

**Collbran Board of Trustees Site Visit Minutes**  
**Tuesday, April 10, 2018**  
**Proposed Cell Tower Site Visit – Vertical Bridge (applicant)**  
**6:00 PM Gandhi Park, 5800 Peninsula Road**

Mayor V. Sturm called the proposed cell tower site visit to order at Gandhi Park, 5800 Peninsula Road, on April 10, 2018 at 6:04pm.

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

**ABSENT:** Trustee Pell.

**OTHERS PRESENT:** Administrator Farrar, Town Clerk/Treasurer Phillips, Town Atty. Jim Neu, Matt Grugan, Kenny Zwick, and Mark McGowan.

Admin. Farrar explained that the site visit is for informational purposes only. He displayed the site plan. Kenny Zwick of Vertical Bridge reviewed why they chose the location on Gandhi Park to apply for construction of a cell tower. He said they want to construct a mono pole and described the sturdiness of the structure. He noted it would take a catastrophic event to make the tower collapse, but it is designed to fall within its footprint. He mentioned T-Mobile would be the primary provider on the tower, but other carriers can co-locate. He said the Town can benefit from the revenue from the tower being on Town property. Admin. Farrar asked if lightning would be an issue. Matt Grugan of Vertical Bridge said the tower is fully grounded and lightning that hits the tower would be directed to the ground to dissipate. Mr. Zwick discussed disguising the tower as a tree, the existing space in the park, and the access road. Trustee Todd asked if the cell signal would reach all residents in Town; Mr. Zwick said it would. Mr. Grugan explained how the signal would travel. Mr. Grugan said a SUV –sized maintenance truck would be on-site once or twice a month for maintenance. Mr. Zwick said an external generator could be connected to the tower during a prolonged power outage. Town Atty. Neu asked about the response from residents nearby the proposed tower location. Mr. Zwick said that eight out of nine properties responded.

The proposed cell tower site visit at Gandhi Park concluded at 6:23pm.

**Collbran Board of Trustees Meeting Minutes**  
**Tuesday, April 10, 2018**  
**Regular Meeting**  
**7:00 PM Collbran Town Hall**

Mayor V. Sturm called the Regular Meeting of April 10, 2018 of the Collbran Board of Trustees to order at 7:00pm. The Pledge of Allegiance was recited.

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

**ABSENT:** Trustee Pell.

**OTHERS PRESENT:** Administrator Farrar, Town Clerk/Treasurer Phillips, Marshal Appelhanz, Dep. Clerk/Admin. Asst. Matarozzo, Keith Todd, Kenny Zwick, Matt Grugan, Dana Lynch, Tilda Evans, Tamara Entwistle, Randy Pettes, Jodi Livingstone, and Beatrice Link.

**APPROVAL OF MINUTES**

**MOTION:** Trustee P. Sturm moved to approve the Minutes from the Regular Meeting of March 6, 2018; seconded by Trustee Evans.

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

**APPROVE EXPENDITURES**

**MOTION:** Trustee Evans moved to approve the expenditures for the Town of Collbran from March 7, 2018 through April 10, 2018; seconded by Trustee P. Sturm.

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

**PERSONS PRESENT NOT ON AGENDA**

No one came forward.

**ADMINISTER OATH OF OFFICE FOR MAYOR AND TRUSTEES**

Trustee Evans resigned his trustee seat. The trustee oath of office was administered to Keith Todd by Town Clerk/Treasurer Phillips. Town Clerk/Treasurer Phillips administered the oath of office to Lew Evans for mayor.

**THANK YOU TO OUTGOING MAYOR AND TRUSTEES**

Admin. Farrar presented to outgoing Trustee Schowalter and Mayor V. Sturm with plaques recognizing their service to the Town of Collbran and thanked them for their efforts in the community.

**PUBLIC HEARING: REZONING APPLICATION – FROM R-1 RESIDENTIAL TO DOWNTOWN COMMERCIAL, 1004 HIGH ST – ENTWISTLE, CHAD AND TAMARA**

Mayor Evans opened the public hearing on the Entwistle rezoning application located at 1004 High Street. Applicant Tamara Entwistle was sworn in and stated that their 1004 High Street property was originally zoned Downtown Commercial, but at their request was rezoned Residential in 2011. She said she and her husband are considering establishing a small market, and desire to rezone the property back to Downtown Commercial. She explained that the site is in Collbran's commercial district and in the Enterprise Zone. Admin. Farrar asked Ms. Entwistle if the hearing was properly noticed by publication in the newspaper (The Grand Junction Daily Sentinel), posting of the property, and mailing of Certified Mail Return Receipt Requested letters to property owners within 200 feet of the subject property boundaries. Ms. Entwistle testified that all notices were made as required at least fifteen days prior to the hearing. Ms. Entwistle said that proof of publication and return receipts were submitted to the Town; Admin. Farrar confirmed that they had been received. He said that the public hearing has been properly noticed and the Board can proceed with the hearing. Trustee P. Sturm asked Ms. Entwistle what her plan was for the property. She said her plan is a market; a co-op of sorts, for gourmet foods. She mentioned she was not planning to compete with Marigold Market. She mentioned she plans to have gourmet breads and

soups. She said she plans to have many single-portioned items, which will help with the elderly people of the community. She said they have an off-site commercial kitchen where foods will be prepared.

Admin. Farrar gave a PowerPoint presentation on the application and presented the Collbran zoning map. He noted the property was originally zoned Downtown Commercial and the Entwistle's had asked to rezone the property to R-1 (Residential). He said the Comprehensive Plan Future Land Use Map identifies the property for Downtown Commercial and the rezoning request complies with the Comprehensive Plan. He noted that an important rezoning standard is compatibility with surrounding uses. He mentioned the zoning to the north is Downtown Commercial; to the east is Public, south is R-1 Residential which is separated from the site by a steep hill so they are physically separated, and the area west of the property is Downtown Commercial.

Admin. Farrar discussed the four land use code criteria upon which the Board should make affirmative findings for the rezoning. The property is suitable for commercial and multi-family uses in the downtown. The staff finds that the proposed rezoning is compatible with the surrounding zone districts, land uses, and is in keeping with the characteristics of the neighborhood. He said he existing uses generates traffic consistent with multi-family activities, and the number of vehicle trips is not anticipated to increase significantly with rezoning to Downtown Commercial. He mentioned the rezoning is not expected to have a detrimental impact in air or water quality. He said the property is consistent with the downtown commercial area and the Collbran Comprehensive Plan. He mentioned the staff recommendation is to approve rezoning from R-1 (Residential) to Downtown Commercial (DTC).

Mayor Evans asked why the property was previously rezoned to Residential. Ms. Entwistle said that it was for tax and insurance reasons. Mayor Evans asked for public input. Dana Lynch, owner of the Grand Mesa Tavern at 1006 High Street, said the proposed rezoning would be a good compliment to her business, and the other businesses on Main Street. Mayor Evans asked if the Board had any further questions or comments; they did not. He closed the public hearing.

**ORDINANCE NO. 3, SERIES 2018 – AN ORDINANCE OF THE TOWN OF COLLBRAN, COLORADO REZONING PROPERTY OWNED BY TAMARA AND CHAD ENTWISTLE KNOWN AS 1004 HIGH STREET FROM LOW TO MEDIUM DENSITY RESIDENTIAL DISTRICT (R-1) TO DOWNTOWN COMMERCIAL DISTRICT (DTC)**

Town Atty. Jim Neu said that Ordinance No. 3, Series 2018 is to approve the rezoning of 1004 High Street from R-1 Residential to Downtown Commercial.

**MOTION: Trustee Todd moved to approve Ordinance No. 3, Series 2018, rezoning the property owned by Tamara and Chad Entwistle known as 1004 High Street from Low to Medium Density Residential district to Downtown Commercial district; seconded by Trustee P. Sturm.**

**ROLL CALL VOTE: 3 Yes votes – Todd, P. Sturm, and Evans. 0 No votes. Motion passed.**

**PUBLIC HEARING: SPECIAL USE PERMIT APPLICATION – 120 FOOT COMMUNICATIONS TOWER, 5800 PENINSULA RD (GANDI PARK) – VERTICAL BRIDGE**

Mayor Evans opened the public hearing. Kenny Zwick of 18959 E Warren Drive, Aurora, CO 80013 was sworn in. He said he is representing the applicant, Vertical Bridge, for a special use permit to erect a 120' cell tower on the Gandi Park property, owned by the Town. He testified that notice was posted on the property, were mailed Certified Mail Return Receipt Requested to property owners within 200 feet of the parcel boundary, and notice was published in the Grand Junction Daily Sentinel fifteen days prior to the hearing. He said the certified mailing receipts were delivered to the Town. Mr. Zwick explained that cell towers work on line-of-sight and explained that today's cell phones operate at a half of a watt. He said the lower cell phone power requires more cell towers, but they are lower in height. He mentioned T-

Mobile is pursuing this site because they have identified a need in this area. He said other factors that are important to locating a cell tower are electric service, site access, and proper zoning. He said they chose the location on the north side of Gandhi Park because it is less visible to Town residents. He said they produced propagation maps that improved cellular coverage derived from this location. He described two benefits to Collbran by placing the tower on Town property. He mentioned the first is space rental revenue because the tower would be on Town property; additionally, the tower can accommodate four separate carriers thereby reducing the need for additional towers in the future. He said a second benefit is improved safety because of better communication service. He mentioned space will be reserved on the tower for 911 and emergency services that, if used, will benefit police and fire personnel. He said even with other carriers using the tower, there should not be more than three or four visits a month by a small van for maintenance purposes. He mentioned battery backup power would be located on-site, and would be used during power outages. He said an external generator can be attached for extended power outages. Trustee Todd asked about the propagation map and wanted to make sure that Town of Collbran proper was covered. Mr. Zwick said that the tower would cover Town of Collbran residents.

Admin. Farrar reviewed his staff report and explained the application is for a communications facility special use permit. He presented a PowerPoint showing a map of the property and adjoining properties around Gandhi Park; a site plan showed the tower base and equipment pad. He mentioned the applicant is proposing to surround the site with chain-link fence with barbed wire on top. Admin. Farrar said the Board would need to specifically approve barbed wire on the fence. He noted a primary issue was visual impact. He said the proposed site is in the north end of Gandhi Park, which is less visible to most Town residents. He mentioned one of the staff recommendations was to camouflage the tower and make it look like a tree. He presented pictures of a Front Range cell tower that looks like a tree. He continued to present the staff report that identified zoning as “Public”, identified the surrounding zoning, as well as other aspects of the application. Admin. Farrar explained that a special use is a contingent use, which may or may not be appropriate at a particular location. He said the staff report addressed compliance with the Collbran Comprehensive Plan that, among other things, noted new development should pay for all impact costs, and not place a fiscal burden on the existing residents. He mentioned other language in the Comprehensive Plan addresses protection of the ridgelines and view sheds in Collbran. He said most of the visual impacts of the tower would be to properties in unincorporated Mesa County. He explained that the staff report identifies the special use permit review criteria and whether the application complies with the standards. He mentioned the proposed tower site is adjacent to the existing water tank and other antenna facilities in Gandhi Park. Other items discussed in the staff report included number of visits to the tower by technicians, parking, refuse, and existing utilities. He recommended the tower to be camouflaged as an evergreen tree to reduce visual impact and the tower/equipment have a non-specular surface. He said the tower will not be lit and any other site lighting utilize motion-activated lights that turn on only when there is site activity; dusk to dawn lighting would not be allowed. He mentioned other carriers that desire to construct a building would need to submit to the Town a lighting and building plan for approval prior to construction. Town Atty. Neu noted that the staff recommendations had a typo; he said it should state that “lighting shall not remain continuously lit during nighttime hours”. Further discussion took place about the visual impact of the tower and the best methods to reduce impacts. Admin. Farrar noted that the applicant used a man-lift on-site to show the total height of the tower, and the visibility from other locations away from Gandhi Park. The applicant submitted a photo rendering what the tower would look like in Gandhi Park, which was displayed. Colorado Parks and Wildlife was a referral agency, and he noted that they did not have problems with the tower. However, they reported that U.S. Fish and Wildlife covers federally-protected species and suggested that if there were concerns about endangered species, they be contacted. Admin. Farrar identified comment letters from residents Margaret Eversole and Debbie Terwedo, Cindy Ferguson, and James Kenshalo about the tower.

Mayor Evans asked for public comment. Tilda Evans of 3001 Orchard Avenue said she is not for or against the tower; she asked why a tower is being built when the tower on Kimball Creek, which was recently built, could accommodate more cell carriers. Matt Grugan, project manager from Vertical Bridge, said there are a number of reasons why T-Mobile cannot use the Kimball Creek tower. He said AT&T owns that tower, and they are competitors with T-Mobile. He also mentioned that the location is not ideal like Gandi Park to provide coverage for residents of Collbran. Admin. Farrar explained that Vertical Bridge could move their site to a nearby unincorporated area of Mesa County and apply to build a tower with similar impacts to Collbran, and the Town would not have final say in an approval nor would they derive any revenue benefit. Mark McGowan of Optimus Communications said the 911 communications tower at the Mesa County Shop nearby has barbed wire and kids still got inside. He said he disagrees with the design of the tower and said he was hoping that it would be more inclusive for carriers such as his business, and Mesa Air Net. He said the picture of the tower that looks like a pine tree was 60-80 feet, not 120'. He mentioned that on Facebook people are saying that the tower would not service Molina and Mesa very well. He said Verizon coverage has decreased since the tower on Kimball Creek has been built. Mr. Grugan responded that they installed barbed wire on fences at all of their sites, for security purposes. He said barbed wire is a deterrent, but if someone is determined to get in, they will. He said that if the Town does not like barbed wire, they can instead make the fence higher. He said that they are requesting as small a tower as possible to meet their objective, and have a minimal visual impact. Jodi Livingstone asked if a requirement can be made for other carriers to use the proposed tower instead of building yet another one. Admin. Farrar explained that the staff is recommending a condition requiring co-location, and at a reasonable cost. Ms. Livingstone asked about the comment made by Mr. McGowan that Verizon service has been impacted by the Kimball Creek tower. Mr. Grugan said the carriers operate on different frequencies, so they cannot interfere with existing carriers. He mentioned that in metro Denver, their towers utilize co-location with other carriers. Ms. Livingstone said that since the tower location would be in a park, she would like the fence design process involve the Town. Mr. Grugan said they chose a chain-link fence because that already exists in the park. Marshal Appelhanz encouraged using a fenced-in area with barbed wire as a deterrent for people accessing the tower and to reduce the load on his department. Mr. Zwick said that there will be no climbing pegs on the first fifteen to twenty feet of the tower. Marshal Appelhanz asked if there will be any cameras on-site. Mr. Grugan said that it will not be monitored by cameras. Marshal Appelhanz said that the Town water plant facility, just east of Gandi Park, has barbed wire on its fence. He said he supports the security of the proposed tower. Admin. Farrar clarified that the Kimball Creek tower is owned by Commnet, with an arrangement with AT&T; and roaming charges apply on that tower. He reiterated that the proposed Gandi Park tower will include space for Town emergency communications and 911 purposes. Admin. Farrar said he spoke to some 911 Communications members about whether they would give consideration to relocating their equipment to another tower (Gandi Park or Kimball Creek) that may provide better coverage and remove the existing tower at the Mesa County Shop; that tower could be used at another location. He mentioned the response was that it was interesting an interesting idea, but were not sure what could happen. Mayor Evans said Verizon could have utilized the tower at the Mesa County Shop, but were not interested. He said he switched to AT&T and has great service. Ms. Lynch said she has Verizon and the coverage has declined since the Kimball Creek tower has been in-service. Mr. McGowan said his business uses the tower at the Mesa County Shop and would not support dismantling that tower. Michael Blanck with the Plateau Valley Little League asked whether tower lightning strikes would create a hazard at Gandi Park, which could adversely affect Little League and cause them to lose their field status. Mr. Zwick said the tower would be well grounded and that would dissipate the lightning strikes without creating a hazard. Mayor Evans asked if a lightning strike could arc to the ballfield fence; Mr. Zwick and Mr. Grugan said they had not encountered or heard of that problem. Mr. Blanck asked if Little League International has ever condemned a ballfield after a cell tower construction because of the lightning issue; Mr. Grugan said not that he is aware of. Mayor Evans asked if there were any other comments; there were none.

Admin. Farrar said that staff recommends approval of the communications tower with the following conditions:

1. The tower and attached antennas shall have a non-specular dulled dark finish that will minimize or eliminate reflection. The color and type of matte/dulled surface shall be subject to approval of Town staff prior to tower construction.
2. The tower should be disguised as a spruce tree similar to that shown in the pictures included in the staff report or another configuration acceptable to the Town of Collbran. The design of the tree disguise, spacing of branches, density of artificial evergreen needles and coloration shall be subject to review and approval of Town staff prior to construction.
3. Exterior lighting on any future service building or equipment pad with exterior lighting shall utilize motion-activated lighting to minimize lighting impacts, while still allowing adequate lighting for security and support staff. Building and lighting plans shall be submitted to Town staff for review and approval prior to construction.
4. The owners and operators shall make reasonable accommodations without excessive cost for co-location of other communications antennas/equipment, including private sector equipment, to improve other communications in the Plateau Valley and reduce the need for construction of separate communications towers.
5. The tower shall not be illuminated.
6. Any approval granted for the Communications Tower Special Use shall be dependent upon a subsequent approval by the Trustees of the Option and Lease Agreement with Vertical Bridge, LLC.
7. All representations made by the applicant in the application submittal and verbally before the Board of Trustees and identified in the meeting minutes are considered part of the application and binding on the applicant.

Admin. Farrar asked the Board if they had any questions. Trustee Todd said he supports the barbed wire because Marshal Appelhanz recommends it. He asked Mr. Grugan if he could check with Little League International about the safety risk of having a tower near the ballfield; he said that he would. Town Atty. Neu said any approval would be contingent upon not losing use of Gandi Park for little league. Mayor Evans said that he supported barbed wire because of the Marshal's recommendation. He closed the public hearing.

**MOTION: Trustee Todd moved to approve the special use permit to Vertical Bridge, LLC for a cell tower at 5800 Peninsula Road with the staff-recommended conditions, as well as the condition that it not be deemed unsafe for the little league to play on Gandi Park; seconded by Trustee P. Sturm.**

**ROLL CALL VOTE: 3 Yes votes – P. Sturm, Todd, and Evans. 0 No votes. Motion passed.**

**ORDINANCE NO. 4, SERIES 2018 – AN ORDINANCE OF THE TOWN OF COLLBRAN, COLORADO, APPROVING AN OPTION AND LEASE AGREEMENT FOR REAL PROPERTY TO BE USED FOR THE ERECTION OF COMMUNICATION FACILITIES**

Town Atty. Neu said that now the land use approval has occurred, Vertical Bridge needs Board of Trustee approval to enter into an option and lease agreement to place the tower on the Town's property. He said he delivered a red-line version of the option and lease agreement to Vertical Bridge based on their original version. He said Vertical Bridge is proposing to pay Collbran \$3,000 for the option to lease for a year, in order to complete geotech work and other site investigation work. He mentioned an additional provision would allow the option to be extended another year for an additional \$3,000. He said the agreement includes reimbursement of the Town \$1,500 for Attorney/staff time. He mentioned the draft

lease includes an initial five-year term commencing after the tower is constructed, and there are options for additional five-year periods after that. He recommended a 25-year term, which is less than what Vertical Bridge originally wanted. He said his lease language increased the monthly rent from \$1,500 per month to \$2,000 per month with a rent escalator of 5% each year. He mentioned use of the tower in the agreement is subject to the Board-of-Trustee-approved special use. He said the lease requires a bond for the removal of the tower if it is abandoned, along with a bond inflation escalator. He mentioned other changes were included in the documents for review by the applicants. Town Atty. Neu said the issue of rent needs to be decided by the Board. Admin. Farrar said the Board previously discussed \$2,500 per month. Mr. Grugan said he thought that 70% of Mr. Neu's changes were acceptable, and they would continue discussions. Trustee P. Sturm said she would like to wait on voting on the option and lease agreement until the changes are made and finalized. Mr. Grugan agreed to wait until the May 1 Board of Trustees Regular Meeting. Town Atty Neu recommended tabling the option and lease agreement until May 1, and Vertical Bridge representatives did not need to attend. Mr. Grugan said they plan on beginning construction of the tower in late August or early September.

**AUDITORIUM FEE WAIVER REQUEST CANCER FUND BUTTERFLY RELEASE MAY 27 & PANCAKE BREAKFAST MAY 28 – PV CANCER FUND & PVHPS**

Dep. Clerk/Admin. Asst. Matarozzo said the P.V. Cancer Fund is requesting a fee waiver for the Auditorium for their annual Butterfly Release on Sunday, May 27; and the P.V. Historical Preservation Society requests a fee waiver for their Pancake Breakfast on Memorial Day, Monday, May 28. She said the deposit has been paid. Admin. Farrar said the Board has waived the rental fee in the past.

**MOTION: Trustee Todd moved to waive the Auditorium rental fee for the P.V. Cancer Fund for their Butterfly Release on May 27, 2018, and for the P.V. Historical Preservation Society for their Pancake Breakfast on May 28, 2018; seconded by Trustee P. Sturm.**

**ROLL CALL VOTE: 3 Yes votes – Todd, P. Sturm, and Evans. 0 No votes. Motion passed.**

**DISCHARGE OF FIREARMS IN TOWN LIMITS – MARK SULLIVANT**

Admin. Farrar said that Mark Sullivant wanted to address the Board, but he is not in attendance. The Board went to the next agenda item.

**APPLICATION FOR STREET CLOSURE PERMIT: P.V. HERITAGE DAYS – STREET DANCE – MAIN STREET – JULY 3, 2018 – TOWN OF COLLBRAN (APPLICANT)**

Dep. Clerk/Admin. Asst. Matarozzo, (Collbran event coordinator) presented the request on behalf of the Town. She said the closure request is for the Heritage Days Main Street Dance on July 3. A map and the times of the closures were included in the Board materials. The Trustees did not have questions.

**MOTION: Trustee P. Sturm moved to approve the street closure request for the P.V. Heritage Days Street Dance with the Town of Collbran as the applicant for Main Street on July 3, 2018 for the times specified in the request; seconded by Trustee Todd.**

**ROLL CALL VOTE: 3 Yes votes – P. Sturm, Todd, and Evans. 0 No votes. Motion passed.**

**APPLICATION FOR STREET CLOSURE PERMIT: P.V. HERITAGE DAYS – CAR SHOW – ELM AVENUE & SHORT STREET – JULY 4, 2018 – TOWN OF COLLBRAN (APPLICANT)**

Dep. Clerk/Admin. Asst. Matarozzo, (Collbran event coordinator) presented the request on behalf of the Town. She said the closure request is for Elm Avenue and Short Street for the 4<sup>th</sup> of July Heritage Days Car Show. A map and the times of the closures were included in the Board materials.

**MOTION: Trustee P. Sturm moved to approve the street closure request for the P.V. Heritage Days Car Show with the Town of Collbran as the applicant for Elm Avenue and Short Street on July 4, 2018 for the times specified in the request; seconded by Trustee Todd.**

**ROLL CALL VOTE: 3 Yes votes – Todd, P. Sturm, and Evans. 0 No votes. Motion passed.**

**APPLICATION FOR STREET CLOSURE PERMIT: P.V. HERITAGE DAYS – 4<sup>TH</sup> OF JULY PARADE – RODEO ROAD, MAIN STREET, HIGH STREET – JULY 4, 2018 – TOWN OF COLLBRAN (APPLICANT)**

Dep. Clerk/Admin. Asst. Matarozzo, (Collbran event coordinator) presented the request on behalf of the Town. She said the closure request is for the Heritage Days July 4 Parade. The Trustees did not have questions.

**MOTION: Trustee P. Sturm moved to approve the street closure request for the P.V. Heritage Days 4<sup>th</sup> of July Parade with the Town of Collbran as the applicant for Rodeo Road, Main Street, and High Street on July 4, 2018 for the times specified in the request; seconded by Trustee Todd.**

**ROLL CALL VOTE: 3 Yes votes – P. Sturm, Todd, and Evans. 0 No votes. Motion passed.**

**APPLICATION FOR STREET CLOSURE PERMIT: P.V. HERITAGE DAYS – GUNFIGHT, KIDS' CARNIVAL – MAIN STREET – JULY 4, 2018 – TOWN OF COLLBRAN (APPLICANT)**

Dep. Clerk/Admin. Asst. Matarozzo, (Collbran event coordinator) presented the request on behalf of the Town. She said the closure request is for 4th of July Main Street activities. She mentioned the closure is from 11am to 1pm for the Heritage Days Gunfight, Kids' Carnival, and other activities that might be arranged for that time period.

**MOTION: Trustee P. Sturm moved to approve the street closure request for the P.V. Heritage Days Gunfight and Kids' Carnival with the Town of Collbran as the applicant for Main Street on July 4, 2018 from 11am to 1pm; seconded by Trustee Todd.**

**ROLL CALL VOTE: 3 Yes votes – Todd, P. Sturm, and Evans. 0 No votes. Motion passed.**

Admin. Farrar complimented Dep. Clerk/Admin. Asst. Matarozzo for the quality of the maps provided in the applications.

**REVIEW AND DIRECTION ON PUBLIC NOTICES FOR TOWN ORDINANCES**

Admin. Farrar said this agenda item is a continuation from last month about posting of Town ordinances. He mentioned The Grand Junction Daily Sentinel no longer delivers the newspaper to Collbran, but it is available online. He said that the Grand Junction Daily Sentinel can still be used for various public notices with the exception of Town ordinances, which according to the Town Attorney, should be posted in three public places around Town. He said the bulletin board outside Town Hall (official posting place) can be used, and one can be purchased and placed on the outside of Collbran Auditorium. For the third location, Mayor Evans asked about the enclosed bulletin board on Main Street sidewalk, just north of Spring Street. Admin. Farrar said he does not know who owns that bulletin board. He said Fred Feller owns the property at 202 Main Street, and may own it. Town Atty. Neu said that Collbran is a statutory town and there is an antiquated statute that says when ordinances are adopted, they need to be published



in a newspaper of general circulation, which a lot of towns do not have anymore. He said he could have a resolution prepared for the next meeting which specifies the three public posting places. He suggested amending the Collbran Municipal Code for land use public notices. Admin. Farrar said agendas are placed on the Town website, as well as the Collbran Facebook page, but those are not official posting places. He said that the bulletin board outside Town Hall currently is being used for notices. Mayor Evans said that the Board will address this topic again at the May 1 Regular Meeting.

**RESOLUTION NO. 3, SERIES 2018 – A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF COLLBRAN, COLORADO APPOINTING THE TOWN ATTORNEY, MUNICIPAL JUDGE, AND TOWN CLERK/TREASURER**

Admin. Farrar explained that the appointment of these three positions is a statutory requirement. He said the decision is up to the Board of Trustees. Trustee Todd asked who each of the individuals are to be appointed. Admin. Farrar said that Town Attorney - Jim Neu (Karp, Neu, Hanlon, P.C.), Municipal Judge - Gregory Mueller, and Town Clerk/Treasurer - Jeff Phillips.

**MOTION: Trustee Todd moved to approve Resolution No. 3, Series 2018, appointing the Town Attorney, Municipal Judge, and Town Clerk/Treasurer; seconded by Trustee P. Sturm.**

**ROLL CALL VOTE: 3 Yes votes – P. Sturm, Todd, and Evans. 0 No votes. Motion passed.**

29:20

**VACANT TRUSTEE POSITIONS DISCUSSION**

Admin. Farrar noted that the April 3 Regular Municipal Election was cancelled because there were no contested seats or ballot questions, but there are still trustee vacancies to fill. He said the Board can solicit letters of interest for the trustee vacancies, or the other option is holding a special election. Town Atty. Neu said that if no letters of interest are received for an appointment, conceivably there would not be interest in candidates running in a special election, and a special election is expensive. He explained that even if a letter of interest arrives, that does not mean that the Board has to appoint that individual. Mayor Evans said that he would be in favor of soliciting letters of interest for a trustee vacancy on bulletin boards around Town. Town Atty. Neu suggested that the Trustees talk to people around Town about it as well. Admin. Farrar noted that this is a good time for folks to serve as trustees because there are positive things happening in Collbran, such as the Downtown Improvements, future Arena improvements, and the Town is in good financial shape. The Board agreed to solicit for letters of interest for a trustee vacancy on bulletin boards around Town.

**MAYOR PRO TEM DISCUSSION/APPOINTMENT**

Mayor Evans said that he would like to wait for a mayor pro/tem appointment until the Board had five members. Town Clerk/Treasurer Phillips mentioned that the previous mayor and mayor pro-tem were signers on the Town bank accounts; now, there is a need for two signers on the account which will be Mayor Evans and one other trustee. Town Atty. Neu said the Board can appoint a trustee be another signer. Trustee P. Sturm volunteered to be a signer; the Board agreed.

**TRUSTEE COMMENTS**

Mayor Evans mentioned that he was happy to be a Trustee for the Town, and he learned a lot from the people by listening to them. He said he appreciated Vic Sturm and Rebecca Schowalter serving on the Board.

## **STAFF REPORTS**

### **Town Administrator**

Admin. Farrar noted he is still working on the job notice for the Town Administrator position, and will email it to the Board when he is finished. He said he plans on remaining with the Town through the street project portion of the Downtown Improvements Project, which could go to July. He mentioned the job notice will be posted online, in the Grand Junction Daily Sentinel, the Colorado Municipal League, job finder sites, and the notice will be sent directly to people that he and Town Atty. Neu know have experience in this position.

Admin. Farrar said that the Municipal Clerk is an important function of the Town. He mentioned Municipal Clerks Week is May 6-12. He noted that Jeff Phillips is the Town Clerk, and Melonie Matarozzo is the Deputy Clerk. He recommended bringing a proclamation to the May 1 Regular Meeting to recognize Municipal Clerk Week and the value of the roles in which they serve the community.

Admin. Farrar explained that the Town received a letter from the P.V. Athletic Booster Club soliciting donations to the Safe Prom that follows the P.V. School Prom. He identified the dilemma the request presents because it is the Board's policy to consider donation requests during budget consideration. He said the Booster Club has requested and received funds in previous years, but did not participate during the 2018 budget process. He mentioned Safe Prom is an important community event, but the Board's policy has been to consider solicitations during the budget process, but not subsequently because it undermines it being consistent policy. Trustee P. Sturm said that the Board should adhere to the policy. Trustee Todd asked Marshal Appelhanz if prom night is as busy for him as graduation night each year. He said that he has not had a serious vehicle accident occur on prom night, which he attributes this to the success Safe Prom. He said the Marshal's Office maintains a presence at Safe Prom each year, where he interacts with the kids. Trustee Todd asked how much the Booster Club has previously requested during the budget process. Admin. Farrar said that they received \$500 in 2016 and 2015. Mayor Evans asked Dep. Clerk/Admin. Asst. Matarozzo her opinion about Safe Prom; she said it is valuable. She said Safe Prom offers great gifts that are given away throughout the night, which encourages students to attend and keeps the kids there. She mentioned the students have to turn in their vehicle keys when they arrive, and adults stay there all night and ensure that the students have something positive to do. Mayor Evans said that he was struggling with the dilemma about whether or not to donate money because it is a good event, but at the same time the Town had a process for requesting these funds. Marshal Appelhanz noted that the Booster Club had a staff turnover and the ball got dropped. He said during last year's homecoming, which does not have a safe-prom-type event; he confiscated four cases of beer from kids. Trustee Todd proposed making a donation to the Booster Club, but less than previously awarded because they did not follow the established process, and staff to explain the issue in a letter.

**MOTION: Trustee Todd moved to approve a donation of \$300 to the P.V. Athletic Booster Club for Safe Prom 2018, with a letter explaining that the Board would have approved for more funding if they followed the Town's discretionary funds process; seconded by Mayor Evans.**

**ROLL CALL VOTE: 2 Yes votes – Todd, and Evans. 1 No vote – P. Sturm. Motion passed.**

Mark McGowan, of Optimus Communications, said his company would like to donate \$100 to Safe Prom.

Town Atty. Neu said that sometimes banks need a resolution from a municipality to designate signers. He stated that he is amending the agenda to add Resolution No. 4, Series 2018, designating the bank signers for the Town, as discussed earlier in the Meeting and approved by the Board.

### **Town Marshal**

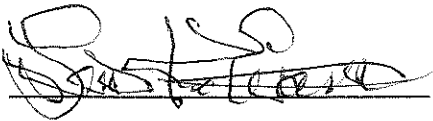
Marshal Appelhanz said that he did not prepare a report for March; he said he has been on light duty recently and that the Mesa County Sheriff's Department has been covering. The Trustees did not have any questions. He encouraged the Board to attend Collbran Municipal Court, to meet the Municipal Judge, and observe the process. He complimented Collbran's Municipal Judge, Gregory Mueller.

**ADJOURN**

**MOTION: Trustee Todd moved to adjourn the Town of Collbran Board of Trustees Regular Meeting of April 10, 2018; seconded by Trustee P. Sturm.**

**ROLL CALL VOTE: 3 Yes votes – P. Sturm, Todd, and Evans. 0 No votes. Motion passed.**

The Regular Meeting of April 10, 2018 adjourned at 9:16pm.



Approved



Attest

