

**MINUTES**

Silverton Board of Trustees, Silverton Town Hall – September 12, 2011  
Call to Order and Roll Call – 7:30pm

Call to Order – 7:32 PM:

Mayor: Terry Kerwin  
Trustees present: Jim Lindaman, David Zaroni, John Schertz, Pat Swonger, Karla Safranski, Chris Tookey  
Staff: Jason Wells, Brian Carlson  
Others: please see sign-in sheet; approximately twenty-four in attendance

I. Public Comment Regarding Agenda and non-Agenda Items

**We ask that attendees kindly limit their comments to two minutes duration.  
Please turn off cell phones during meeting.**

II. (0:55) Appointments

a. Jennifer Lane/Sabrina Forest – U.S. Environmental Protection Agency – Cement Creek Cleanup

Ms. Lane discussed EPA tests results pertaining to Cement Creek, and provided background information as to the funding, scope and purpose of “Superfund”. She further discussed the recent Animas River Stakeholders’ meetings, as well as the EPA’s focus on the Animas River.

Mayor Kerwin asked whether the newspaper accounts of the decision making process are correct. Ms. Forest replied that they are accurate, and further discussed the role of community involvement.

Mr. Wells observed that the project requires support from the Governor, and further observed that such support is not forthcoming without local community and local government support.

Trustee Zaroni observed that LaPlata County, rather than San Juan County, seems to provide the primary “community” input, and is largely dictating what happens in San Juan County.

Ms. Renowden asked about water-sampling methodology. Trustee Schertz asked whether sampling is done during periods of comparable water levels. Ms. Forest provided information regarding sampling methodology, and stated that consistency is an objective. Mr. Baldwin observed that remediation work done at American Tunnel will skew sampling data. Mr. Esper observed that treatment efforts at Sunnyside Mill did result in an improvement in water quality.

Ms. Lane gave examples of proposed Superfund projects, including removal of bulk-heads at American Tunnel, and water treatment. Ms. Forest stated that property values will typically decrease upon being designated a Superfund site, but will then rebound upon the implementation of clean-up solutions.

III. (31:57) Trustee Reports\*\*

Trustee Lindaman reviewed Finance Committee proceedings, noting approval of payroll and accounts receivable. He noted that an employee request to receive pay for 80 hours of accrued paid-time-off was approved. He further noted that a budget workshop is tentatively scheduled for Thursday, September 22, 5pm.

**Trustee Tookey motioned to approve a payment of 80 hours PTO for Bill King; Trustee Zaroni seconded, and the motion passed 6-1 via show-of-hands vote, with Trustee Safranski opposed.**

Trustee Swonger reviewed a meeting with Senator Bennett regarding EagleNet. He stated that a regional telecommunications meeting is scheduled for September 26<sup>th</sup>, noon.

IV. (35:40) Consent Agenda\*

- a. Approval of August 22, 2011 Minutes
- b. Approval of Accounts Payable
- c. Approval of Payroll
- d. Liquor License Renewal – Stellar Bakery
- e. Liquor License Renewal – Romero’s

- f. Liquor License Renewal – American Legion / Miners Tavern
- g. Liquor License Renewal – Teller House Restaurant

Trustee Tookey requested that item F be pulled for discussion.

**Trustee Zanoni motioned to approve the Consent Agenda, excluding item F; Trustee Schertz seconded, and the motion passed unanimously via roll-call vote.**

The Board directed staff to ensure that all servers at Miners Tavern complete the “TIPS” server training as a condition of license approval. Trustee Lindaman requested a copy of the correspondence from Tim Black from 2009 regarding the Miners Tavern Liquor License.

V. Public Hearing

- a. (44:27) Use Subject to Review – Weekly Rental Application for 705 Empire Street

**Trustee Schertz motioned to approve the use subject to review application; Trustee Zanoni seconded, and the motion passed unanimously via show-of-hands vote.** There was no public comment.

- b. (46:43) First Reading of Ordinance 2011-04 - Allowing the Use of Off-Highway Vehicles on Certain Town Streets and Right of Ways

**Trustee Schertz motioned to approve the First Reading of Ordinance 2011-04; Trustee Tookey seconded, and the motion passed unanimously via show-of-hands vote.**

Trustee Safranski commended the Committee for their work, and encouraged them to consider the sign recommendations made by Sheriff Kurtz. She further suggested that the group work with MSI, as OHV users and the trails-system would both benefit from a solution to PUC Commission prohibition of crossing railroad-owned property.

VI. (53:00) New Business

- a. Appointment of Alternate for Municipal Court; Discussion on Compensation

**Trustee Tookey motioned to appoint Penny Moore as Alternate Municipal Court Judge; Trustee Swonger seconded, and the motion passed unanimously via roll-call vote.**

VII. (56:52) Unfinished Business

- a. Consideration of Municipally-Sponsored Greene Street Banner Standards

Mr. Tookey suggested a change to #5, reading “...if there is another banner scheduled to be installed”. He further suggested presenting a final version in the form of a resolution.

Discussion followed regarding the timing of banner installation and removal. Mr. Tookey recommended adding “...unless otherwise approved by the Town Administrator” to the agreed-upon time-frame for installation/removal of banners.

VIII. (1:07:07) Administrator’s Report

- a. Town Hall Boiler Replacement

Mr. Wells informed the board that the propane boilers have been ordered, and the coal boiler has been removed from Town Hall.

- b. Engagement with Silverton Restoration Consulting on Survey Grant\*\*

This item will be discussed during the September 26<sup>th</sup> meeting.

- c. Municipal Website Construction Progress\*\*

Mr. Wells suggested employing the Ignacio Town Planner to assist staff in the building of the new Town website, as she is familiar with the content-management system used by the Town, having built the Ignacio website with the same system. Trustee Swonger stated that there are local people capable of doing this work. Mr. Wells reminded the Board of the conditions and limitations of the State grant award. Trustees Lindaman and Tookey expressed their agreement with employing the Ignacio Planner.

## Item IV. A- Consent Agenda

### d. Meetings\*\*

- i. Concluded: Gheda Gayou, State Historic Fund (POW/Adelines Tour); Animas River Protection Group; OHV Review Committee; Colorado Lottery; Fire Department; Blair Street Merchants; 4Corners Film Office; Records Retention Presentation (Brian) COG (Telecom Committee/Regular Meeting)
- ii. Upcoming: Gladstone Tour; ICMA Conference; Region 9 Economic Development District

### IX. Department Reports

- a. San Juan County Sheriff
- b. Silverton Chamber of Commerce
- c. Library

### X. Adjourn – 8:56 pm

\*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

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Brian Carlson, Clerk/Treasurer

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Terrence M. Kerwin, Mayor