

# RECORD OF PROCEEDINGS

May 4, 2010

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## REGULAR BOARD MEETING:

Mayor Keairns called the meeting to order at 7:01 p.m.

Pledge of Allegiance.

Trustees present for roll call were Trustees Webb, Erwin, Fowler, Klinke, Blanken, and Davis.

## MINUTES:

Trustee Klinke moved to approve the minutes of the meeting held on April 20, 2010, as presented. Trustee Erwin seconded the motion. The vote was unanimous. Motion carried.

Trustee Erwin moved to approve the minutes of the special meeting held on April 26, 2010 as amended. Trustee Fowler seconded the motion. The vote was unanimous. Motion carried.

## TREASURER'S REPORT:

The Board acknowledged receipt of the treasurer's report.

## OLD BUSINESS:

### JIM AND PEGGY HOOBLER – REQUEST FOR BURN PERMIT:

Mr. Hoobler again spoke to the Board about a burn permit. Trustee Klinke noted that he had spoken to and reviewed the site with Mark Brunner of the Fire District. Mr. Brunner noted that it was a large pile and noted what could be done, if the Town decided to allow the permit. It was also discussed that the burn could be done in the winter, or when snow was on the ground or now while green and no wind.

After discussion, Trustee Klinke moved to authorize of one time variance for a burn permit for Jim Hoobler and Mr. Hoobler was required to have the Fire District on hand when the burn was going. Trustee Erwin seconded the motion. Trustees Blanken and Davis opposed. Motion carried.

## PARK MAINTENANCE POSITION:

No applications had been picked up for the position. The ad would continue to run until the next meeting.

## MUNICIPAL COURT JUDGE APPOINTMENT:

Trustee Klinke read from State Statutes regarding appointment of a municipal judge.

Trustee Klinke moved to appoint Mary Ray White as municipal court judge. Trustee Erwin seconded the motion. Trustee Fowler stated that he felt it was important that the judge be in the Town. Trustees Webb, Fowler, Blanken and Davis opposed.

There was further discussion regarding the statute and the language therein.

Trustee Blanken moved to seat Jytte Hale-Helps as the municipal court judge. Trustee Davis seconded the motion. Trustee Klinke noted that he challenged due to the fact that the statute stated that preference shall be given, when possible, to the appointment of a municipal judge who is licensed to practice law in Colorado or who is trained in the law. Trustee Erwin, Klinke and Mayor Keairns opposed. Motion carried.

Once again, Trustee Klinke challenged the appointment on the basis of the language in the statute.

Seating the judge would be held until the challenge was clarified.

## SPECIAL MEETING REGARDING MEDIATION:

Trustee Davis moved to hold a special meeting on Thursday, May 6, 2010 at 9:00 a.m. at 229 Colorado Avenue, Pueblo, Colorado noting that the meeting was expected to be in

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executive session due to mediation. Trustee Blanken seconded the motion. The vote was unanimous. Motion carried.

## **MUSEUM DIRECTOR:**

Mayor Keairns noted that the Francisco Fort Museum Board had recommended Rebecca McPhearson as museum director.

Trustee Blanken moved to hire Rebecca McPhearson as Museum director at \$1,000.00 per month. Trustee Fowler seconded the motion. Trustee Klinke abstained from the vote. Motion carried.

## **NEWSPAPER BIDS:**

Mayor Keairns presented the bid amounts for both papers and read letters from each regarding publication of legal advertising.

After review and discussion, Trustee Klinke moved to approve The Signature at the newspaper of record for legal advertising. Trustee Erwin seconded the motion. Trustees Fowler, Blanken and Davis opposed. Motion carried.

## **NEW BUSINESS:**

### **SCOTT MEDSKER – RENEWAL OF LIQUOR LICENSE – LA VETA INN:**

Trustee Webb moved to approve the renewal of the La Veta Inn. Trustee Klinke seconded the motion. The vote was unanimous. Motion carried.

### **JYTTE HALE-HELPS – CELTIC FESTIVAL – PARK AND COMMUNITY CENTER RESERVATIONS:**

After review of the requests, Trustee Davis moved to approve the reservation of the park on Saturday, September 25<sup>th</sup> and Sunday, September 26<sup>th</sup> from 8 a.m. to 5 p.m. and the community center on Friday, September 24<sup>th</sup> from 2 p.m. to 10:00 p.m. and Saturday, September 25<sup>th</sup> and Sunday, September 26<sup>th</sup> for the entire day. Trustee Fowler seconded the motion. The vote was unanimous. Motion carried.

### **LIZ HENSON – MAIN STREET BEAUTIFICATION PROJECT:**

Ms. Henson presented information regarding the project. After discussion, Trustee Erwin moved to pay one-half of the cost of a dumpster from June through October and provide trash can liners for the same period. Trustee Klinke seconded the motion. The vote was unanimous. Motion carried.

A workshop with the streets and alleys committee and the park and tree board was scheduled for Monday, May 10, 2010 at 9:30 p.m. at Ryus and Main to review other aspects of the project.

### **TOM AND SANDY JOHNSTON - WHISTLE STOP:**

Discussion regarding the Whistle Stop's location, now on unzoned property, and other outstanding issues from the prior year regarding the status of the building led to a lengthy discussion. It was noted that a letter be drafted to the San Luis and Rio Grande Railroad regarding the status of unzoned property and requesting a legal description and title commitment on the land in the Town of La Veta.

Mickey Schmidt provided information for the Board to review from Title 18.72 regarding non-conforming structures. Trustee Erwin moved to table any action until review of the codes. Trustee Klinke seconded the motion. The vote was unanimous. Motion carried.

A workshop was scheduled for Monday, May 10 at 3 p.m. at Town Hall to review the codes with Mr. and Mrs. Johnston.

### **JOAN AND BRUCE CANTRELL – TREE PROPOSAL:**

The Board reviewed a proposal by Joan and Bruce Cantrell regarding planting of two trees in the 200 block of Main Street, one on the east side near San Isabel and the other in front of the Fine Arts Gallery. After review and discussion, Trustee Klinke moved to

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approve the proposal on the condition that the proposal is reviewed by Chris and Shannon in regard to water connections. Trustee Webb seconded the motion.

The motion was amended by Trustee Klinke to approve the proposal on the condition that the proposal is reviewed by Chris and Shannon in regard to water connections and the Park and Tree Board. The amended motion was seconded by Trustee Webb. The vote was unanimous. Motion carried.

## **JUDITH BAKER-MONTANO – DEER KILL:**

Ms. Baker-Montano spoke to the public regarding the deer kill the previous night or early morning, noting the Division of Wildlife will be investigating and there will be a reward of \$1,200.00.

**HPC:** The minutes of the HPC meeting had been provided to the Board.

**TREE BOARD:** The minutes of the Tree Board had been provided to the Board.

## **CORRESPONDENCE:**

The Board had received a letter from Charles Briggs regarding actions by Trustee Blanken and noting the Board had discussed the issue at the special meeting held on April 26, 2010 and no action was being taken relating to the issue.

Trustee Erwin moved that the Mayor provide a written response to Mr. Briggs. Trustee Webb seconded the motion. The vote was unanimous. Motion carried.

Trustee Webb noted that Trustee Klinke and herself, along with others had met with Mr. Lee Merkel of the Department of Local Government and Mr. Bill Gray, who helps town with planning and asked for a workshop on Monday, May 17, 2010 at 10:00 a.m. at the La Veta Community Center for an educational session on town planning 101. The workshop was scheduled.

## **COMMITTEES:**

### **Museum:**

- Trustee Blanken noted the next meeting of the FFM board is on Monday, May 10, 2010 at 5:30 p.m.
- George French spoke to the Board regarding the shed roof project. Trustee Davis moved to approve the contract proposal with George French in the amount of \$22,665.00 for removal and to build a new shed roof, and accompanying work related to the project. Trustee Fowler seconded the motion. The vote was unanimous. Motion carried.
- Trustee Blanken noted that some general housekeeping issues relating to the transition from the FFM to the Town needed to be completed.

### **Streets and Alleys:**

- Trustee Klinke provided a thorough report regarding street projects. It was agreed that 5 street pans needed to be placed and to move forward with publishing for bids.
- Trustee Klinke moved to award a bid to provide 26 tons of 1" rock to be hauled and spread at the Town Hall to Rock Solid Xcavating, LLC in the amount of \$542.76. Trustee Davis seconded the motion. The vote was unanimous. Motion carried. Trustee Klinke amended the motion to include that the project would be completed within 2 week. The amendment was duly seconded by Trustee Davis. The vote was unanimous. Motion carried.
- Trustee Klinke reported on the need of a new cut off saw. After review, Trustee Klinke moved to purchase a Stihl cut quick saw at the cost of no more than \$1250.00 from RSC Equipment. Trustee Erwin seconded the motion. It was noted prior to taking the vote that both Sporleder's and True Value would be checked to see if they could provide a better price. The vote was unanimous. Motion carried.
- Trustee Klinke noted that the Chamber was considering having a flag design contest for a design for a La Veta flag and it would be left to the Town Board to approve the design. The Board consensus was in the affirmative.
- Trustee Davis moved to put the blue Chevy and the Jeep Cherokee for sale with a minimum bid for the Chevy at \$250.00 and the Jeep at \$300.00, bids to be received no later than June 1, 2010. Trustee Fowler seconded the motion. The vote was unanimous. Motion carried.

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## Police, Code Enforcement and Building:

- There was no report.

## Water and Sewer:

- Trustee Fowler reported that a dam inspection had been done on the north lake dam and the report was in regarding the inspection.

## Personnel:

- Trustee Erwin reported that the personnel committee had met with the employees as scheduled.

## Finance:

- There was no report.

Jesse Yarbrough asked the Board who would be liable if the burn at Mr. Hoobler's got out of control. There was discussion regarding the issue.

## BILLS:

GENERAL FUND		
30472	Huerfano County Clerk	\$ 116.00
30473	Kathy Hill	\$ 50.00
30474	void	\$ -
30475	La Veta Booster	\$ 27.00
30476	Carl Shunk	\$ 75.25
30477	My Friend, the Printer	\$ 724.60
30478	California Contractors	\$ 89.90
30479	ConocoPhillips Fleet	\$ 527.37
30480	WCI of Pueblo	\$ 71.55
30481	Richard Dunn	\$ 48.81
30482	George French	\$ 2,900.00
30483	Gobin's	\$ 42.90
30484	Tom Lessar	\$ 329.69
30485	Ludvik Propane	\$ 111.60
30486	La Veta Oil	\$ 502.43
30487	La Veta Propane	\$ 475.22
30488	Pinnacol Assurance	\$ 1,113.00
30489	San Isabel Electric	\$ 875.92
30490	La Veta Senior Citizens	\$ 100.00
30491	The Signature	\$ 41.58
30492	La Veta True Value	\$ 394.59
30493	CEBT	\$ 1,660.54
30494	Wagner Equipment	\$ 181.77
30495	Willbur-Ellis	\$ 83.00
30496	void	\$ -
30497	Jerry Bumgarner	\$ 835.49
30498	Nancy Culbreath	\$ 37.62
30499	FPPA	\$ 656.06
30500	Tom Lessar	\$ 99.73
30501	Family Support Registry	\$ 350.00
30502	Jason Vaughan	\$ 747.56
30503	Jason Vaughan	\$ 41.04
30504	Harold Willburn	\$ 842.92
	<b>TOTAL DISBURSEMENTS</b>	<b>\$ 14,153.14</b>
WATER FUND		
7283	Sewer Checking	\$ 8,588.24
7284	Cuchara Valley Electric	\$ 3,758.78
7285	Dana Kepner	\$ 91.86
7286	Meyer & Sams	\$ 631.67
7287	La Veta Propane	\$ 292.02
7288	San Isabel Electric	\$ 341.00
7289	Tech Control	\$ 270.00
7290	La Veta True Value	\$ 1,126.51
7291	UNCC	\$ 16.10
7292	CEBT	\$ 2,070.05
7293	Rob Saint-Peter	\$ 1,032.41

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7294	Shannon Shrout	\$ 935.87
7295	CJ Smith	\$ 738.06
7296	Mark Sladek's Heating	\$ 12,377.00
	<b>TOTAL DISBURSEMENTS</b>	<b>\$ 32,269.57</b>
<b>SEWER FUND</b>		
2592	San Isabel Electric	\$ 810.01
2593	La Veta True Value	\$ 11.98
2594	CEBT	\$ 438.81
2595	Nancy Culbreath	\$ 916.94
2596	Chris Knowles	\$ 941.05
	<b>TOTAL DISBURSEMENTS</b>	<b>\$ 3,118.79</b>

Trustee Erwin moved to pay the bills. Trustee Webb seconded the motion. The vote was unanimous. Motion carried.

**ADJOURNMENT:**

There being no further business to come before the Board, Mayor Keairns adjourned the meeting at 11:15 p.m.

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Don Keairns, Mayor

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Nancy Culbreath, town clerk