

MINUTES

Silverton Board of Trustees, Silverton Town Hall – April 11, 2011

Call to Order and Roll Call – 7:30 PM

Call to Order – 7:30 PM:

Mayor: Terrence Kerwin
 Trustees present: Pat Swonger, Jim Lindaman, David Zanoni, Karla Safranski, John Schertz, Chris Tookey
 Staff: Jason Wells, Dave Michaelson, Gilbert Archuleta
 Others: see “sign-in sheet”; twenty seven in attendance

- I. Public Comment Regarding Consent Agenda or non-Agenda items
***We ask that attendees kindly limit their comments to two minutes duration.
 Please turn off cell phones during the meeting.***

- II. Appointments

- III. Trustee Reports ** - **This item was discussed first at Mayor Kerwin’s direction.**

(0:01) Mayor Kerwin suggested that the Board should send thank-you letters to all emergency services providers involved in Wednesday’s fire. Mr. Archuleta reminded Mayor Kerwin that San Miguel Power should also be recognized for use of their bucket-truck. Mayor Kerwin will compose these letters on behalf of the Board.

(1:20) Mr. Wells invited Mr. Archuleta to brief the Board on Fire Department efforts and concerns. Mr. Archuleta reviewed the call, noting that the lack of a ladder-truck enabled the fire to spread to the Adelaide’s building. He stated that the outcome would have been much worse if not for the assistance provided by Durango and Ouray Fire Departments, and their respective ladder-trucks. He stated that the Fire Department is requesting staff assistance from the Town and/or County to research grant funds for a ladder truck and fire house.

(6:37) Mr. Wells observed that a grant would likely have a match component, and that such a match is not budgeted in the current year. Mr. Archuleta stated that the Town/County match component could include a donation of the land where the storage hut currently sits on 14th street, as this is jointly owned. Mr. Wells will research a granting of this property and will report his findings to the Board at a future meeting. Mr. Archuleta discussed the possibility of searching for a used ladder truck. He also discussed the adequacy of the Town’s current water-storage capacity of 800,000 gallons, as fire-fighting efforts consumed 400,000 gallons.

(14:26) Mr. Michaelson discussed structural damage to the building resulting from a site visit conducted by himself, Mr. Archuleta, and Goff Engineering. He stated that both owners wish to restore the buildings.

(21:05) Mr. Klinke stated that he has been retained by the Swanson’s for restoration of their building.

(23:18) Trustee Swonger motioned to direct staff to pursue grant funding for emergency stabilization of the building, conditional upon approval by the property owners; Trustee Safranski seconded, and the motion passed unanimously via roll-call vote.

(24:30) Trustee Swonger mentioned that he has learned of a 200,000 gallon steel tank available for sale for approximately \$5,000.

(25:00) Mr. Maxfield requested that the Board meet with the County and Fire Department Boards as soon as possible to discuss pursuing grant funding for a ladder truck and fire house. The Board agreed to a joint-meeting during the County's regularly-scheduled Wednesday meeting.

(28:02) Trustee Zanoni motioned to direct Town Staff to work with the Fire Department and San Juan County to acquire funding for a ladder truck and housing; Trustee Swonger seconded, and the motion passed unanimously via show-of-hands vote.

(28:46) Trustee Lindaman expressed concern about debris around the fire area which is not yet cleared, and suggested that the property owners be contacted.

(29:59) Trustee Lindaman reviewed Finance Committee proceedings. He noted that the Visa payment is pulled to investigate possible billing discrepancies, but that the remaining accounts payable is approved for payment. Payroll is also approved.

(30:22) Trustee Zanoni discussed a request from the Iron Horse Bicycle Classic for partial financial sponsorship of a 40th anniversary celebration in Memorial Park.

(35:25) Trustee Zanoni discussed the need for restaurants to dispose of their used cooking oil. He has researched companies who provide this service, and will put them in touch with staff. He further noted that oil and grease disposal is under the jurisdiction of San Juan Basin Health Department, including alleyways as well as indoor areas.

(38:45) Trustee Tookey reported on the Brownfields Conference.

- IV. (43:31) Consent Agenda*
- a. Approval of Accounts Payable
 - b. Approval of Payroll
- (March 28, 2011 Meeting Minutes to be Approved at the April 25, 2011 Meeting)

Trustee Swonger motioned to approve the consent agenda; Trustee Tookey seconded, and the motion passed unanimously via roll-call vote.

- V. (44:05) Public Hearing
- a. New Liquor License, TPA LLC, DBA "Thee Pitts Again"

Trustee Swonger motioned to approve the liquor license, conditional upon the background/fingerprint report from Colorado Bureau of Investigation; Trustee Tookey seconded, and the motion passed unanimously via roll-call vote.

- VI. Unfinished Business
- a. (46:22) Second Reading and Adoption of Ordinance 2011-01 – Allowing OHV Use on Certain Streets and Right of Ways

Mr. Wells addressed the question of additional liability to the Town if it should allow OHVs on Town Streets, and stated that there is no additional liability inherent in this ordinance, as the State already permits, by statute, Towns to make such an allowance. He further stated that the property owners do not mean to permit unlimited riding of OHVs within their property, and that it is primarily County roads that will be opened to OHV travel. Mr.

Wells further stated that there appears to be no impact to wetlands, but if this assessment should change the property owners will be obligated to contact the U.S. Army Corps of Engineers.

Sheriff Kurtz stated that the Ordinance as written precludes the ability of Sheriff's Deputies to write citations into Municipal Court. She also addressed wording in the last paragraph regarding how citations are issued. Mr. Wells stated that if the Ordinance is not extended beyond the one-year trial period, then all but Chapter 13-2-1 could be stricken from the town code, and the prohibition against OHV use on Town streets would remain intact. Trustee Swonger stressed the need to establish in advance criteria for evaluating the success of this ordinance. Mr. Wells suggested the creation of a review committee consisting of a user's group, the Sheriff's Department, and the Town/County Planner, with a full assessment done at the end of the 2011 summer season. Mayor Kerwin directed Mr. Michaelson to create this committee.

(57:00) Trustee Safranski stressed the need for clear signage. Sheriff Kurtz addressed enforcement issues.

(1:01:48) Trustee Lindaman motioned to approve the second reading Ordinance 2011-01, including revisions mentioned by Sheriff Kurtz, and to instruct staff to create a Review Committee; Trustee Swonger seconded, and the motion passed unanimously via roll-call vote.

b. (1:02:57) Updates re Right of Way Encroachments

Mr. Michaelson reviewed encroachments existing in town, and singled out the School property as the most pressing according to health, safety, and welfare criteria. He stated that most encroachments are of little consequence. Mr. Wells stated that he will inform Goff Engineering during a Wednesday meeting, as they are doing the drainage and grading work for the school project.

VII. Administrator Report

a. Billy Cole-Fritz Hoffmann Buildings Fire

- i. Coordinated Multi-Departmental Response**
- ii. Historical Preservation Outreach Effort**

This topic was discussed during "Trustee Reports".

b. (1:06:57) Code Revision Process

- i. Timeline**
- ii. Potential Public Input Facilitation Intern

Mr. Wells stated that staff comments will be sent to Colorado Code Publishing this week, and that a draft should be received from them in approximately one month. Upon receipt of the draft, staff will solicit input on each chapter. He further noted that a potential unpaid intern will visit Silverton later in the month to investigate an internship opportunity.

c. Grants

- i. Consideration of State Historical Fund Emergency Stabilization Grant for Billy Cole & Fritz Hoffmann Buildings

This topic was discussed during "Trustee Reports"

d. (1:11:28) Meetings

- i. Trout Unlimited – Interest in River Corridor Restoration**

Staff met with representatives last week. Mr. Wells stated that Trout Unlimited has a strong match/volunteer component for any grants under consideration.

- ii. COG**
- iii. Region 9 Economic Development District**

- iv. Water Rights Meeting**
- v. Durango ED Conference**
- e. Other
 - i. Refuse Services**

Mr. Wells stated that there may be a draft agreement by the April 25th meeting. This will include three documents; a lease between the Town and County for the transfer station property, a license from the Town to Bruin Waste to operate on that property, and the services agreement between the Town and Bruin Waste.

VIII. Department Reports

- a. Library
- b. Silverton Chamber of Commerce

IX. Adjourn – 9:03pm

*The following items on the Board of Trustees Agenda are considered routine by the Town Administrator and shall be approved or adopted by motion and majority vote of the Board of Trustees unless the Mayor or a Trustee specifically requests during "Approval of Agenda" that such item be considered under the regular business of the Board. In such event, the item shall be removed from the "Consent Agenda" and Board action taken separately on said item in the order appearing on the Agenda. Those items so approved under the heading "Consent Agenda" will appear in the Board minutes in their proper order.

**There are no written materials to accompany this agenda item

Brian Carlson, Clerk/Treasurer

Terrence M. Kerwin, Mayor