would say that the Town is awarded \$50,000 for a patrol car and outfitting. He said that if any additional funds are needed, it would be subject to an appropriation by the Trustees. He mentioned that the grant agreement would have no wording obligating the Town to spend any funds beyond those awarded. Marshal Appelhanz said that he does his best to make the outfitting of patrol vehicles as affordable as possible.

MOTION: Trustee Evans moved to approve Resolution No. 3, Series 2017 supporting the MCFMLD grant application for a police vehicle for the Collbran Marshal Department; seconded by Trustee P. Sturm.

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

ARENA ADVISORY COMMITTEE (AAC) MINUTES

The Board made no comments. Admin. Farrar mentioned that the AAC could be helpful in soliciting matching fund commitments from community organizations like FFL and 4-H for the GOCO Collbran Arena grant. He said that he believes there is a November grant deadline. He mentioned he would like to get a draft application submitted so the Town can have the GOCO staff comment on it.

TRUSTEE COMMENTS

Trustee Schowalter mentioned that she enjoyed the Laramie Energy rig tour. Admin. Farrar said that it was educational. Trustee Evans notes it was helpful to see the rig to better understand what is involved. Admin. Farrar said that Chris Clark of Laramie Energy had told him that they are going to drill twenty-three holes from a single pad, which years ago would be a separate pad for each hole.

Admin. Farrar reminded the Board about the CML district meeting on Wednesday, September 13 in Grand Junction in case anyone wanted to attend.

STAFF REPORTS

Town Administrator

Admin. Farrar said the Municipal Judge shared a document about legislation that is putting a burden on municipal courts. He said that the Judge mentioned to him that there appears to be an effort to eliminate municipal courts; this would move all municipal cases to District Court and would overwhelm them. Marshal Appelhanz said the Marshal Department's function is not to generate revenue, but some costs can be recovered through municipal court. He said the Marshal, the Judge, and the Prosecuting Attorney work with first-time youth offenders to solve problems instead of making situations worse. Admin. Farrar noted that a municipal court is the closest court to the people, and it can be tuned to fit a community. Marshal Appelhanz stressed the importance and benefits of having a municipal court. Admin. Farrar told the Board that the Municipal Judge is willing to speak with the Board. Trustee Schowalter suggested they attend municipal court so the Judge would not have to make an extra trip.

Town Marshal

Marshal Appelhanz distributed his monthly report. He mentioned how much paperwork he has had to spend time on the past couple of years. Mayor V. Sturm asked about a fire near Vega Reservoir; Marshal Appelhanz spoke about it briefly and about other fires in the region.

Admin. Farrar distributed the projected timeline for the Downtown Improvements Project and gave a brief overview.

Marshal Appelhanz said he attended a two-day **Tac-Med** class in Denver last month and said that he would like to have medical kits in all the rooms at P.V. School. He said that he and Deputy Clerk/Admin. Asst. Matarozzo have been working on the kits when they have time. Marshal Appelhanz said that there are firearms and POST training coming up for he and Deputy Marshal Mitchell.

APPROVE EXPENDITURES

MOTION: Trustee Evans moved to approve the expenditures for the Town of Collbran from August 9, 2017 through September 5, 2017; seconded by Trustee P. Sturm.

ROLL CALL VOTE: 4 Yes votes – Evans, Schowalter, P. Sturm, and V. Sturm. 1 No vote - Pell. Motion passed.

ADJOURN

MOTION: Trustee Evans moved to adjourn the Town of Collbran Board of Trustees Regular Meeting of September 5, 2017; seconded by Trustee Pell.

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

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The Regular Meeting of September 5, 2017 adjourned at 8:01pm.

Approved

Attest