

**Collbran Board of Trustees Meeting Minutes**  
**Tuesday, November 1, 2016**  
**Regular Meeting**  
**7:00 PM Collbran Town Hall**

Mayor Sturm called the Regular Meeting of November 1, 2016 of the Collbran Board of Trustees to order at 7:02pm. The Pledge of Allegiance was recited.

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

**ABSENT:** Trustee Shrope

**OTHERS PRESENT:** Administrator Farrar, Town Clerk/Treasurer Phillips, Marshal Appelhanz, Lowell, Rich Prialto, Lorne Prescott, Chris Clark, Mark McGowan, Eva Julius, Margaret Eversole, Jeff Wendland, Tilda Evans, Mike Pell, and Dave Edwards.

**APPROVAL OF MINUTES**

**MOTION:** Trustee Evans moved to approve the Minutes from the Regular Meeting of October 4, 2016; seconded by Trustee P. Sturm.

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

**PERSONS PRESENT NOT ON AGENDA**

Lowell Nelson of Commnet Wireless in Castle Rock, CO explained that he was presenting to the Collbran Trustees at the request of the Mesa County Commissioners. He reviewed the request for a 199-foot-tall tower they propose to build on the Schindler property up Kimball Creek. He noted that the Plateau Valley had poor cell phone coverage. They are working with AT&T to offer roaming service to the area. Commnet attempts to find the best location for the maximum coverage. They examined options using the existing 120' 911 communications tower, but based upon their investigation they found that most of Collbran, Plateau Valley School, sections of Highway 330 west of Town and areas east of Town would have poor cell coverage. He acknowledged that the 199-foot tower would be visible but represented that this is the only way to get maximum coverage. Mr. Nelson introduced Rich Prialto the project manager. Mr. Prialto said that the existing 120' tower works for 911 communications because of the wavelength it uses, but the frequency that is used for cell phones is different and will not reach as many locations. He said that their application did not include lighting of the tower, but the County Commissioners requested that the tower be lit for safety reasons. He said that lighting can be designed and installed to best suit the residents of the area. Admin. Farrar explained that Commnet pursued using the existing 120' tower but determined it did not suit their needs. Admin. Farrar mentioned that he has Verizon coverage between Highway 65 and on Highway 330 until he passes P.V. School. He said he has coverage on Highway 330 E for approximately eight miles. Mr. Prialto said that the Verizon signal is 850 megahertz which goes further and can reach more areas than their 1950 megahertz signal. Admin. Farrar asked if Commnet had investigated other locations that were less visible. Mr. Nelson looked at four other locations, but as a for-profit company, they wanted a location with maximum coverage. Mr. Nelson said Commnet works rural areas where bigger companies are not interested due to limited market. He said AT&T's signal would utilize their equipment with a roaming signal, but the tower has locations for two other carriers also. They contacted Verizon, but they were not interested. Mr. Prialto briefly discussed different types of signals and how they work, including giving some examples. Admin. Farrar said he, Mayor V. Sturm, and Trustee Evans attended the Mesa County Commissioners hearing and requested a continuation of 30 or 60

days, but the Commissioners continued the hearing to Tuesday, November 8, which is not a lot of time to gather additional information; he encouraged citizens to attend and voice their opinions. Mr. Nelson invited the Board to have him come again if they had more concerns.

**CONTINUED FISCAL YEAR 2015 AUDIT REVIEW AND DISCUSSION – Jeff Wendland, CPA, LLC**

Admin. Farrar asked Mr. Wendland to meet with the Trustees to explain further how the financial statements work and allow the members to ask questions. Mr. Wendland reviewed governmental accounting standards and how they apply to Town of Collbran and other governments both large and small. He explained the General and Capital Funds. He reviewed fund accounting and the various financial statements in the audit for governmental type activities; one is on the accrual basis and one is on the fund accounting basis, and then the two are reconciled together. Mr. Wendland explained that revenue for the Water Fund and Sewer Fund come from user fees; they operate like a business; that is why depreciation is included in the financial statements. He noted that major infrastructure replacements occur periodically, which is why reserves are built. He recommended that a capital replacement plan be in place. Admin. Farrar asked about the different financial statements in the audit. Mr. Wendland spent some time answering questions and elaborating as to what each section in the audit represents. Admin. Farrar mentioned that he wanted the Board to be aware of what the figures in the audit represent. Mr. Wendland thanked the Board for their time and to relay any questions to Admin. Farrar or Clerk/Treasurer Phillips so he could get back to them.

**PRESENTATION ON INTERNET – Mark McGowan**

Mr. McGowan of Optimus Communications informed the Trustees that his cable system is getting close to being operational. He mentioned his customers include the library and the fire station. He said he also offers telephone Voice Over Internet Protocol. He said he was recently informed that his company was awarded a \$150,000 grant. He reviewed the services his company offers. Mayor V. Sturm said that he needed to have a Town franchise agreement. Kendall Wilcox the former owner of the Collbran Cable said that he didn't believe that a franchise was required. Admin. Farrar said he would investigate the issue.

**LARAMIE ENERGY UPDATE – Lorne Prescott**

Chris Clark of Laramie Energy updated the Board on activities that would take place over the next few months. He said they will be moving the Patterson rig out of Groundhog Gulch, which will be finished tomorrow, and that starting December 1, they will be moving in an H & P (Helmerich & Payne) rig into Groundhog Gulch, which will take about seven days. He said that the H & P rigs are more efficient than the Patterson rigs. He mentioned drilling some uncompleted wells in Groundhog Gulch through December, and then finishing them in February. Mr. Clark said that there are three other rigs drilling in the basin, and two starting soon; one in DeBeque and theirs in Plateau Valley. He said the busiest spot currently is the Parachute/Battlement Mesa area. Admin. Farrar said that the recently submitted FML grant requirements asked for an explanation about the Town's relationship to energy impact. Mr. Clark foresees 2017 being a little busier with more activity in 2018. He noted that the Town Marshal communicated with him about some concerns about contractors driving in Town not in compliance with the law. He said that Laramie Energy takes those issues very seriously, and to let him know whenever there is any concern. He said that Community Counts is another avenue for communications. Admin. Farrar thanked Mr. Clark for the recent tour of the water treatment facility. Mr. Clark confirmed the

facility treats produced water for reuse and no water is spilled without some form of containment. He dropped off business cards and said Laramie is happy to provide information to the Town for FML grants.

**DISCUSSION ABOUT GRAND MESA TAVERN – 1006 High St**

Admin. Farrar said Marshal Appelhanz had identified over-serving concerns at the Grand Mesa Tavern. Admin. Farrar said that he identified these issues in his agenda report to the Trustees and that staff takes these alleged problems very seriously. He noted that this is not the first time that there have been concerns about Grand Mesa Tavern. Mayor V. Sturm said that there needs to be a conversation about this before the State steps in and takes enforcement action. Admin. Farrar said he included a confidential memo from the Town Attorney about liquor licensing enforcement in the Trustee packet. Eva Julius, wife of Kaleb Julius of Grand Mesa Tavern, mentioned there is video from Grand Mesa Tavern showing a recent incident. Admin. Farrar reiterated that the State has the authority to enforce liquor laws independent of the Town's actions. He said that the Town can suspend their liquor license and levy fines. Trustee Evans asked if the Town has issued warnings to them in the past. Admin. Farrar said problems had been noted to the Trustees during two previous license renewals. Trustee Evans mentioned that he is in favor of moving forward with a discussion about whether to hold a license violation hearing. Admin. Farrar suggested that he would schedule a Special Trustee Meeting in a week or two on that topic, and Mayor V. Sturm agreed.

**60-DAY EXTENSION OF TEMPORARY PERMIT PENDING TRANSFER OF OWNERSHIP OF A LICENSE TO SELL BEVERAGES CONTAINING ALCOHOL AT RETAIL – TAVERN LIQUOR LICENSE – COLLBRAN CAFÉ – 108 MAIN ST – Britney Miller.**

Clerk/ Treasurer Phillips mentioned that Collbran Café's 120-day temporary permit expires on November 30, and this is the last regular meeting before that date. He said that Collbran Cafe has only a few things to correct on their application before the State is ready to issue them an annual tavern liquor license. This extension is to allow extra time if that is necessary. Admin. Farrar mentioned that staff recommends favorable action for the extension. Mayor V. Sturm concurred.

**MOTION:** Trustee Evans moved to approve the 60-day extension of temporary permit pending transfer of ownership of a tavern liquor license for Collbran Café, LLC; seconded by Trustee P. Sturm.

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

**ARENA ADVISORY COMMITTEE MINUTES**

Mayor V. Sturm said that no minutes were received. Trustee Schowalter mentioned that the AAC minutes were sent, but not to Admin. Asst. Matarozzo and that is why they did not get in the Board packet. Trustee Schowalter apologized. AAC member Tilda Evans said that she forwarded the minutes to Ms. Matarozzo.

**TRUSTEE COMMENTS**

Trustee Evans expressed his appreciation to Mr. Wendland for coming to the meeting to explain the financial statements, to Mr. McGowan for the update about the Internet situation, and Misters Nelson and Prialto explaining the proposed cell tower.

Trustee Schowalter asked if there was anything Main Street Liquor needed to do for their alcohol tasting permit. Clerk/Treasurer Phillips mentioned that Sylvia Pell of Main Street Liquor submitted revised information for their application that includes additional tasting dates, certificates for alcohol server training, and the alcohol tasting control plan.

### **DISCUSSION ABOUT GRAND MESA TAVERN, continued – 1006 High St**

Marshal Appelhanz arrived, so the Board asked him about the issues related to overserving at Grand Mesa Tavern. Marshal Appelhanz responded to a crash recently and that the driver was issued a DUI. He allegedly had been drinking at Grand Mesa Tavern. He said that Deputy Marshal Mitchell assisted. He said the driver was visibly intoxicated. Marshal Appelhanz noted another issue about habitual drunkards frequenting Grand Mesa Tavern. Admin. Farrar said Collbran wants to stay ahead of the curve on liquor violations, so the State does not have to come in and address violations. Marshal Appelhanz said that staff noted the owner of the Tavern was rude on the telephone when they informed him about the meeting tonight and said “good luck with that” about his attendance. The Marshal said he spoke with owner Kaleb Julius about the overserving issue, and the drunkards that frequent his tavern. He said that enforcement by the State Liquor Enforcement Division is an option that could occur if there is not Town enforcement. Marshal Appelhanz said the Town Board can mandate HD video surveillance in the tavern, operation hours, and other requirements. He noted that he is investigating possible overserving at the other tavern in Town. He said that the taverns can be open past 2am, but no alcohol can be served or consumed after that time. He said that there is no law prohibiting minors in the taverns, however that will be a problem if a minor appears intoxicated. Marshal Appelhanz recommended that the Board require quality surveillance in the liquor establishments in Town; he said that quality surveillance can also protect the establishments. Admin. Farrar told Marshal Appelhanz about the likelihood of a special meeting in two weeks on Grand Mesa Tavern, and the need to discuss the problems. Marshal Appelhanz suggested that a State liquor enforcement agent speak to the Board to further inform them about Town options. He said that the State would be willing help educate the establishments in Town.

### **STAFF REPORTS**

#### **Town Administrator**

Admin. Farrar reviewed the Incident Command System (ICS), recently used in the Molina shootings. He said that the Board will be notified by the Town staff or the public information officer in the event of a serious situation. Staff recognized that Trustees may be contacted by the public to get information about an incident, but depending on the circumstances, a Trustee may not know any details. Board members should inform inquiring members of the public that in serious situations they will receive a reverse 911 call or otherwise be provided information from official sources. Trustees can explain that even though they are elected officials, they do not necessarily receive real-time information, but that if public safety is at risk, the public will be notified in a timely fashion. Marshal Appelhanz explained that the Molina shootings were a County incident and explained how incidents can unfold. He said that the Trustees will be informed promptly if an officer is down or if significant Town funds are needed, such as the use of a helicopter. Dave Edwards, Mayor Pro-Tem of Palisade briefly spoke about his experience with the Molina shootings; since Mesa County had to respond to Plateau Valley, Palisade police officers had to assist Mesa County by covering West to 29 Road while the event was unfolding, at a cost of \$10,000.

Admin. Farrar reviewed what occurred at the Mesa County Commissioners hearing earlier in the day about the 199’ proposed tower on Kimball Creek. He said that representatives from the Grand Junction 911 Communications Center did not attend the hearing to offer input. He said that the Mesa County Commissioners hearing was continued until Tuesday, November 8. Admin. Farrar said the Collbran Comprehensive Plan addresses viewshed protection. The existing 120’ 911 tower has created an impact

and the new tower would add to the impacts. He mentioned that the Trustees can submit comments to the Commissioners.

Admin. Farrar said that staff requested letters of support and financial commitments from community organizations on the GOCO grant, but none had been received. He said that without these letters and a commitment of financial support the Town should skip this cycle and apply again in the fall of 2017. He said that he would like the Arena Advisory Committee (AAC) to take the lead with fundraising and letters of support for the grant. He briefly discussed the electrical system at the Fairgrounds.

Mr. Wilcox asked about the budget, an old paving project, and the recent backhoe purchase.

#### **Town Marshal**

Marshal Appelhanz delivered his monthly activity report to the Board. He noted that there were three trainings in October and discussed the use of Narcan for opioid overdoses and said there had been three recent overdoses in the area. Illegal sale and use of opioids in the Plateau Valley is a serious issue. He said that Halloween went well. He mentioned that there are more State-mandated trainings in November.

#### **APPROVE EXPENDITURES**

**MOTION:** Trustee Evans moved to approve the expenditures for the Town of Collbran from October 5, 2016 through November 1, 2016; seconded by Trustee P. Sturm.


**ROLL CALL VOTE:** 4 Yes votes – Schowalter, P. Sturm, Evans, 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 November 1, 2016; seconded by Trustee Schowalter.

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

The Regular Meeting adjourned at 9:28pm.

  
Approved



  
Attest