

**TOWN OF ARRIBA
BOARD OF TRUSTEES REGULAR MEETING
Monday July 13, 2015
Arriba Town Hall, 711 Front Street, Arriba, CO 80804**

Call to Order Mayor Flores called the meeting to order at 7:30. Roll call for the Arriba Town Board was read and those answering were Karen Kovar, Jody Schiffers, Will Rowe, Caleb Brent and Marcella Flores. Troy McCue arrived shortly after the meeting began.

Pledge of Allegiance was led by Alex Flores.

Mayor Alex Flores announced that the Public Audience portion of the meeting was the only time that anyone would be allowed to talk during the meeting. He said that if anyone had any comments or anything they wanted to discuss to let the Board know before the next meeting. He said public comment is encouraged and will continue to be listed as an agenda item at every regular Town Board meeting. The public comment period will be held near the beginning of the meeting. He asked if everyone had an agenda and said that everyone would be allowed 5 minutes to talk.

Public Audience included: Jonathan Hart, Jack Petty, Mike Bekker, Marie Daniel, Ted Grundmeier, Jack Rowe, Jeff Fike, Michael Shirley, Gerald & Carolyn Steinsiek, Jerry Norris, Rod & Diane Child, Beverly Langley and Lincoln County Deputy Ryan Irvin.

Michael Shirley thanked the Board and Leroy King for the assistance in getting the concrete for the historical sign.

Ted Grundmeier said that a big, round, 10 foot green stock watering tank blew into his back yard. The Board suggested putting a notice at DJ's Petro about it and to also talk to Bob Rush about it.

Jeff Fike suggested adding Trustee Conflict of Interest concerning Trustees Will Rowe, Troy McCue and Marcella Flores to the Agenda.

Jeff Fike handed out a letter he had written addressed to the Town Board and Town Clerk (a copy of the letter is attached to these minutes and is a part of these minutes).

Jeff Fike said Trustee Will Rowe's apparent illegal appointment to the Town Board having not been a Lincoln County voter and having not been a permanent resident for the prior 12 months of his appointment, and there was no notice of that election.

The matters of Trustee Flores appointment, no notice of election. Jeff Fike said with matter of Troy McCue, the conflict of interest between the Lincoln County of Economic

Council and Arriba specifically, in this week's newspaper the creation of a 'Foreign Trade Zone' for Lincoln County, and the Town is paying \$1500 to be represented, in the meantime the town has manufacturing companies including his new one that provided the wonderful Sunshine Law brochures. He said that he found that to be a conflict not in the interest of Arriba.

Jonathan Hart said that for those who are new he does not agree with the clean-up ordinance however he does agree with people keeping things mowed. He said that his concerns were the wellbeing and well fare of the Town employees. He said he is the husband of the Town Clerk and he was tired of hearing her harassment and in his eyes 'threats' so the Board needs to keep that in consideration. He said that the Town Clerk takes the brunt of everything. Jonathan Hart said that he supports everyone on the Board and that Troy McCue has his full backing. He said that he has known Troy for a long time and has worked for him.

Approval of Agenda Trustee Brent moved to add Board Member Appointments to D. Unfinished Business and Sewer Tap Fees as item E. under Unfinished Business and to approve the Agenda as amended. Trustee Rowe seconded and the motion passed.

Approval of Minutes Trustee Schifferns moved to approve the minutes of the June 8 Regular Meeting. Trustee McCue seconded and the motion passed.

Approval of Accounts Receivable and Payable

The Board reviewed the Receivables and Payables for May and June. Mayor Flores questioned what the payment to SafetySign was for. Leroy King explained that it was for signs that state park hours and for 'at your own risk' signs up at the brush pile.

Trustee Schifferns asked what the Arriba Welding payment was for, Clerk Hart said it was for repairs at the wastewater.

Trustee Rowe asked what the miscellaneous income was for May and June. Clerk Hart said that it was for park building rent.

Trustee McCue moved to approve the accounts Receivable and Payable for both May and June. Trustee Rowe seconded and the motion passed.

Approval of Bills

The Board reviewed the July bills.

Mayor Flores asked if the Tri-Me Spraying invoice was all Malathion for the mosquito fogger. Leroy King said that it was and that amount should last the summer.

Trustee Rowe asked what the invoice from East Central Council of Local Governments was and what the '(seniors)' means on the description. Clerk Hart explained that that was the funding for the senior citizens meal program in the park building as well as bus transportation.

Trustee Schifferns moved to pay the July bills. Trustee McCue seconded and the motion passed.

Records Request Policy Clerk Hart explained that it would be Resolution 2015-1 if the Board passed it. She said that Town Attorney Stan Kimble highly suggested that the

Town gets the policy passed. She said that the Town of Limon has this same policy, as does Seibert, and Hugo. She said that legally the Board can vote on this and pass this tonight if they wish. Clerk Hart said that since it was a policy adopted by resolution the Town would not have to publish it or put a notice in the paper.

Clerk Hart said that the 6th page shows the fees and guidelines.

Trustee McCue moved to adopt Resolution 2015-1 Records Request Policy. Trustee Rowe seconded the motion. Trustee Brent said that he couldn't read through it right now and it was the first time he's looked at it. Clerk Hart said that she had emailed the policy to each of the Board members a couple of times. Trustee Rowe said he received the policy at least 3 times. Trustee Flores agreed. Trustee McCue said that he had had a chance to read through it. Jeff Fike asked to see the policy. Clerk Hart said that copies of meeting documents would be available on Wednesday at the copy rate of .25 cents per page. Mayor Flores said that people could read the document at Town Hall also. Trustee Kovar called for a vote. Trustees Flores, Rowe, Schifferns, Karen and McCue verbally voted yes. The motion passed.

Revise Mobile Home Ordinance Trustee Rowe said that he was not seeing the revisions that had been made at the last Board meeting. Clerk Hart said that since she wasn't at the meeting and the changes they wanted were unclear, she hadn't made any changes to the ordinance. Trustee Rowe moved to table Ordinance #131 Mobile Home Ordinance Revisions until the Tuesday, July 28 Action Meeting. Trustee Schifferns seconded and the motion passed.

Code Enforcement –Property Cleanup Clerk Hart said that there was a list of properties in Town that need to be mowed. Trustee Brent asked who decided these properties needed mowed. Trustee Schifferns said that she and Trustee Flores drove around town and made the list.

Trustee Rowe moved to approve sending a friendly reminder letter to the list of addresses saying that their property needs to be mowed. Trustee McCue seconded and the motion passed.

Board Member Appointments Trustee Brent spoke to the audience saying that he knew some were concerned that the Board appointed someone to the Board who was not a registered voter in Lincoln County, he said that as far as he knows Trustee Rowe has become a voter in Lincoln County. He said that an email from Stan Kimble, the Town's attorney, said that he doesn't think there is any relevance to that since Trustee Rowe did become a registered voter in Lincoln County.

Jeff Fike said that according to Colorado Revised Statutes that to be appointed a person needed to be a registered voter of the county.

Trustee Brent asked Jeff Fike what his intent was concerning this. Jeff Fike said that his intent was that Arriba Ordinance 105 section 3 makes a provision for Board members to be elected by the people of Arriba. He said his interpretation of reading that paragraph was that when there's an election like the one on April 1, 2014, the 3rd place person was Mike Koehn and the 4th place person was Bob Rush, the 3rd guy resigned and the position

should have gone to Bob Rush. Clerk Hart said that Bob Rush declined the position, and that she believed Jeff Fike was misinterpreting section 3 of Ordinance 105.

Jack Rowe asked if he could come in and look at the Town ordinances. Clerk Hart said yes, he could, but she only has one set of ordinance books right now because Jeff Fike borrowed the other set.

Mayor Flores requested that Jeff Fike return the set of Town Ordinance books, he asked that they are back by the next meeting. Jeff Fike said that he would bring them back.

Trustee McCue moved to re-confirm the appointment of Will Rowe to the Town of Arriba Board of Trustees. Trustee Kovar seconded and the motion passed.

Trustee Kovar stated that Marcella Flores has attended every meeting, she has kept informed of every issue and has been here all the time. She said that she has no qualms with her as a trustee. She said that it is also customary in small towns where there is not a large pool of people that spouses can be on the same Board.

Trustee Rowe moved to confirm the judgement of the Town Board of Trustees of Arriba that there is no conflict of interest with Troy McCue being employed at Lincoln County Economic Development with his position on this Board. Trustee Flores seconded and the motion passed.

Trustee McCue moved to re-confirm Marcella Flores to the Town of Arriba Board of Trustees. Trustee Kovar seconded and the motion passed. Trustee Rowe said he abstained from voting on the motion since he was not on the Board when Marcella Flores was appointed.

Sewer Tap Fees Clerk Hart explained that 210 Church Street has had water service off and on. Clerk Hart said she had never know that it had a sewer hook up until recently. She said the Board needs to decide if a sewer tap fee needed to be paid or because the Town didn't know there was a sewer hookup the Town just starts billing the property owner the monthly sewer fee.

Clerk Hart said that 220 Church Street has never been in the water and sewer account system. She said it is hooked up to the sewer and water but as far back as 2005 there has never been an account for it. She said the Board needs to decide if it would be grandfathered in or not.

Clerk Hart said that 311 Colorado is Gene Daniels house, the account was in Marie Daniels name and they stopped paying on it May of 2012. It hasn't been paid on since then, the issue there is if they should be required to pay back sewer or not.

Mayor Flores said that in the past what the Town has done is when the account balance gets higher than the tap fee they would just pay the tap fee, it can't go more than the tap fee.

Clerk Hart read paragraph 2 of section 8 of Town Ordinance #128 which pertains to Sewer users. "Users are responsible to pay the services charges assessed by the town on

an ongoing basis as long as the user's tap is physically connected to the town's wastewater collection system. No temporary termination of the monthly service charge will be allowed."

Mike Bekker said that Gene Daniel lived at the house for 30 years and he was put in the nursing home in 2011, and that was when they shut off all the services, and they haven't been on since. He said they (him and Marie Daniel) have been back since April off and on, but now full time. He said they're fixing up the place, and they came down to turn on the water and talked with Clerk Hart a few times. He said he had no argument with her but the amount that she told him was needed to get the water turned on seemed excessive, and she said that it was in Marie's name. He said that it was never in Marie's name. He asked for a bill and there's not a bill that can be produced. He said the Gene Daniel was renting the property to them. He asked what happens to a property that gets foreclosed on then sits empty for several years and the monthly sewer fee accumulates to the sewer tap fee, then is the bank responsible for the sewer tap fee. He said that there were a few people in town that haven't had to pay it, like Mr. Fike. He said that he got information about when the house was built trying to get the property grandfathered and Jeff Fike presented his property first (220 Church) and everything was good, Clerk Hart was going to turn on his water but then he handed her 311 Colorado and she said she would have to wait and see.

Mayor Flores said that there are dormant accounts and then there are accounts that have not been paid which are 2 different deals.

Mike Bekker said that it was in Gene's name and when he left they shut everything off. The bill never got sent to Marie or it would have gotten paid.

Clerk Hart said that she wasn't positive she could find the documentation but that she remembers they had Gene Daniels deposit transferred to Marie Daniels name. She said the Town has copies of shut off notices that had been sent to Marie and proof that they had been paid and that it was in her name.

Trustee Schiffers said that when the Town got money from the state for wastewater improvements, one of the requirements was that the Town had to charge a monthly sewer fee on all taps that are hooked up to the system.

Mayor Flores said that more investigation into the account was needed before a decision could be made. Clerk Hart said that she wasn't sure what more could be found.

Mike Bekker asked her if she could produce a bill for the account. Clerk Hart said no, she could not produce a bill that had been returned.

Trustee Rowe asked Clerk Hart to get a copy of the account information or whatever she has for the Board to review.

Trustee Schiffers said she was confused as to why Daniels would have to pay a tap fee and 220 Church and 210 Church do not. Clerk Hart explained that Gene Daniel had paid

his water & sewer up until 2011 then transferred his account to Marie and they paid on it until she moved away. She said for 220 Church Street she didn't know how long that house has been vacant and the Town does not have account history for it. She said 210 Church Street used to be Larry Eastin's garden lot and they paid water on it for several years, she didn't know they had a sewer hookup, it was never in the system as having a sewer hookup.

Mayor Flores didn't think the Town could charge for a sewer tap the Town didn't even know was there, but, the Town does need to start charging them for sewer. He asked if 220 Church was grandfathered in.

Trustee Schiffers asked what justifies it to be grandfathered in. Mayor Flores said if it was already in place before the new sewer system was put in.

Trustee McCue said that he has reactivated 2 properties and paid 2 sewer tap fees, but they had been lived in in the early 2000's. They were not as old as 220 Church Street, they were properties that had been lived in and then went dormant fairly recently.

Jeff Fike asked what statute does Ordinance #128 come from. He said that the ordinance was passed in 2002 and Troy McCue was Mayor at the time. He said that his position would be, from the laws of ex post facto you cannot make a law that goes backwards. He said from that day forward any new sewer tap would be effected, anything prior to it, those taps that had previously been paid for would be grandfathered. He said that his house at 209 Colorado had been vacant for some seven years when they'd bought it. They didn't have to pay a sewer tap fee, they just paid the \$200 deposit.

Mike Bekker asked if the Board does make a decision and they have to pay the \$2000 sewer tap fee, would they be able get service and make payments on the sewer tap fee.

Mayor Flores said yes, a payment plan could be set up.

Trustee Rowe said that there was something with 311 Colorado that wasn't making sense. He said the sewer fee being \$31.50 a month and if it's been sitting, the account bill would not be over \$1,228.00.

Beverly Langley interjected that late fees should be charged because that is what the Town Board did to her.

Trustee Rowe asked if there was a breakdown of what the bill would be. Clerk Hart said that she could get that for the Board.

Jeff Fike commented that there were no legal notices filed with the county on these properties that would make the real estate agent or a potential buyer aware of the issues with the taps.

Trustee Kovar said that liens were usually filed. Clerk Hart said that there were no liens filed on the properties in question. Clerk Hart said that to prevent future problems the Board needed to review properties and physically tap off the dormant ones and file a lien on the property.

Trustee Kovar moved to waive the sewer tap fee and just accept the monthly sewer fee to begin being charged on 220 Church Street and 210 Church Street since the Town did not file any liens on those properties, and to review all existing dormant properties to ensure that the Town has liens on them. Trustee Rowe seconded. Trustees McCue, Kovar, Schiffers, Rowe and Brent voted yes. Trustee Flores voted no. Motion Passed.

Trustee Rowe moved to allow water and sewer service to be restored to 311 Colorado Ave without waiving the right to impose other charges but to allow service to begin while the matter is investigated to the back charges or other amounts due. A \$200 meter deposit is required for the service to begin. Trustee McCue seconded and the motion passed.

Board Meeting Protocols Policy The Board reviewed the policy (a copy is attached to the minutes). Clerk Hart said that Siebert follows this policy as does Limon and Flagler.

Trustee Brent said that according to the constitution, the people do have freedom of speech.

Trustee Rowe said the policy refers to a chief of police and the Town does not have a chief of police, but the Town does need an orderly conduct policy. He said the consistent practice that has gone on the past five months of high jacking the Board discussions and meetings, intruding in them so that the Board cannot reach a decision is not appropriate. He said the Board does need protocols so that the Board can conduct an orderly meeting.

Trustee McCue moved to amend the policy to say Local Law Enforcement anywhere that it says Chief of Police (sections 7, 8, and 9). Trustee Kovar seconded and the motion passed.

Trustee Rowe moved to adopt the Town Board Meeting Protocols Policy as amended. Trustee McCue Seconded and the motion passed.

Recording Policy Trustee Rowe said that people are entitled to recording public Board meetings but that the Board should have a very brief policy to designate a spot somewhere out of the way where a person can place their camera to record the meeting. He said the Board needs to make sure that there is a policy in place so that people can record the meeting without disrupting the audience or the Board.

Trustee Rowe said that he could put a policy together.

Communication Policy Trustee Rowe said that he thinks the Town needs a policy that states that email or communications that are sent to the Town does not obligate the town clerk to comply to someone's email and that the proper way to address matters with the town is to come to a public meeting and address their matter here with the Board. He said the Town Clerk is not here to be abused nor is she here to comply with any one citizen or anyone telling her what to do or how to do it. He said that he welcomes any citizen to communicate to the Board.

CIRSA Requirements: Seat Belt Policy, Safety Statement, Safety Coordinator

Clerk Hart asked who all had read the CIRSA Elected Officials book that was handed out

a few meetings ago. Trustees Schiffers, Kovar, Rowe and Flores said that they had read it. Clerk Hart said that she had to give a list of names to CIRSA of who all read the book. She said that if they could watch the movie that came with the book that would be great.

Clerk Hart explained that the Seat Belt Policy would only pertain to Leroy King since he was the only one that drove Town vehicles. The Board would need to pass a general Safety Statement policy and appoint a Safety Coordinator.

Trustee Rowe said that it mentions 'safety committee' and questioned who would be on the safety committee. Mayor Flores said that the Board would be the safety committee. Trustees Rowe and McCue agreed with that.

Trustee Rowe moved to adopt the Seat Belt Usage Policy, the Safety Statement, Responsibilities for Safety Coordinator, and Safety Responsibilities for Employees as policies of the Town of Arriba and appoint Town Clerk Josie Hart as the safety Coordinator. Trustee McCue seconded and the motion passed.

Repeal Ordinance #112 Clerk Hart said that the Town Board could not repeal an ordinance. She handed out Initiative Petitions Guidelines and said that this is what citizens follow if they want to repeal an ordinance. Clerk Hart said that Trustee Brent requested this item to be on the Agenda. Clerk Hart said that it wasn't really anything the Board could decide on or discuss because it had to come from a citizen.

Trustee McCue said that the Board does not have the power to appeal an ordinance but they do have the ability to revise ordinances after they have been passed. He said to supersede an ordinance, the Board can write a new ordinance to replace an older ordinance.

Maintenance Leroy King had a written report of what he has worked on the past month (by mention the report is a part of these minutes).

Leroy King said that he fogs for mosquitoes on Tuesdays, Wednesdays and Thursdays. Mayor Flores said that he had Leroy King try to fix the street and potholes in front of DJ Petro but then today Joe Rush (who works for the State) called him saying that he had the maintainer and rodo mill and if the Town would like him to go over the street.

Trustee Schiffers said that the stop sign at the west end of Colorado Ave (at the bottom of the over pass) was leaning, she thought that was part of the State's responsibility. Clerk Hart said that she would find out if the State would take care of the stop sign.

Leroy King said that he had gotten the yield sign on Curtis and Lincoln back up.

Leroy King said that he would be taking vacation from the July 18th through the 27th.

Trustee Flores asked where the street signs for her road went. Leroy King said that he had looked for them but haven't found them. Mayor Flores said that he thought that when Smithburg's grain bin blew over it had taken the street sign with it.

Clerks Report Clerk Hart said that there was a concern about Elm and Railroad, maybe a ditch could be cut or the culvert fixed. Michael Shirley said that where the ditch runs going to the south, the culvert has been crushed because people cut the corner too tight with big trucks. He said when it rains a lot the water rushes over the culvert and could possibly take the road out one day. He said that that culver needs to be fixed. Leroy King said that he could look at it and give the Board an opinion on what could fix it.

Clerk Hart said that Trustee Schifferns had had a question about the tree stumps in the park. Trustee Schifferns said that she was going to have someone come remove stumps from her yard, and wondered if the Board wanted a few stumps removed from the park. Leroy King said that there was one at the corner of the basketball court but that it should be left there because it barricades people from running into the court, but there was one other one in the park that could be removed. Trustee Rowe said that maybe the guy could give the Town a price then the Board could decide.

Treasurers Report Treasurer Pam Koehn had submitted the Town's treasurer's report. Everything was good, no discrepancies had been found. The report did not include Leisure Pines accounts. The Board agreed that they needed more time to review the report before approving it. Trustee McCue suggested approving the report the month after the Board receives the report. Mayor Flores suggested approving it at the action meeting. Mayor Flores said that the report could be reviewed by the Board members at Town Hall any time before the meeting.

Trustees Report Trustee Brent said that he didn't mean to offend anyone or threaten anyone. He wanted to make a point, and he encourages people to talk because that's when things start getting resolved and moving forward and questions answered. He said there is a supreme law that protects the public from government and if somebody feels they're being mistreated they'll probably stand up for what they think.

Trustee Rowe said that he feels everyone should stand up for what they believe in an appropriate manner.

Trustee Schifferns said that there's a past due report on water accounts the Board should go into executive session to discuss. Trustee Schifferns said that Lisa McCue had done the Town dog clinic and asked Clerk Hart if a thank you note had been sent to her. Clerk Hart said yes, she had sent one.

Trustee Kovar said she wanted to thank the public for coming and thank the trustees, those that agree with her and those that don't, because that's what makes it work. She said she just appreciates everyone coming out trying to make Arriba run.

Trustee McCue said that he has his LCEDC report outline that he provides the County Commissioners with every month (that report is attached to these minutes). He said it gives an overview of what has been going on in the county from a community standpoint. He said if the Board would like to have Limon come give a presentation about the

Foreign Trade Zone to learn more about it, Joe Kiely would come give that. He explained that the Foreign Trade Zone is a zone that covers parts of Adams, Arapahoe, Lincoln and Elbert counties. He said it's an effort done by the Town of Limon, and he is not part of it. He said that the Town of Arriba did not have to have any part of FTZ, . He said it is just an additional eligibility that does not circumvent or go over local control, the town is still in control over all of its property and all of its land use, and the county is still in control of all of its stuff. He said is it just an additional eligibility if there were to be some company that wanted to locate and bring their goods here duty free while they manufacture. He said he did not create it, and is not of his design. He said he is involved in the FTZ board and will probably be involved in the administration of it as part of the responsibilities of his office. He said it is certainly not designed to come in and run any entrepreneur out of business (including anyone in Arriba). He said LCEDC is here to foster and encourage local business and LCEDC is all about bringing about more commerce, not taking any away.

He said that it was going well at LCEDC, Trustee Brent had expressed an interest to come on the LCEDC board but the schedule for the LCEDC board meetings don't meet with his schedule. He said they may be moving the LCEDC meetings to a different time, but he wanted to open that possibility to whoever might be interested if they can't get the schedule to work. He said right now they meet in the morning but they are looking into a lunch meeting. He said it is so hard to squeeze in another evening meeting.

Trustee McCue said he wanted to address the concerns Trustee Brent had about the meeting format and about letting the public participate. He said that is why the Board has the public audience portion of the agenda. He said that he has been going to meetings for a very long time and sometimes boards revert back to Roberts Rules of Order and Procedure because when things are getting to contentious you have to tighten up the meeting and run it in a structured fashion. He said that doesn't mean the Board doesn't accept input, what it does mean is that the Board tries to keep order. He said that doesn't mean that the Board wants to make it so hard that that is the only way the public can affect change is through petitioning, but the Board still has to bring about order and of you look at any legislature, town board, county commissioners, or organization, they try to follow some boundaries. He said he appreciated Trustee Brent's perspective.

Trustee Brent asked Trustee McCue about the ongoing cleanup issues on his LCEDC report and what he was doing there. Trustee McCue said he was attending Genoa, Arriba Hugo and Limon town board meetings and seeing how the cleanup efforts are going. He said Genoa is trying to do the very same thing Arriba is doing and having the same problems, but their approach is a little different and they are getting some success.

Mayors Report Mayor Flores said that he would like to see a report from Leisure Pines every month, including how many people are over there, what the conditions are, what

upgrades need to be done, what's falling apart, just any info that can be gotten.
Trustee Rowe asked that that include any outstanding obligations or debt payments.

Mayor Flores said that he would like the Board and Leroy King to start working on getting a backup generator for the wells. Leroy King said that he had priced it and it was about \$10,000 to \$15,000 apiece, and the Town would need 2. Leroy King said it might be close to \$30,000 after you get everything needed for two of them. Mayor Flores said that he felt it was something that the Board needed to proceed on, even if they got generators that were not brand new, just get something that would work.
Trustee Kovar wondered about getting a grant for purchasing generators.

Trustee Kovar moved to go into executive session to discuss past due water accounts.
Trustee McCue seconded and the motion passed.
The Board went into executive session at 9:23.
Executive session ended at 9:31.

Trustee Rowe moved to send a three week shut off notice to every outstanding account on the list that is more than 30 days past due. Trustee Schifferns seconded and the motion passed.

Adjournment Trustee Kovar moved to adjourn the meeting, Trustee Rowe seconded.
Mayor Flores adjourned the meeting at 9.36pm.

Submitted by: Josie Hart, Arriba Town Clerk

Signed by:

Mayor Alex Flores

Approved by the Board on: August 19, 2015

Jeff Fike
209, Colorado Ave.
Arriba, Co 80804
(720) 327-4098

July 13, 2015

Town of Arriba, Colorado
210 Front Street
Arriba, CO 80804
(719)-768-3381

Sent Via: USPS Certified Mail, return receipt requested

Mr. Mayor, Board of Trustees and Town Clerk,
Greetings,

Pursuant to the Colorado Open Records Act, SS24-72-201 et seq., will you please make available for my reading, inspection and possible copying the public records listed below. As the Custodian of the Town Of Arriba Public Records, and electronic records; (I am sure), they are organized and properly maintained as required by Standard Accounting Procedure, Colorado Laws, and the other basic Standards for Town Clerk and Recorder Records. Myself or my representatives will read these Public Records, for an unspecified time period beginning on the Date and Time you specify, pursuant to this request. I will read these Public Records at Town Hall and determine what I want copies of. I have no idea of how many thousand pages (All records) I will be reading. I am researching and doing financially detailed diligence for a Non-fiction Historical book about the Town of Arriba, Colorado from Incorporation in 1918 to date.

Please make available **ALL Town of Arriba Public Records**, contained within the Town Hall building, for the Town of Arriba, 210 Front Street, P.O. Box 10, Arriba, CO 80804 as well as any records that be stored in any Annex record Storage place, or other private storage property, please disclose these Public Record Locations if not at the Town Hall.

Please make available all Town of Arriba Public Records, Including but not limited to All: Election Records, Ordinances, Minutes of all Meetings, Recorded minutes of ALL meetings, maps, plat maps, water and sewer records and maps, financial reports, contracts, obligations, balance sheets, debit forgiveness , financial transactions between the Town of Arriba and any Trustee, Mayor or Officer., ALL of The financial history, minutes and records of Whispering Pines in its relationship to the Town of Arriba.

As of this date, no written; Records Policy exists for the Town of Arriba. This is a wonderful thing, and keeps the Arriba Public Records open and available as the Colorado Sunshine Laws intended. It costs the town nothing to hand a citizen a document or file and let them read it. Therefore, you may not charge me any money; except research fees per the statute. I am specifically asking you; not to research these Public Records just have them available for my reading and inspection, which is one, of the primary duties of the paid Town Clerk. We will read and review these Public Records at Town Hall, during regular Arriba Town Hall business hours.

If these records are not in your custody or control, will you please forthwith so notify me and state in detail to the best of your knowledge the reason for the absence of the records. their location, and what person or persons has custody or control of the records, as required by SS24-72-203(2),C.R.S. Will you please set a date and hour within three working days at which time the records will be available for inspection, pursuant to SS24-72-203(3). **If you deny access to any of the above public records, will you please provide forthwith a written statement of the grounds for the specific denial, citing the law or regulation under which access is denied, as required by SS24-72-204(4).**

Very Respectfully,

Jeff Fike
cc: Colorado Freedom of Information Coalition
R. Scott Nelson. ESQ.

Town of Arriba
Board of Trustees Regular Meeting
Monday, July 13, 2015
7:30pm

Sign In Sheet

Will Sly
Shradd & Carolyn Stanisik
Jerry Norris
Jonathan Hart
Ted Grundmeier
Jack Rowell

TOWN BOARD MEETING PROTOCOLS

1. Public comment is encouraged and will continue to be listed as an agenda item at every regular Town Board meeting. The public comment period will be held near the beginning of the meeting.
2. The public comment period will not be used to air personal grievances, make political endorsements or for political campaign purposes. The Mayor or Board members will not enter into a dialogue with citizens that are not specifically listed on the agenda or are not representing an agenda item. Questions from the town board during the public comment period will be for clarification purposes only. Public comment will not be used as a time for problem solving or reacting to comments made but, rather, for hearing the citizens for informational purposes only.
3. The Town Board will direct the Town Manager to assign staff to provide information requested by a speaker during the public comment period. Each individual wishing to be heard during the public comment period will be given up to 5 minutes to make comments. Exceptions to the 5 minute limit may be granted by the Mayor. Public comment may also be allowed on specific agenda items. Any person in the audience wishing to address the Board on an agenda item must first seek recognition by the Mayor, or whoever is conducting the meeting, preferably by raising of the hand.
4. The Mayor or the Town Board, at its discretion, may allow public comment at any scheduled special meetings.
5. The Mayor and Town Board may elect to defer public comment on specific issues that appear on the regular agenda until that specific item is addressed.
6. Anger, rudeness, ridicule, obscene or profane language, impatience and lack of respect for opposition to a speaker or idea such as clapping, cheering, booing and hissing are not permitted in the Town Board Meeting Chambers.
7. In the event that the meeting attendees become unruly as a group, the Mayor, a majority of the Town Board, or in cases where it is deemed that a threat to public safety or to an individual exists, the Chief of Police may order the meeting room cleared of public attendance. The Mayor is responsible for maintaining order and may elect to warn attendees before it becomes necessary to clear the public from the chambers.
8. Any person who makes threats of physical violence shall be subject to immediate removal from the meeting. Any person making irrelevant, impertinent or slanderous remarks, who becomes boisterous while addressing the Town Board, may be cautioned by the Mayor and or the Chief of Police and given the opportunity to conclude his or her remarks on the subject in an appropriate manner and within the designated time limit.
9. Any person failing to comply as cautioned shall not be allowed to continue. The Chief of Police shall carry out all reasonable orders and instructions given by the Mayor for the purpose of maintaining order and decorum at the meeting including directions to escort disruptive persons back to their seat, remove them from the meeting, or arrest any such individuals who violate the order and decorum of the meeting and will not promptly leave the premises voluntarily after being requested to do so.
10. No person shall be permitted to interrupt the Mayor, a Board member, a staff member, or a member of the public while speaking during the meeting.

Maintenance Report

- 6-9 Mowed and weed eat park
- 6-10 Took chlorine and ph. tests
Took the 45 gal of hypochlorite that DPC delivered to wastewater plant
Sprayed willows at wastewater plant
- 6-11 Drug College and Lincoln streets
Mowed weeds at wastewater plant
Picked up 10 gal of malathion from Darrel
- 6-12 Work in the shop
Filled chlorine tank at wastewater plant
Sprayed mosquitos at 6 pm
- 6-15 Hand spayed around tennis court, park playground equipment and at wastewater plant
Worked at wastewater plant
Turned water on for Ron Rohn
- 6-16 Graded College and Lincoln streets
Filled holes on other streets
Sprayed mosquitos at 6 pm
- 6-17 Took chlorine and ph. Tests
Started mowing park
Filled holes with hot mix on Colorado and Front streets
Sprayed mosquitos at 6 pm
- 6-18 Finished mowing park
Mowed and weed eat around water tank and town hall
Sprayed mosquitos at 6 pm
- 6-19 Moved water on park
Sprayed weeds at wastewater plant
Filled chlorine tank at wastewater plant
- 6-22 Filled holes on streets
Mowed weeds around town
- 6-23 Started collecting samples to go to lab
Mowed weeds along streets
- 6-24 Finished collecting samples to go to lab today
Mowed the park
Sprayed mosquitos at 6 pm
Turned water off at 325 Pine and 121 Colorado
- 6-25 Sprayed weeds in the park around water tank and firehouse
Worked at wastewater plant
Sprayed mosquito at 6 pm

Maintenance Report

- 6-26 Filled chlorine tank at wastewater plant
Started water on park
Picked up malathion from Darrel
- 6-29 Worked at wastewater plant
Mowed at wastewater plant
- 6-30 Worked on cleaning up after storm
Read well meters
Sprayed mosquitos at 6 pm
- 7-1 Mowed the park
Took weekly chlorine and ph. Tests
- 7-2 Read water meters
Worked in shop
Sprayed mosquitos at 6 pm
- 7-3 Filled chlorine tank at wastewater plant
Installed new pressure switch on town wells
Hand sprayed weeds at wastewater plant
- 7-7 Worked at wastewater plant
Started water on park
Pick up limbs out of park
Turned water on at 325 Pine street
- 7-8 Took weekly chlorine and ph. Tests
Dumped trash can out of park
Fixed Yield sign on Curtis and Lincoln
Started spraying mosquitos and got rained out
- 7-9 Worked in shop
Weed eat around things in park
Rolled up hose in park
Sprayed mosquitos at 6 pm
- 7-10 Filled chlorine tank at wastewater plant
Mowed park
Leveled up in front of DJs
- 7-13 Graded College street
Mowed around water tank and town hall

Lincoln County Commissioners

July 7, 2015

LCEDC Report

- I. Arriba –
 - A. 3 business retention visits (Legacy Lane, Brent Welding, Rand Mechanic Shop)
 - B. Ongoing cleanup issues and related controversies
 - C. Housing role for the future
- II. Genoa-
 - A. 1 business retention visit (Dry Creek Seed)
 - B. Genoa board code adoption meeting, concerned citizens group, CEDS completion
 - C. Cleanup, housing possibilities, self-serve fueling station, truck wash
- III. Hugo –
 - A. 5 business retention visits (Turkey Crossing, Vimar, Inc., Hugo Lumber, Genoa-Hugo School, Lincoln Community Hospital)
 - B. HIP attendance, EDC report to board, addition to 2016 budget for LCEDC return
 - C. Welcome center opening at Depot, historic sign progress, housing work
- IV. Limon –
 - A. 17 business retention visits (Carla's Cluster Care, Stop-n-Shop, Super 8, EconoLodge, Quality Inn, Tyme Square Inn, Comfort Inn, Holiday Inn Express, First Gold Inn, DJ's Bodyworks, Gordon Insurance, Hawthorne Realty, Noakes Auto, Hoffman Drug, Hiner-Felzien Tax Preparation, CJ's Beautyworks, Vern's TV)
 - B. YCF attendance, Limon Chamber attendance & July 3rd event assistance, Lincoln Theatre groundwork, Rural Philanthropy Days hosting pitch
 - C. Foreign Trade Zone, new communications and a new lead – related to wind energy
- V. Karval –
 - A. No retention visits this past month
 - B. Attendance to Karval Alliance meeting (2nd attended) on 6/11
 - C. Continued dialogue with Dr. Vicki Dreitz, University of Montana, and updated list of pheasant farms (2), CJ's country store southeast of Rush, Sorensen Tire, Harris Trenching, Zipperer Welding
- VI. Small Business Development Center (SBDC) Activities
 - A. Ongoing consulting workload and present invoicing
 - B. June 16th all-day training session in Greeley
 - C. Networking resources – i.e. theater operations
 - D. Portability Grant application & possible increased invoicing
- VII. New Membership expansion