

DRAFT

**TOWN OF ARRIBA
BOARD OF TRUSTEES REGULAR MEETING
Monday June 8, 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 Schifferns, Will Rowe and Marcella Flores. Troy McCue arrived shortly after the meeting began. Caleb Brent was absent due to sickness.

Pledge of Allegiance was led by Alex Flores.

Public Audience included: Lincoln County Deputy Irvin, Ed Schifferns, Ted Grundmeier, Jack Rowe, Lynn Francis, Jeff Fike, M.L. Skipper, Tom & Deanette Knight, Michael Shirley, Jack Eberle, Jay Spurling, Doug & Dianne Reisman, Gerald & Carolyn Steinsiek, Jerry Norris, Diane Child, Kenny Mills, Russ Pilgrim.

Dianne Reisman said that she had heard that a Board member was occupying a Board seat illegally. She asked Mayor Flores to explain this.

Mayor Flores said that the issue was with Will Rowe, and that a requirement to be on the Board is you have to be a registered voter. Trustee Rowe said that he was appointed to the Board and then sworn in by the Municipal Judge. An appointment is a different situation than an election. Trustee Rowe said that from what he understands it depends on domicile. He said that his domicile was here in Arriba. He said that his vehicles are registered in Lincoln County, he pays his taxes and communicates with the IRS and receives his mail all in Arriba. He said that he is now a registered voter in Lincoln County. Trustee Rowe said that no one asked for his voter registration at the time of appointment. He said that his domicile is here, his house is here, and he lives here, and is actually here in Arriba more than he is in Denver where he does have another residence. He said that if the appointment was improper he feels that the Board will resolve the matter, until that time he is a sworn member of the Town of Arriba Board.

Carolyn Steinsiek asked why an appointment was necessary. Mayor Flores explained that a position had been vacated and the position had been advertised as required.

Kenny Mills asked if Will Rowe was a citizen of Lincoln County. Mayor Flores said that this had just been established. Trustee Rowe said that he does live here.

Approval of Agenda Trustee Kovar moved to approve the Agenda as written. Trustee Rowe seconded and the motion passed.

Approval of Minutes Trustee Kovar moved to approve the minutes of the May 11 Regular Meeting. Trustee Rowe seconded and the motion passed.

Code Enforcement –Property Cleanup Mayor Flores tabled this item since there were no reports or updates and Clerk Josie Hart was on vacation and not in attendance.

Revise Mobile Home Ordinance Mayor Flores said that the revised ordinance had been sent to Stan Kimble and he had responded.

Mayor Flores said that he wasn't sure about the time limits on people living in a RV.

Ted Grundmeier said that on the 3rd page there were 6 definitions in the revised ordinance, he thought that a 7th needed to be added to define what a parcel is.

Mayor Flores asked why would it matter to the Board if someone lived in a RV for 6 months (this was number 10 in the revised ordinance).

It was asked why the Board wanted to revise the Mobile Home Ordinance in the first place. Mayor Flores explained that it had started with wanting to change how old of a mobile home was allowed to be brought into Town. The current ordinance states nothing (mobile homes) older than 1976 is allowed in town.

Kenny Mills said that any laws or ordinances the Board wants to pass should be voted on by the Town residents. Trustee Kovar said that this would get very expensive.

Trustee Rowe said that fundamentally that is not how the Town ordinances work or application of laws work. He said that Kenny Mills could get a referendum up and that would be an appropriate method for people to be heard and get the voices heard directly. He said that this ordinance was not going to be passed tonight, this was not a hearing for this ordinance. It will be published and a public hearing held before it can be passed.

Jay Spurling asked what the average lot size was. Trustee McCue said it is 25 x 125. Jay Spurling was concerned that if a trailer is supposed to have 15 foot of clearance how does this work. Trustee Rowe said that this would refer to the parcels that Ted Grundmeier brought up. Jay Spurling asked what if someone only owned one lot and wanted to put a trailer on it, would this not allow him to put the trailer on there. Trustee Rowe said that it would have to comply with setbacks. Trustee Schiffers said she thought that this was done for safety issues for doors and stairs. This setback definition is from the original Mobile Home Ordinance.

Mayor Flores said he didn't like the 60 day limit on RV's. Trustee Flores said to remove that limit. Trustee Rowe said he supported removing that part.

Trustee Rowe explained section 4 of the revised ordinance which allows for variance, so if someone brought in a mobile home they were going to fix up they could with Board approval.

Trustee McCue said on a legal standpoint he wasn't sure if the Town could leave the language in on the 20 year rule.

Trustee Rowe said that the original ordinance does not give any flexibility at all.

The Board agreed that the revision was not ready to pass yet.

Mayor Flores said that a hearing must be held before the Board even considers adopting this ordinance. Mayor Flores said proper notice of the hearing will be given in advance, by means of posting the notice around Town (Town Hall door, Post Office, and Arriba DJ store) and in the local papers and possibly on the Town's website.

Jeff Fike's May 1st Letter to the Board This letter was not read out loud, but is attached and is a part of these minutes. Jeff Fike read Ordinance 105-3 concerning appointing and electing Trustees. Which is:

3. Vacancies, The Board of Trustees shall have power, by appointment, to fill all vacancies in the Board or in any other elected office, and the person so appointer shall hold office until the next regular election and until his successor is elected and qualified. If the term of the person creating the vacancy was to extend beyond the next regular election, the person elected to fill the vacancy shall be elected for the unexpired ter. Where a vacancy or vacancies exist in the office of trustee and a successor or successors are to be elected at the next election to fill the unexpired term or terms, the three candidates for trustee receiving the highest number of votes shall be elected to four-year terms and the candidate or candidates receiving the next highest number of votes, in descending order, shall be elected to fill the unexpired term or terms.

Jeff Fike said that Trustee Troy McCue serving on the Lincoln County Economic Develop Corporation Board and the Town of Arriba Board was a conflict of interest. Jeff Fike said that the Town is paying the LCEDC counsel and not only pays Mr. McCue but Mr. McCue is an incorporator and chair holder in the company.

Trustee McCue said that the only connection as an investor is through his wife's business who signed up as an investor on the sponsor level, like a membership. Trustee McCue said he was there when LCEDC was formed in 2003. Trustee McCue said that when he took the LCEDC Director position he asked Mayor Flores if he saw a problem with him being the director of LCEDC while serving on the Arriba Town Board. Trustee McCue said that obviously he would recuse himself from voting on anything regarding Economic Development projects, whether they are specific for a project that he is employed to promote and the annual Arriba's government sponsorship at \$8 per capita. He said that he

did indicate that, as Board members, if they saw a problem he would voluntarily resign from the Arriba Board but, none of the other 5 Board members displayed a problem. He assured them that he can't vote on those things that are related to his employment. Trustee McCue said that he does still have a responsibility to bring a report on what's going on with LCEDC just like every other Board. He said that the reason he is late for every meeting is because he attends Hugo's Town Board meeting to give them a LCEDC report.

Sewer Tap Fees- 210 Church St & 220 Church St The Board verified that 220 Church Street was the house on the corner and 210 Church Street was the red shed. The issue was the properties had dormant sewer taps.

Trustee McCue said that a similar situation was he activated 2 dormant properties. At that time the sewer tap fee was \$1500. He had to pay one full tap fee for each property to activate the property. The Board changed the tap fees to be \$2000 in 2014.

Jeff Fike said that both 210 Church and 220 Church were vacant prior to Ordinance #128 (which regulates sewer fees). He asked if the properties were grandfathered in.

Mayor Flores said that he would look into this issue.

Records Request Policy The Town of Arriba does not have a Records Request Policy. Mayor Flores said that he would like to discuss this issue when Clerk Josie Hart is present.

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). Mayor Flores said that the Town had informed the public that mosquito fogging would start on the 17th, but the mosquitoes are really bad and with the community garage sale on Saturday June 13th, the Town will start fogging on Friday the 12th. Leroy King will fog through the streets and alleys three days a week. Right now the schedule is Wednesday, Thursday and Friday, 6pm-7pm. Weather permitting.

It was asked if the Town could put a siren on the pickup to notify people of the mosquito fogging. The Board was unsure if this was a possibility.

Leroy King said that he painted the bench around the liberty tree at the park.

Clerks Report Mayor Flores said that Michael Shirley wants to get chunks of concrete from the Town's north lots to put under and around the No Man's Land sign. The Board agreed that this was fine.

Treasurers Report Treasurer Pam Koehn had submitted the Town's treasurer's report. Everything was good, no discrepancies had been found.

Trustees Report Mayor Flores said that he received an email for Trustee Caleb Brent wanting the Board to discuss putting a flag on top of the water tower. In the letter he states that Brent Welding would pay for all costs to do this. Mayor Flores tabled this until the next regular meeting.

Trustee McCue said that he brought his LCEDC report that he gave to the county commissioners (by mention the report is a part of these minutes). He said that he reports by community and lists the businesses he visited in each, and desired project directions as well as new members.

Trustee Schiffers said that she wanted to remind everyone about the community garage sale on Saturday. She thanked the public for coming.

Trustee Schiffers said that she had attended a Limon Town Board meeting, she encouraged other Board members and the public to go to other towns' board meetings to see how they do things.

Trustee Rowe said he appreciated the public for coming.

Mayors Report Mayor Flores thanked everyone for attending the meeting.

Adjournment Trustee Kovar moved to adjourn the meeting, Trustee McCue seconded. Mayor Flores adjourned the meeting at 8:48pm.

Submitted by: Josie Hart, Arriba Town Clerk

Signed by:

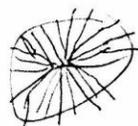
Mayor Alex Flores

Approved by the Board on: July 13, 2015

Maintenance Report

- 5-12 Mowed park
Measured and mixed fertilizer for park
- 5-13 Fertilized the park
Took weekly chlorine and ph tests
- 5-14 Fill chlorine tank at wastewater plant
Start water on park
Mowed along streets
- 5-15 Took wastewater test
- 5-18 Turned water on at 315 Pine
Mowed around town hall, water tank and wastewater plant
Washed two mowers off
- 5-19 Worked in the shop on sprayer
- 5-20 Sprayed weeds in the park, around water, around firehouse and some streets and alleys
Took weekly chlorine and ph tests
Posted park hour signs
- 5-21 Sprayed weeds along streets
Filled chlorine tank at wastewater plant
Sprayed weeds at wastewater plant
Drug College and Lincoln streets
- 5-22 Worked in shop on John Deere
Dumped trash cans at park
- 5-26 Mowed and weedeat park
Picked up trash out of park
- 5-27 Filled sink hole in alley between behind Mike Luft
Drug College and Lincoln streets
Took weekly chlorine and ph Tests
Started collecting samples to be taken in on 5-28
- 5-28 Finished collecting samples for the lab
Cleaned and stocked the two outside toilets at park
Built toilet paper holder for mens toilet
Filled chlorine tank at wastewater plant
- 5-29 Turned water on at 510 Linclon
Leveled streets around town
Worked at wastewater plant
Read well meters
- 6-1 Read water meters
Started mowing park

6/17



Maintenance Report

- 6-2 Ordered 4-15 gallon containers of disinfectant for wastewater plant
 Finished mowing park
 Mowed around water tank, firehouse and town hall
- 6-3 Took weekly chlorine and ph test
 Sprayed weeds along the sides of streets
- 6-4 Filled chlorine tank at wastewater plant
 Sprayed weeds along the sides of streets and at wastewater plant
 Mowed weeds at wastewater plant
- 6-5 Worked in shop on the mosquito sprayer
- 6-8 Painted bench around tree in park
 Mowed weeds along streets
 Mowed around out of town wells
 Started mowing at wastewater plant

Lincoln County Commissioners

June 5, 2015

LCEDC Report

- I. New report format – summary form by community
- II. Arriba –
 - A. 4 business retention visits (Legacy Lane, Leisure Pines, Tri-Me Spraying, DJ Petro)
 - B. Ongoing cleanup issues and related controversies
 - C. Desired project direction: park improvements and campground reopening
- III. Genoa-
 - A. 3 business retention visits (Dry Creek Seed, Waldo’s Project, Jeff E. Lube)
 - B. Strategic Planning session at town hall, concerned citizens group, CEDS completion
 - C. Desired project direction: downtown cleanup, integration of bus barn, campground opening
- IV. Hugo –
 - A. 7 business retention visits (Jean Family’s Kitchen, Maye G’s Store, KC Electric, Main St. Mama’s, Turkey Crossing, Vimar, Inc., Eastern Slope Rural Telephone)
 - B. CEDS planning session at town hall, HIP attendance, EDC report to board, pending rejoin
 - C. Desired project direction: welcome center opening at Depot, restoration of Smoky Hill Trail sign, long-term infrastructure work on water system
- V. Limon –
 - A. 10 business retention visits (Carla’s Cluster Care, Eastern Colorado Bank, Pro Ag, LLC, Limon Chrysler, Big R Store, Eastern Colorado Vet, Liggy’s Bakery, Lincoln Theatre, Stop-n-Shop, Workforce Center Office)
 - B. Comprehensive Planning meetings, town board EDC reporting, CKLECC attendance, YCF attendance, Limon Chamber attendance, Limon Heritage Society presentation, 2 new business venture planning meeting attendance.
 - C. Desired project direction: mobile home park improvement & transition, redefining zone and development areas, preparation for the Foreign Trade Zone, continued streamlining of development process, development of recreation and trail amenities
- VI. Karval –
 - A. No retention visits this past month
 - B. Continued dialogue with Karval Alliance for gathering CEDS projects list for ECCOG report to state plan, reaching out to University community re: prairie development research center
 - C. Desired project direction: keeping existing services going, adding fueling station and restaurant, development of research activities – hosting research professors/interns

- VII. Small Business Development Center (SBDC) Activities
 - A. Counseling routine and reporting functions
 - B. June 16th all-day training session in Greeley
 - C. Richard Pickett visit on 5/15
 - D. Portability Grant application & possible increased invoicing

VIII. New Membership expansion

8 total new business-sponsorships attained since 3/1/15:

- KC Electric Association
- Eastern Slope Rural Telephone Association
- Eastern Colorado Veterinary Services
- Gordon Real Estate Group
- Hiner-Felzien Tax Preparation Service
- Gordon Insurance, Inc.
- Veris Environmental (formerly Parker Ag)
- Carla's Cluster Care

Town of Arriba
Board of Trustees Regular Meeting
Monday, June 8, 2015
7:30pm

Sign In Sheet

Lynn FRANKS ARRIBA
Jack Rowe ARRIBA
Tom & DEANETTE Knight Arriba
Ted Gronemeier Arriba
Jung Spurling
Mall Shey
Doug & DIANNE Reisman
Gerald & Carolyn Steinsiek Arriba
Jerry Norris "
Diana Child