

**TOWN OF ARRIBA
BOARD OF TRUSTEES REGULAR MEETING
Monday October 13, 2014
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 Troy McCue, Karen Kovar, Jody Schifferns, Caleb Brent, and Marcella Flores. Mike Koehn was absent. Mayor Flores read a letter from Mike Koehn stating that he resigned his position as Trustee on the Arriba Town Board as of October 10th.

Pledge of Allegiance was led by Troy McCue.

Public Audience included: Maria Root, Jay Spurling, Kay Willoughby, Winnie Brent, Rod & Diane Child, Bob Schoonover and Ted Grundmeier.

Ted Grundmeier told the Board that as they pursued the park construction they needed to be aware that certain types of artificial playground turf was from ground up tires and this could pose a health risk as tires are carcinogenic. Clerk Hart told him that this shouldn't be an issue as in the proposed park plans the Town would be using wood chips.

Approval of Agenda Trustee McCue asked that 'Replacement Board Member' be added under New Business. Trustee Schifferns asked that 'LCEDC-Director' be added under new business. Trustee Schifferns moved to approve the Agenda as amended. Trustee McCue seconded and the motion passed.

Approval of Minutes Trustee Schifferns moved to approve the minutes of the September 8 regular meeting, September 8 public hearing minutes and the minutes of the September 23 action meeting. Trustee McCue seconded and the motion passed.

Approval of Accounts Receivable and Payable September The Board reviewed the receivables and payables. Trustee McCue moved to accept the September Receivable and Payable. Trustee Kovar seconded and the motion passed.

Approval to Pay October Bills Trustee McCue moved to approve the October bills, Trustee Kovar seconded and the motion passed.

Dog Ordinance Trustee Schifferns moved to adopt the Dog Ordinance #139 as written. Trustee McCue seconded. Trustee Brent asked the Board to explain what would have to happen for someone to be required to purchase liability insurance. Mayor Flores said that the dog would have to do something aggressive, the owner would have to get cited for it, the dog would have to be convicted for it, and once the dog is convicted or tagged as an aggressive dog than according to the ordinance the dog owner will have to carry liability insurance. Trustee McCue asked if anyone had found out how much this liability insurance would cost. Trustee Schifferns said that John Hickey had told her that coverage from \$100,000 to \$300,000 would be about \$5 dollars more a year and \$500,000 to a million would be about \$15 dollars a year. Clerk Hart said that a State Farm agent told her that anyone with homeowners insurance has dog attack coverage up to a certain amount but, they would not cover a specific breed like pit-bulls. The agent didn't know that any other insurance companies would either as nobody wanted to cover high profile breeds. Clerk Hart said that she had talked to Tim Anderson with Gordon Insurance and he had said that liability insurance coverage for an aggressive dog would be attainable and not too expensive. Trustee McCue asked if homeowners insurance would cover a dog attack that happened off the property. Clerk Hart said that she wasn't sure but from a story the State Farm agent told her she would think so. Trustee Schifferns said that if a person didn't have homeowner's insurance they could purchase renters insurance with the same amount of coverage for a few more dollars a year.

The Board agreed that if a kid got attacked in the face it could cost possibly more than \$250,000 to pay for the surgery. Clerk Hart said that a lot of things would have to happen for a dog to be deemed aggressive. The dog would have to act aggressive, there would have to be witnesses, the dog owner would have to come before the municipal judge for the verdict. In a case where the dog owner could not or did not want to purchase liability insurance they would have the option of giving the dog away or putting the dog down.

Trustee Brent said that requiring someone to have liability insurance on an aggressive dog wouldn't prevent an attack from happening. He asked if this was all the Town could do to protect the citizens. He asked if the Town would be able to confiscate a dog, or go onto private property to get a dog. The Board agreed that if there was an actual dog attack on a person the sheriff would be involved and probably take the dog. Clerk Hart said that in section 4.1.3 of Ordinance #139 it addresses confiscating a dangerous dog and disposal of the dangerous dog.

There was discussion on having the pound opened so that dogs that are running loose can be caught and put in there.

All Trustee voted yes to adopting Ordinance #139. The motion passed. Ordinance #139 was adopted.

Code Enforcement The only property issues were Monty Rand and Kenny Mills. There have been improvements on a few of the other properties in Town that had been sent letters. The Board discussed a few properties in Town that were for sale or had sold.

Park Grant Clerk Hart said that Trustee McCue had done a lot of the work on the application. It had been submitted and the Colorado Health Foundation had received it. Clerk Hart was unsure as to when the Town would find out the results. Trustee McCue said that the deadline was October 15. He gave a description of what the application had required. Clerk Hart explained that the Town was going with the community build, where the Town will supply the man power and some tools to build the new playground. The Town will also have to take care of the concrete pad for the fitness stations. She said that this cost was included in the request amount. She said that the total cost the Town is requesting from the Colorado Health Foundation is \$138,597.00 The Town has \$6,000 in the Conservation Trust Fund, \$3,500 the Town received from the Tourism Board plus the In-kind donation. The total funds available for the project would be \$173,291.00

The Board discussed keeping the old playground equipment and moving it to another part of the park. There was discussion on having to get more gravel for this. The Board discussed possibly making it so that there is only one road into the park.

Trustee Brent asked if using Conservation Trust Funds for the park would put the Town behind on anything. Trustee McCue said that those funds were really only used for the lawn mower loan. Clerk Hart said that the lawn mower payment has been coming out of the general fund for a few years now and the Conservation Trust Fund hasn't been used for anything in a while.

Christmas Lights The Tourism Board granted the Town \$2,500 for Christmas lights. The Board agreed that a committee would be responsible for picking out the lights.

2015 Budget Clerk Hart presented the Board with the 2015 Proposed Budget. She said the 2014 estimate was year to date so that the Board could see where the Town was financially right now. She said the Board could review the budget and let her know what changes could or should be made at the next meeting.

Trustee McCue explained the budget and the funds to the new Board members. He said that expenses are divided by 40% going to sewer, 30% going to water and 30% to general.

Santa Claus / Christmas Event The Board agreed that Keith Hughes should be Santa Claus again. There was discussion about the quality of the Santa suit. The Board decided that the event would be on Saturday, December 20th at 1:00pm at the Arriba Fire House. Clerk Hart said that the 4-H group would not be providing refreshments this year for the event. The Board decided that the Town or Board members could supply and serve coffee, hot chocolate and cookies. Trustee McCue would see if the brass band would play at the Christmas event again.

Replacement Board Member Because Mike Koehn resigned from his position as of October 10th the Board will advertise the vacant position and appoint someone at the November regular meeting.

LCEDC- Director Trustee Schifferns told the Board the Lisa Nolder is the Lincoln County Economic Development Cooperation director, she was hired in April. Trustee Schifferns said that she was very disappointed in her. She said that Hugo pays Lisa Nolder \$6000 a year towards her income. They have withdrawn their \$6,000 and will no longer pay her as they feel that she is not doing her job. Trustee Schifferns saw that the Town budgets \$1544 for LCEDC. She proposed that the Town withdraws their support. She noted that the county commissioners pay Lisa Nolder around \$40,000 a year. The Board discussed LCEDC and the different directors it has had. Trustee Schifferns said that she felt that Lisa Nolder is not doing her job, Lisa Nolder has told Trustee Schifferns she would meet with her several times and canceled almost each time. Trustee Schifferns also said that Lisa Nolder does not live in Lincoln County.

Trustee McCue said that Lisa Nolder's responsibilities were business support retention, to help create an environment that is business friendly, and also includes business attraction.

Trustee McCue said that Lisa Nolder has a lot of health issues which has prevented her from working.

Trustee McCue said that the LCEDC Board will be discussing this whole issue at the next meeting.

Clerk Hart said that the Town usually pays the LCEDC at the first of the year. The LCEDC usually send out a letter sometime in December or January asking for support.

The Board agreed to wait to decide what to do about this at that time.

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 Pat Parker was going to be out this week, he said that Pat Parker is still trying to get the people out to repair the water tank. Leroy King said that he did take his water and wastewater test on Friday but he won't know the results for another 5-6 weeks.

Mayor Flores mentioned a pot hole on Park and Colorado that needed filled in. There was discussion about the pot holes in the parking lot of DJ Petro.

Clerk Hart said that the repair for the stock water load out came to around \$204. Leroy King said that the stock water load out has been damaged twice now by Gerald Steinsieck who hauls water for Earl Saffer. The first time it only cost like \$12 to fix, but this time the whole load out pipe was broke and the Town had to pay Paul Redia to do some welding on it. The Board agreed that the bill for the repairs should be sent to Earl Saffer.

Leroy King told the Board that Connie Boettcher and David Lovelady had been taking rocks from a rock pile up by the Town's brush pile. Leroy King said that he had told them they couldn't get any more for free and would have to pay for the rocks. David Lovelady had gotten upset and threatened Leroy King. Leroy King had called the sheriff. Leroy King said that they had probably hauled off around a ton of rocks. The Board discussed what to do about the issue. The rocks pile has been up there since the wastewater project. Clerk Hart said that Tom Rush had told Connie Boettcher and David Lovelady that they could have the rocks for free. It was suggested to move the rock pile over to the sewer pond so that no one would be able access them. Leroy King said that if they were moved there he would have to mow around them. There was discussion on billing Boettcher and Lovelady for the rocks they had gotten. Leroy King said that he had priced the rocks at \$1200 a ton. Trustee Kovar suggested billing Connie Boettcher and David Lovelady \$500 for the rocks they had taken. Clerk Hart suggested sending a letter telling them that they could no longer get the rocks for free and from now on would need to pay for the rocks. There was more discussion on the issue but no decision was made.

Clerks Report Clerk Hart told the Board that she and Leroy King have been trying to figure out why certain water meters showed extremely high usage every month. She suggested getting new water meters for these properties. These included Dumcum, Eastin, both of the churches, Mike Koehn, Tom Knight, Thomas Sharon and Tom Rush. Leroy King said that he had just replaced Tom Knight's water meter. Clerk Hart said that it has been reading about 5,000 gallons higher than what is normal for them. Thomas Sharon's meter has been showing about 8,000 gallons of usage but there are only 2 older people living there and they say that they don't use very much water at all, they don't have a garden and supposedly don't have a washing machine. She said that Dumcum's Eastin's, the church's and Tom Rush's have been reading about 20,000 or 30,000 gallons of usage each month.

There was discussion on what the problem could be, if it was the meters, if there was a leak somewhere, or if people were using that much water. Leroy King said that he knew for sure that Dumcum's didn't have a leak anywhere. Clerk Hart said that Leroy King has manually read the meters so she didn't know if the problem could be the reading wand. Out of around 120 meters there are about 30 that sometimes show really high usage. She has narrowed it down to these 8 that are constantly reading high. Leroy King said that he would change Dumcum and the churches water meters and see if that fixed the problem before changing any of the others. Clerk Hart told the Board that the bus stop shed should be moved to the north side of the bathrooms so that the opening faces north, this way the kids can stand in the shed and be able to see the bus. Trustee Flores said that the rest of the tin panels should be on the shed also. Clerk Hart agreed with this, she said that the Town should have the rest of the tin for this. She said that Jon Hart had volunteered to help Leroy King move it and tin it if he needed. The Board agreed that it was fine to move the shed wherever it was needed.

Clerk Hart said that the owner of 104 Elm Street, Cal Gohs, claimed that he had had his sewer lines checked with a camera and that the footage showed a blockage in the main, which would be on Grant Street. No one has complained of any problems along that street though.

Clerk Hart told the Board that Gary McMillen with Dana Kepner had found the pressure switch that the Town needs from a company called Dwyer Instruments. This will cost \$244 and the Town would need to buy it with a credit card. The Town could buy it through Dana Kepner but it would cost \$320. Trustee McCue said that Clerk Hart could use his credit card to purchase it. The Board agreed that the pressure switch should be purchased.

Treasurers Report The Board reviewed the Treasurer's report. All accounts looked good. No discrepancies had been found.

Trustees Report Trustee Flores asked that a handicap sign be put up for the handicap parking in front of Town hall. There was discussion about Leroy King painting the handicap sign.

Trustee Brent asked if the speed limit sign on College Ave could be moved farther east so that people can see it sooner.

Trustee Brent asked if Pat Parker was going to be done with the Town after October. Leroy King said that he thought Pat Parker was going to stay on after he got licensed just to supervise for a bit.

Trustee Brent told the Board he would be putting up a fence around his property, he asked what the easements were. Trustee McCue said that if there was a sidewalk it would be on the edge of the sidewalk. Trustee Brent asked how far he should put the fence from the wells. The Board thought that 10 feet from the wells should be enough distance. Trustee Brent asked if he should measure from the grass line on the alley or the middle of the alley. Trustee McCue said he should measure from the middle of the alley.

Jay Spurling asked if the town easement stopped at the sidewalk. Trustee McCue said he understood that the town had everything from the inside of the sidewalk out into the street to the other sidewalk. This easement was the property owner's responsibility.

Trustee Brent said that he had talked with Mark Mchone about mag chloride. He said that the 'sticky stuff' is an additive and that they could take that out and it would still be affective to settle the dust. Trustee Brent said that it would cost \$4000 a mile; he thought it would be about \$3000 to do College Ave. Trustee Brent said that Mark Mchone had said that the Town could use the County water truck for this.

There was discussion about getting energy impact assistance to pave College Ave.

Trustee McCue said that there will be an open position on the Lincoln Community Hospital Board if anyone was interested.

Minutes of the October 13, 2014
Regular Meeting

Mayors Report Mayor Flores had nothing to report.

Adjournment Mayor Flores adjourned the meeting at 9:02pm.

Submitted by: Josie Hart

Signed by:

Approved by the Board on: November 10, 2014