

**RECORD OF PROCEEDINGS**  
**February 2, 2010**  
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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 January 19, 2010 as amended. 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:**

**LOWELL EDDY, ET AL – RE-PLAT APPLICATION:**

Mayor Schmidt noted that a public hearing had been held prior to the meeting for the purpose of receiving public comments on an application for re-plat by Virginia, M. Lowell and Sandra Eddy for Lots 35 through 41, Block 14, Town of La Veta, more commonly known at 222 W. Garland Street.

Upon final review, Trustee Davis moved to approve the application to include a variance for 5 feet on the north boundary line of Parcel B. Trustee Yarbrough seconded the motion. The vote was unanimous. Motion carried.

**LOWELL EDDY, ET AL – WATER AND SEWER TAP APPLICATION:**

Trustee Davis moved to approve a water and sewer tap for either Parcel A or Parcel B and that the application be amended upon a decision as to which property will have the new tap. Trustee Fowler seconded the motion. The vote was unanimous. Motion carried.

**UNDERGROUND STORAGE CERTIFICATION:**

After discussion regarding the requirement, Trustee Fowler moved to send both Chris Knowles and Shannon Shroul to be certified and to require the FBO to also have said certification. Trustee Keairns seconded the motion. The vote was 2 nay, 5 aye. Motion carried.

**NEW BUSINESS:**

**RESOLUTION #3-10 – BALLOT QUESTION:**

Mayor Schmidt read Resolution #3-10 into the record, said resolution pertaining to a ballot question authorizing to use funds currently earmarked for maintenance, repair and restoration of the Francisco Fort Museum, to include operations, salaries and new construction and extending the term to 2020.

Trustee Webb moved to approve Resolution #3-10. Trustee Davis seconded the motion. Roll call vote was as follows: Trustee Fowler, aye; Trustee Keairns, aye; Trustee Webb, aye; Trustee Blanken, aye; Trustee Yarbrough, aye; Trustee Davis, aye; Mayor Schmidt, aye. The vote was unanimous. Motion carried.

**GENOVA CONSTRUCTION – FINAL PAYMENT AND CHANGE ORDERS:**

The Board discussed outstanding issues with the building. After discussion, Trustee Keairns moved to disperse funds of \$25,003.68 upon receipt of a certificate of occupancy from the County Building Inspection and after completion of final warranty work by Rigid. Trustee Blanken seconded the motion. The vote was unanimous. Motion carried.

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Trustee Keairns moved to approve change orders #1-5 in the amount of \$7,363.25, which amount is incorporated into the final payment previously approved. Trustee Webb seconded the motion. The vote was unanimous. Motion carried.

## **SPACE – Park Reservation for Art in the Park:**

Trustee Fowler moved to approve the park reservation for Art in the Park for Friday evening, July 2, 2010, for vendor set up and Saturday and Sunday, July 3 and 4, 2010 for the annual Art in the Park. Trustee Yarbrough seconded the motion. The vote was unanimous. Motion carried.

## **LA VETA FIRE PROTECTION DISTRICT – TRANSFER OF PROPERTY:**

Mayor Schmidt read the proposed Ordinance for transfer of property to the La Veta Fire Protection District. The Ordinance and other documents will be prepared in final form for approval at the February 16, 2010 meeting.

## **BRUCE CANTRELL – PROPOSAL REGARDING RESOLUTION OF CONFLICT:**

Mr. Cantrell presented information regarding a proposal to resolve issues in conflict between Charles R. Briggs and the Town of La Veta. Said presentation is attached as a part of these minutes.

## **DWIGHT HARRISON – OFFER OF SETTLEMENT FROM CHARLES R. BRIGGS:**

Mr. Harrison read a presentation regarding Grandote Golf and Country Club during the period of his ownership. This presentation and offer of settlement is attached as a part of these minutes.

Ms. Popejoy spoke regarding her feelings about the golf course and asked that all Board members state their opinion. It was noted that the Board could not respond to any proposal due to current litigation and the Board would need to seek legal council before commenting about the offer of settlement.

After some discussion, Mr. Harrison was allowed to read the offer of settlement to the public.

Trustees thanked Mr. Cantrell and Mr. Harrison for their work and efforts, with Trustees commenting on some points. It was noted that Mr. Briggs has not petitioned for annexation of the property.

## **BOARD REPORTS:**

**HPC:** No report.

**TREE BOARD:** Minutes were provided to the Board.

## **OTHER BUSINESS:**

The Board reviewed a bid by Mark Sladek, Mark Sladek's Heating & Appliance for \$24,675.00 to provide a heating system for the water treatment plant.

Trustee Davis moved to approve the bid from Mark Sladek's Heating & Appliance in the amount of \$24,675.00. Trustee Fowler seconded the motion. The vote was unanimous. Motion carried.

## **COMMITTEES:**

### **Museum:**

- Mayor Schmidt had drafted general information for the museum board as discussed during their workshop. After receiving a few comments, the draft will be forwarded to the Town's attorney to be put into ordinance form.

### **Streets and Alleys:**

- Trustee Davis asked that Wachob and Wachob be hired to do a survey on Field Street between Birch and Locust so that the fence at the ball field could be properly set and Field Street opened to the appropriate width. The Board was in agreement. It was also noted to have Wachob establish the north side of the alley in Block 14.

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**Police, Code Enforcement and Building:**

- It was noted that a Regional Building Authority meeting had been held earlier Tuesday.

**Water and Sewer:**

- Mayor Schmidt noted that the Mexican Ditch water case would go to trial in June.

**Personnel:**

- A personnel meeting had been scheduled for Thursday, February 4, 2010 at 6:30 p.m. at Town Hall.

**Finance:**

- There was discussion regarding sales tax and information available to establish how the closure of businesses would affect the Town's budget.

**AIRPORT LEASE:**

Town Attorney, Larry Berkowitz, was continuing work on the airport lease and it was noted by Mayor Schmidt that the lease is more complicated than in the past.

**BILLS:**

<b>GENERAL FUND</b>		
30294	Community Bank of Colorado	\$ 375.83
30295	Jerry Bumgarner	\$ 835.49
30296	Nancy Culbreath	\$ 37.62
30297	Al Drum	\$ 33.45
30298	Richard Dunn	\$ 132.98
30299	FPPA	\$ 656.06
30300	Jason Vaughan	\$ 41.04
30301	Jason Vaughan	\$ 887.06
30302	Harold Willburn	\$ 1,196.92
30303	Poster Compliance Center	\$ 69.00
30304	Colorado Dept. of Agriculture	\$ 350.00
30305	International Code Council	\$ 100.00
30306	Huerfano County Finance Office	\$ 1,075.00
30307	City Auto Parts	\$ 28.11
30308	ConocoPhillips Fleet	\$ 579.62
30309	Richard Dunn	\$ 92.19
30310	Gobin's	\$ 39.00
30311	Ludvik Propane	\$ 253.08
30312	PageMe	\$ 84.00
30313	San Isabel Electric	\$ 938.62
30314	La Veta Senior Citizens	\$ 100.00
30315	Shannon Shrout	\$ 200.00
30316	The Signature	\$ 42.42
30317	La Veta True Value	\$ 52.29
30318	CEBT	\$ 1,269.09
30319	La Veta Propane	\$ 1,815.28
	<b>TOTAL DISBURSEMENTS</b>	<b>\$ 11,284.15</b>
<b>WATER FUND</b>		
7190	Community Bank of Colorado	\$ 4,080.06
7191	CJ Bynum	\$ 746.06
7192	Nancy Culbreath	\$ 920.94
7193	Chris Knowles	\$ 948.05
7194	Rob Saint-Peter	\$ 1,039.41
7195	Shannon Shrout	\$ 942.87
7196	Sewer Checking	\$ 8,424.64
7197	Cuchara Valley Electric	\$ 1,600.00
7198	Genova Construction, Inc.	\$ 25,003.68
7199	Meyer & Sams	\$ 230.96
7200	San Isabel Electric	\$ 380.23
7201	La Veta True Value	\$ 109.19
7202	CEBT	\$ 2,900.32
7203	La Veta Propane	\$ 1,348.96

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	<b>TOTAL DISBURSEMENTS</b>	<b>\$ 48,675.37</b>
<b>SEWER FUND</b>		
2562	Jerry Bumgarner	\$ 835.49
2563	Jason Vaughan	\$ 783.56
2564	Harold Willburn	\$ 1,196.92
2565	Family Support Registry	\$ 103.50
2566	Water Checking	\$ 656.06
2567	Community Bank of Colorado	\$ 251.29
2568	Royal Electric Services	\$ 853.27
2569	San Isabel Electric	\$ 783.85
	<b>TOTAL DISBURSEMENTS</b>	<b>\$ 2,919.47</b>

Trustee Webb 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 9:51 p.m.

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Mickey L. Schmidt, Mayor

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Nancy Culbreath, town clerk