

**TOWN BOARD
REGULAR MEETING
MINUTES**

**August 15, 2019
6:30 PM
TOWN HALL
513 ASPEN ST.
HOT SULPHUR SPRINGS, CO
www.HotSulphurSpringsCO.com**

6:32 PM CALL TO ORDER-ROLL CALL

Mayor Robert McVay, Mayor Pro-Tem Christine Lee, Trustee Dan Nolan, Trustee Tim Harvey, Trustee Kevin Jones, Trustee Chance Harms

Trustee Ray Tinkum was absent

Staff present; Lucas Ackerman; Kerry Davidson; Jessie Webb

1. Consent Agenda

Agenda August 15, 2019 and minutes from July 18, 2019

Trustee Chris Lee motioned and Trustee Dan Nolan seconded to approve the consent agenda for August 15, 2019 and the minutes from July 18, 2019. All voted aye. Motion passed.

TJ Dlubac asked that the Public Hearing for the Himebaugh Subdivision, 2nd Filing, be added to the agenda as V under Discussion items and G under Action items. This was added to the amended agenda.

2. COMCAST FRANCHISE AGREEMENT READING- ANDY DAVIS, DIRECTOR GOVERNMENT AFFAIRS (*Board of Trustees to introduce and read the ordinance for the second time*)

Trustee Chris Lee motioned and Trustee Tim Harvey seconded to accept the Comcast Franchise Agreement ORDINANCE NO. 7-18-2019-405 AN ORDINANCE OF THE HOT SULPHUR SPRINGS, COLORADO, GRANTING A NON-EXCLUSIVE CABLE FRANCHISE TO COMCAST OF COLORADO IX, LLC. All voted aye. Motion passed.

3. PUBLIC COMMENT-

Annette Baughar wanted to discuss a Mountain Beast Marathon on Cottonwood Pass. She spoke with CDOT and they didn't have any problem with the marathon being conducted on the pass. This would probably take place in September 2020.

4. STAFF

a. TJ Dlubac planning update-

There have been inquiries concerning lots to the east of Cedar Avenue and First Street. Because there is no infrastructure there, it seemed the best idea to come up with a sub area plan and look at the area holistically. One of the first things confirmed through a title search, is that the road (Cedar Avenue) is in the town and it has not been vacated. Jessie has contacted Kumar and Associates to see what the soil compaction is like in the area in order to construct a roadway there. Once that information is received, the staff will come up with a utility plan for water and sewer. Another component to consider is that the north and east of the properties in that area is designated as wetlands due to Himebaugh Creek running through which will involve some topographic natural and environmental considerations. So rather than require a single property owner to carry the burden of all that would be involved, the Town will do the initial research, and gather the information and present it to the Board, and the Board would decide how to proceed.

b. FS10 is being checked and corrected in anticipation for the budget meeting.

c. Problems at Water Plant. The intakes have been getting clogged and in addition to it taking time to get it unclogged, it is causing the Plant to have to be run manually. Lucas has been renting a compressor to blow out the debris, but thinks it would be a worthy investment to purchase our own. Trustee Chance Harms suggested checking the price on a skid mounted compressor since the trailer mount were so expensive.

d. Public Works has been patching potholes around town. Grand Avenue has been taking precedence as that patching has to be done before the chip and seal project that should be taking place in the next few weeks.

e. Jessie and Lucas finished up the P and A (Project Needs and Assessment) for the loan for the new skid at the water plant.

f. Status of new employee-We are still looking for a new employee and we have only had 3 applicants

g. . The Help Wanted ad will run through the end of the month.

5. DISCUSSION ITEMS:

a. Planning & Zoning continuance September 5, 2019 from August 1 meeting-FYI

b. Red Tag properties: 76.07, 120.04, 176.04, 291.01, 294.01

c. Code Enforcement role of Board of Trustees, R. Tinkum willing to head Nuisance Violation Committee-Trustee Ray Tinkum would like to set up a Board workshop to discuss the role of the code enforcement officer and how the Board would like to proceed with nuisance violations. After that workshop, a

Nuisance Violation Committee would be formed to set up the procedure for complaints and streamline the flow from beginning to end on a violation.

- d. CMCA Conference 10/15/19-10/18/19-Jessie would like to attend. She did apply to get a \$200 grant to attend the conference
- e. CMS Maintenance Contract (letter folder)-The contract is for 1 year for \$515.00. The office recommendation is that we don't need to continue purchasing this contract. The Board agreed.
- f. No parking signage along Highway 40- 100 Byers Avenue. The owner parks a truck and boat in front of his house and its hard to see to pull out on the highway. When Trustee Chris Lee spoke with the owner, he stated that he parks them there to keep the customers from the business across the street from parking in his yard. He would also like the bush on the corner removed. (It's his bush) The Board feels like it would be a CDOT violation or enforceable by the state patrol, but that the Town would have no authority to make him move anything.
- g. Complaint 504 Byers Avenue-The Town received a complaint that a camping trailer at this address is blocking the sidewalk and therefore the pedestrian has to walk out into the highway to get around it. After discussion, the Board directed staff to contact the state patrol to see if they could do something about getting it removed.
- h. Nuisance Violation- Subd: METES & BOUNDS 78 ALL 1.41 AC TRACT LYING IN THE UNNUMBERED BLK IN THE TOWN OF HOT SULPHUR SPRINGS LYING NO OF BLOCK 9 & WEST OF SPRING ST & SO OF CEDAR ST DESC AT B/188 P/667 LESS TRACTS SOLD SW4 SEC 2 & SE4 SEC 3 T1N R78W-This property has been filled up with numerous vehicles and on the Town right-a-way. The Board directed staff to send a letter to the new property owner of the past nuisance violation.
- i. Nuisance Violation-114 Sumner Avenue-A previous nuisance violation had been opened but not fulfilled by a past Board, (2017) and due to new ownership, the Board was questioned as to whether the violation should be sent out. The board agreed to have staff send out a nuisance violation.
- j. Nuisance Violation- 141 E Grand Avenue Municipal court schedule for September 11 11:30am
- k. Noxious Weed Spraying completed-Trustee Dan Nolan communicated with the Noxious Weed sprayers to let them know that they missed some yellow Toadflax in the back of Pioneer Park. There is also a patch of thistle near the sewer lagoons and by the church on Highway 40.
- l. Grand Avenue Chip & Seal-mid September
- m. TOHSS Working Capital Revenue spreadsheet & action items-all money was transferred to Colo Trust as directed by the Board at the July meeting. The next step will be to assign priorities and earmark funds on the Capital Revenue spreadsheet.
- n. Set dates for budget workshops, and Working Capital Spreadsheet workshop-September 9th and September 30th at 5:00pm. Board working guidelines workshop, Nuisance Violation committee (will wait to schedule)
- o. NWTPR Steamboat- Thursday August 15-Bob attended. The crosswalk on Aspen and scaling Byers Canyon has been added to the priority list.
- p. COLO Trust Luncheon- Monday August 19 at Brickhouse 40, need to RSVP-FYI
- q. Northern Water Tour August 29-Lucas is interested in going. Kevin and Chance are possibilities.
- r. Town Hall Closed- Monday September 2 Labor Day-FYI
- s. J Webb to request Friday August 30 off, Town Hall closed-Board gave ok.
- t. Town Hall closed Tuesday September 10 11:00am-2:30pm CIRSA meeting in Winter Park-FYI
- u. Open Lands River Trust Grant Application-application due September 25, 2019-FYI
- v. Public Hearing for Himebaugh Subdivision, 2nd Filing-Opened at 8:35pm-A re-subdivision request and vacating public right-a-way. Asking to continue the public hearing to September 15th. Public Hearing is closed at 8:40pm.

6. OPEN ACTION ITEMS:

- a. Phase 2 Tree Planting at Town Park-Dan and Kevin, BOCC CTF Grant Application (attached in Dropbox)
- b. Dick Johnson tree seedling project-Kevin Jones-tabled until spring

7. ACTION ITEMS:

- a. Accounts payable in the amount of \$35,403.61 + \$6,322.42= \$41,726.03
Trustee Christine Lee motioned and Trustee Tim Harvey seconded to approve accounts payable in the amount of \$41,726.03. All voted aye. Motion passed.
- b. Payroll in the amount of \$19,829.92
Trustee Christine Lee motioned and Trustee Kevin Lee seconded to approve payroll in the amount of \$19,829.92. All voted aye. Motion passed.
- c. COMCAST Franchise Agreement Ordinance Reading (see above)
- d. Nuisance Violation- Subd: METES & BOUNDS 78 ALL 1.41 AC TRACT LYING IN THE UNNUMBERED BLK IN THE TOWN OF HOT SULPHUR SPRINGS LYING NO OF BLOCK 9 & WEST OF SPRING ST & SO OF CEDAR ST DESC AT B/188 P/667 LESS TRACTS SOLD SW4 SEC 2 & SE4 SEC 3 T1N R78W
Trustee Christine Lee motioned and Trustee Kevin Jones seconded to send a letter to property owner of nuisance violation. All voted aye. Motion carried.
- e. Nuisance Violation- 114 Sumner Avenue

Trustee Tim Harvey motioned and Trustee Christine Lee seconded to send a letter and past nuisance violation to the new property owners and ask them to comply. All voted aye. Motion carried.

- f. Municipal Court Summons for 141 E Grand Avenue
Trustee Christine Lee motioned and Trustee Kevin Jones seconded to move ahead with the municipal court summons. All voted aye with Trustee Chance Harms abstaining. Motion passed.
- g. Himebaugh Subdivision 2nd Filing-
Trustee Dan Nolan motioned with Trustee Kevin Jones seconded to continue the Public Hearing for Himebaugh Subdivision 2nd Filing to the September Board meeting at 6:30pm. All voted aye. Motion passed.
- h. Red Tags
Trustee Chance Harms motioned and Trustee Christine Lee seconded to Red Tag delinquent water and sewer accounts. All voted aye. Motion passed.
- i. CMCA Conference
Trustee Christine Lee motioned and Trustee Dan Nolan seconded to send Jessie to the conference, with the Town paying for lodging, meals and the remaining cost of the conference.
- j. Appointment of Lucas Ackerman as Public Works Director
Trustee Tim Harvey motioned and Trustee Christine Lee seconded to officially appoint Lucas as the Public Works Director. All voted aye. Motion passed.

8. OTHER BUSINESS

Bob McVay

Dan Nolan-Ruiz Nuisance Violation is closed as he complied. Need updated job descriptions.

Christine Lee

Ray Tinkum-Absent

Tim Harvey-3rd Thursdays at Dean West will be donating 10% of all revenue to designated nonprofits.

Kevin Jones-Would like clarification on AP receipts what item was for and who attended (meals)

Chance Harms-Would like to officially appoint Lucas as the Public Works Director to give him clear authority over other public works employees.

9. ADJOURNMENT-

Trustee Christine Lee Motioned and Trustee Tim Harvey seconded to adjourn the meeting. All voted aye. Motion passed. Adjourned at 8:55p.m.

Mayor Robert McVay

Jessie Webb, Town Clerk