

Silverton Board of Trustees, Silverton Town Hall – May 23, 2011

Call to Order and Roll Call – 7:30pm

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, Brian Carlson, Gilbert Archuleta
 Others: see “sign-in sheet”; twenty in attendance

I. Public Comment Regarding Agenda and non-Agenda Items (0:22)

Mr. Carlson noted that Mr. Klinke would not be present for his appointment, and asked to have Bev Rich speak in his place.

Steve Allen inquired as to local involvement with the Red Cross. He wishes to participate and/or organize local efforts on behalf of recent tornado victims. Mayor Kerwin suggested that Judy Kuhlman may be involved. Trustee Safranski asked who is in charge of the Town/County emergency services plan. Trustee Tookey replied that Kris Maxfield oversees this plan.

II. Appointments**

- a. Historical Society / Fritz Klinke (stricken from agenda)
- b. Sue Kurtz / July 4 (3:48)

Sheriff Kurtz addressed the Board to request an additional \$750 from the Town, which would be used for additional law enforcement during the July 4th weekend. She provided numerous quotations from Board Members and Staff regarding prior years’ July 4th efforts, noting that in 2008 the need for additional law enforcement presence had reached a consensus. She noted that the County has agreed to additional funding of \$750, conditional upon a similar approval by the Town. She further noted that Durango will not host a fireworks program this year, which will likely increase attendance in Silverton, and that the Mesa County Sheriff’s Department has provided a minimum requirement for additional deputies in Silverton.

Trustee Swonger motioned to approve the additional \$750 expenditure for the San Juan County Sheriff’s Department; Trustee Schertz seconded.

DISCUSSION:

Trustee Safranski asked where in the 2011 budget these funds can be found. Mr. Wells recommended adding the figure to the Town/Sheriff’s Department IGA, as appropriating from the “good ideas” line item will not provide an accurate accounting of law enforcement-related costs. Trustee Safranski asked whether there will be a law-enforcement presence in the County. Sheriff Kurtz replied that there will be, but that the emphasis will be in Town. Additional discussion ensued regarding the size and scope of the weekend event, and the need for traffic counters. Melissa Childs suggested collecting a fee from each vehicle entering town. Penny VanDellen offered to personally fund the Sheriff’s July 4th budget in the amount of \$100.

Trustee Safranski requested an amendment to the motion to specify the source of funds. Mr. Wells reiterated that there are savings in un-spent events- and contractor-related budgets.

Trustee Swonger amended his motion to specify pulling the \$750 from the “recreation programs” line item. The motion passed 6-1 via roll-call vote, with Trustee Lindaman opposed.

c. Katie Houston / Farmers Market (30:45)

Ms. Houston stated that the Farmers Market will be held on Tuesdays, from 2pm to 5pm in Memorial Park, beginning July 12 and running through September 27, 2011.

Trustee Schertz motioned to approve the Farmers Market and their use of Memorial Park; Trustee Tookey seconded, and the motion passed unanimously via show-of-hands vote.

EXTRA AGENDA ITEM: Kim Buck re DEVO Bicycle Program (33:21)

Ms. Buck requested use of Kendall Mountain Rec Center, Molas Lake Park, and the running track at the Visitors Center, to host the children's bicycle program. The Town Board offered their approval. No motion was made.

III. Trustee Reports (36:40)

Trustee Lindaman reviewed Finance Committee proceedings, noting approval of accounts payable and payroll.

Trustee Swonger reviewed the Southern Ute Museum grand opening. He also discussed the recent PUC decision, stating that Qwest is involved in monitoring of Silverton's telecommunications environment. He encouraged customers to notify Qwest of service problems, such as dropped calls. Mr. Wells asked whether the Town or County, as the parties named in the PUC suit, are required to notify the Holland and Hart law firm of any aspect of the case, or if additional fees will be charged by Holland and Hart. Trustee Swonger replied that neither action is needed.

Trustee Safranski stated that San Miguel Power Association has agreed to donate two 45-foot poles for banner placement above Greene Street. She stated that additional research and engineering are needed, and that this may impact the willingness of private property owners to allow placement on their property. She further stated that the Iron Horse Bicycle Race banner will be hung at the Visitors Center. Trustee Swonger offered to donate wire.

Trustee Tookey reviewed Library Board proceedings, noting that the carpet will be replaced in the Fall, and that Spanish-language books are now provided. She further reviewed Historic Review Committee proceedings, noting that the single-window design was approved for the Silverton Brewery.

Mayer Kerwin reviewed the recent CML meeting in Durango, noting that some progress may have been made in finding a used ladder-truck for the Fire Department.

Mr. Wells reviewed recent Buildings and Grounds Committee proceedings, noting that the committee has elected NOT to fund insurance premiums for the "Blue Ribbon Run".

IV. Consent Agenda* (49:50)

- a. Approval of May 9, 2011 Minutes
- b. Approval of Accounts Payable
- c. Approval of Payroll
- d. Liquor License Renewal – Villa DallaValle
- e. Liquor License Renewal – Handlebars

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

- V. Public Hearing (50:20)
- a. Special Events Liquor License – Silverton Chamber of Commerce / Taste of Silverton
 - b. Special Events Liquor License – San Juan County Historical Society / Rockin’ Brews
 - c. Special Events Liquor License – Silverton Public Radio / Mountain Man Softball Tournament

Mayor Kerwin stated that the three license requests will be considered under one public hearing, but that separate motions must be made for each license.

Melissa Childs requested that the license application for the softball tournament be withdrawn.

Trustee Swonger motioned to approve the Taste of Silverton special events liquor license; Trustee Safranski seconded, and the motion passed unanimously via roll-call vote..

Trustee Swonger motioned to approve the Rockin’ Brews special events liquor license; Trustee Tookey seconded, and the motion passed unanimously via roll-call vote.

- VI. Public Hearing (52:57)
- a. Use Subject to Review – Weekly Rental 1553 Reese Street (Hale)

Mr. Michaelson provided an overview of the application, stating that the proposed rental period will be summer and early fall, for one to two weeks per month. Posting of snow route rules is required. Off street parking is not required as it is a 50-foot lot. He further mentioned a neighbor’s concern regarding fencing, as it is inadequate to hold a large dog. A prohibition of large dogs will be included in the “house rules”.

Trustee Lindaman inquired as to whether weekly rental businesses must do an annual review with each year’s business license renewal. Mr. Wells stated that this is not currently a requirement, but that any complaints should be forwarded to Mr. Michaelson for inclusion in his review each year. Trustee Swonger reiterated the need for consideration of quantity and density of weekly rental properties. Mr. Michaelson offered to establish a Board work session to determine how such limitations and other guidelines can be put into effect.

Trustee Swonger motioned to approve the Use Subject to Review application, noting that item H is to be waived; Trustee Tookey seconded.

DISCUSSION: Mr. Wells emphasized to the Board that this motion addresses the USR application, but does not address inspections and staff approval of the related business license. Mr. Jaramillo asked whether any negative comments have been received. Mr. Michaelson replied that no negative public comment has been received.

The motion passed unanimously via roll-call vote.

- VII. New Business
- a. Resolution 2011-03 Revising Utility/Refuse Rates (1:03:50)

Mayor Kerwin asked whether customers billed extra for refuse during May will receive a refund, given that the Resolution is retroactive to May 1, 2011. Mr. Carlson replied that with the exception of construction debris, those customers will receive a refund on their next bill.

Trustee Swonger motioned to approve Resolution 2011-03; Trustee Schertz seconded, and the motion passed unanimously via roll-call vote.

- b. Discussion Re Booking Agent Wage for Events Support** (1:10:30)

Mr. Wells provided background, noting that at the last Buildings and Grounds Committee meeting there was a decision to allocate \$1,000 from the unspent bookings-agent budget toward hourly event support. The

booking agent currently charges a discounted fee of \$25 per hour. Trustee Zaroni expressed his concern that this is too high an hourly wage, and that \$20 per hour is more appropriate. Karen Srebacic provided her own research into wages for comparable work in the region, and all inquiries yielded wages in excess of \$25 per hour. Rose Raab stated that the \$25 per hour fee was reasonable.

Trustee Safranski motioned to pay Ms. Srebacic \$25 per hour, up to the authorized \$1,000, for events support; Trustee Tookey seconded, and the motion passed 6-1, with Trustee Zaroni opposed.

VIII. Unfinished Business (1:18:52)

a. Update re MSI and Fjerstedt Property

Mr. Wells provided background as to how staff initially arrived at the “educational institution” designation for this property. He further noted that the application for change of use has been withdrawn, as the proposed use is more accurately “incidental secondary use”, which does not require a use subject to review application.

Mr. Archuleta noted that the Fire Department based its recommendations on the “educational institution” designation. He further stated that the Fire Department will write a letter to the homeowner which details their recommendations.

EXTRA ITEM: Mr. Archuleta announced a presentation by the Durango Fire Department regarding inspections of commercial properties. This will take place on June 7, 2011, at 6pm at Town Hall.

IX. Administrator’s Report (1:28:33)

a. Meetings**

Mr. Wells will meet Tuesday with the new Director of San Juan Development Association, and will discuss the need for a formal agreement between SJDA and the Town.

Mr. Wells further discussed a recent meeting with the owners of the fire-damaged properties on Greene Street. He noted that their proposal is for a chain-link walkway along Greene St. He stated that the property owners request that the Town pay for the walkway construction, as it will facilitate reimbursement via their respective insurance claims.

Trustee Zaroni motioned to deny this request. The motion died for lack of a second.

Trustee Safranski motioned to comply with the request to pay for the chain link walkway, pending verification that the reimbursement can be recovered via county tax sale and certification, with the additional stipulations that the two property owners agree to split the costs on a 50/50 basis, and that the property owners reimburse the Town by September 1, 2011; Trustee Tookey seconded, and the motion passed 6-1, with Trustee Zaroni opposed.

Mr. Wells discussed the meeting of the Animas River Stakeholders, and informed the Board of a scoring scheme whereby the Environmental Protection Agency ranks sites for consideration of “superfund” designation.

b. Grants** (1:45:45)

Mr. Wells stated that a contract has been drafted for Russel Engineering, for a review of the Town’s design standards. This will be funded via the DOLA Capital Improvements grant, and will be presented for approval during the June 13, 2011 Board meeting.

Mr. Wells stated that Ms. Morganthaler has researched a FEMA “assistance to firefighters” grant for a ladder truck. She will attend a June 1, 2011 FEMA workshop in Grand Junction.

Trustee Lindaman inquired about the Cultural Resource Survey grants with the State Historic Fund. Mr. Wells stated that he is awaiting a response to his inquiry, mailed in late March. Discussion followed as to the statute of limitations in the event that a claim is filed by the Town against the contractor.

c. Websites**

Mr. Wells will attend training on the municipal website on June 9, 2011, in Denver. Mr. Carlson is scheduled for on-site training for the Molas Lake website on Thursday, May 26, 2011.

d. Other 1:55:00

i. Update re County Ordinance Allowing OHVs on Highway 2

Mayor Kerwin stated the need for the Town to pass another resolution

ii. Region 9 "Bottom Up" Survey Data

X. Department Reports

a. Public Works

b. Planning Director

Trustee Safranski commended Mr. Archuleta for savings realized on the purchase of magnesium chloride.

XI. Adjourn 9:31

*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