

RECORD OF PROCEEDINGS
December 1, 2009
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REGULAR BOARD MEETING:

Mayor Schmidt called the meeting to order at 7:00 p.m.

Pledge of Allegiance.

Trustees present for roll call were Trustees Fowler, Keairns, Webb, Blanken, Yarbrough and Davis.

MINUTES:

Trustee Davis moved to approve the minutes of the meeting held on November 17, 2009 as presented. Trustee Yarbrough seconded the motion. The vote was unanimous. Motion carried.

TREASURER'S REPORT:

The Board acknowledged receipt of the treasurer's report.

OLD BUSINESS:

TIM WOOD – COMMERCIAL DEVELOPMENT PERMIT APPLICATION:

Mayor Schmidt noted that a public hearing was held prior to the Board meeting to receive comments on the application. Trustee Fowler moved to approve a commercial development permit for professional offices and studio as presented for Lots 44-46, Block 26, more commonly known as 815 South Oak. Trustee Webb seconded the motion. The vote was unanimous. Motion carried.

Trustee Fowler moved to approve two variances for Lots 44-46, Block 26 to include a 1 foot 9 inch variance on the north property line and a five foot variance for the east property line. Trustee Webb seconded the motion. The vote was unanimous. Motion carried.

BUDGET ADOPTION:

The Mayor noted that a public hearing was held prior to the Board meeting to receive comments on the 2010 budget.

Trustee Webb moved to adopt Resolution #5-09 adopting the 2010 budget. Trustee Fowler seconded the motion. The vote was unanimous. Motion carried.

Trustee Yarbrough moved to adopt Resolution #6-09 to set mill levies as amended in the 1st, 3rd and 4th paragraphs. Trustee Davis seconded the motion. The vote was unanimous. Motion carried.

Trustee Yarbrough moved to adopt Resolution #7-09 to appropriate sums of money, as amended. Trustee Davis seconded the motion. The vote was unanimous. Motion carried.

Trustee Yarbrough moved to adopt Resolution #8-09 regarding reserve funds. Trustee Fowler seconded the motion. The vote was unanimous. Motion carried.

Resolution #9-09 was to be corrected and will be adopted at the December 15, 2009 board meeting.

NEW BUSINESS:

TOM AND SANDY JOHNSTON – TEMPORARY BUILDING:

Mr. Johnston stated that the building that had been located between the railroad tracks to provide food service for people on the train was not temporary and was never meant to be. Building Inspector Tom Lessar noted that Mr. Johnston had told him it was a temporary situation and for the season only, that the building would be considered a commercial structure and that it does not meet the building codes that were required for a permanent structure.

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After discussion, the Board suggest that Mr. and Mrs. Johnston put together a business plan, that included their lease on the property, and begin the process of moving toward a permanent structure.

MIKE AND STEPHANIE HOLVIK – RENEWAL OF SPECIAL USE PERMIT:

Mr. and Mrs. Holvik were seeking the renewal of a special use permit allowing a home occupation at 813 South Cherry for nursing aesthetics. After review, Trustee Webb moved to approve the renewal of the Special Use Permit at 813 Cherry for a home occupation providing nursing aesthetics for a period of two years. Trustee Blanken seconded the motion. The vote was unanimous. Motion carried.

DAVE AND SANDRA MOLYNEUX – LIQUOR LICENSE RENEWAL:

Trustee Blanken noted that no one from the Marshal's office was present to provide a report. Trustee Fowler moved to approve the renewal of the liquor license at Sammie's, located at 124 N. Main Street. Trustee Davis seconded the motion. The vote was unanimous. Motion carried.

ARVIN VANRY – SAN LUIS AND RIO GRANDE RAILROAD:

Mr. VanRy spoke to the Board about renewing the lease for the ticket office and a one inch or $\frac{3}{4}$ inch water tap.

After discussion on both items, Mr. VanRy was to provide the town with a proposed lease and make application for a commercial water tap.

BOARD REPORTS:

HPC: The Board had received a copy of the minutes.

TREE BOARD: None.

CORRESPONDENCE:

The Town had received a letter from Genova regarding extras on the water treatment plant building. The Board will review the additional costs once they have been provided.

The Board felt they wanted to listen to the tape of the meeting on the request and resolution for Get Real.

COMMITTEES:

Museum:

- Mayor Schmidt noted that a meeting had been scheduled tentatively with the Huerfano County Historical Society for Tuesday, December 8, 2009 at 6:30 at the Community Center.
- Trustee Blanken noted that they still needed to place gravel around the building they had applied new adobe to this fall.

Streets and Alleys:

- The Board talked about a problem with water running down some of the streets and felt that there was a high probability that Walsenburg had a leak.

Police, Code Enforcement and Building:

- None.

Water and Sewer:

- The Mayor noted that he had met with a representative of the Colorado Rural Water Association regarding funding availability for projects.
- Mayor Schmidt reported briefly on the status of the plant building.

Personnel:

- Trustee Davis moved to executive session at 8:50 p.m. for discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open

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session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Trustee Webb seconded the motion. The vote was unanimous. Motion carried.

- The meeting reconvened at 9:45 p.m.
- The Board scheduled a special meeting for Monday, December 7, 2009 at 6:30 p.m. at Town Hall for personnel.

Finance:

- None.

Trustee Keairns moved to executive session at 9:50 p.m. for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e). Trustee Blanken seconded the motion. The vote was unanimous. Motion carried.

The meeting reconvened at 10:00 p.m.

There was no action taken.

Trustee Davis moved to table action on Marshal Willburn's leave request until the special meeting on December 7, 2009. Trustee Blanken seconded the motion. The vote was unanimous. Motion carried.

OUTSTANDING ISSUES:

BILLS:

GENERAL FUND		
30188	Museum I & M	\$ 3,790.21
30189	Streets & Sidewalks	\$ 3,790.21
30190	Colorado State Forest	\$ 121.00
30191	Campos Enterprises	\$ 200.00
30192	California Contractors	\$ 322.80
30193	Gobin's	\$ 39.00
30194	Tom Lessar	\$ 502.69
30195	Tom Lessar	\$ 220.60
30196	Ludvik Propane	\$ 123.54
30197	San Isabel Electric	\$ 954.54
30198	La Veta Senior Citizens	\$ 100.00
30199	The Signature	\$ 47.46
30200	Jerry Bumgarner	\$ 865.12
30201	CJ Bynum	\$ 952.20
30202	Nancy Culbreath	\$ 949.36
30203	Nancy Culbreath	\$ 39.08
30204	Al Drum	\$ 120.76
30205	Chris Knowles	\$ 1,045.00
30206	Tom Lessar	\$ 66.50
30207	Jason Vaughan	\$ 834.27
30208	Jason Vaughan	\$ 42.62
30209	Harold Willburn	\$ 1,054.91
30210	La Veta Propane	\$ 910.01
30211	La Veta True Value	\$ 246.87
	TOTAL DISBURSEMENTS	\$ 17,338.75
WATER FUND		
7134	General Checking	\$ 16.63
7135	US Postmaster	\$ 142.52
7136	Sewer Checking	\$ 8,640.04
7137	San Isabel Electric	\$ 341.00
7138	La Veta Propane	\$ 765.91
7139	La Veta True Value	\$ 55.14
	TOTAL DISBURSEMENTS	\$ 9,961.24
SEWER FUND		
2545	General Checking	\$ 528.95

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2546	MyTana Manufacturing	\$ 113.40
2547	San Isabel Electric	\$ 587.70
2548	Stewart Environmental	\$ 369.00
2549	Rob Saint-Peter	\$ 1,072.15
2550	Shannon Shrout	\$ 1,198.65
2551	La Veta True Value	\$ 29.97
	TOTAL DISBURSEMENTS	\$ 3,899.82

Trustee Fowler moved to approve payment of the bills. Trustee Keairns seconded the motion. The vote was unanimous. Motion carried.

ADJOURNMENT:

There being no further business to come before the Board, Mayor Schmidt adjourned the meeting at 10:05 p.m.

Mickey L. Schmidt, Mayor

Nancy Culbreath, town clerk