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**TOWN COUNCIL MEETING MINUTES
THURSDAY, MARCH 19, 2009
Town Hall Council Chambers
12:00 P.M.**

I. CALL MEETING TO ORDER – Mayor Aragon, Council Member Cotton, Council Member Holt, Council Member Jackson, Council Member Pierce, Council Member Weiler, Council Member Volger

Mayor Aragon initiated discussion on update items. Mr. Jim Miller said the River Restoration Project is coming along smoothly and within budget. The project should be completed within the next week and the planting will be taking place soon. The Pitchers, Wolf Creek Ski Area and Hart Construction have the Town's thanks and their volunteer work is very much appreciated. The old seeds of learning sight will be planted and made into a terrific place to have boaters staged and picnic areas. Hart Construction's bonding for the Pedestrian Bridge came through, all contracts signed and the project is started. The cranes will be in Pagosa to place the bridge on April 6th. Hart doesn't feel the river water will be a problem with getting the abutments in place. Ms. Pam Morrow sent a positive letter regarding the geothermal greenhouse and production of local vegetables. Council Member Weiler met with the Colorado Governor regarding the stimulus grant for the new wastewater treatment plant. Council Member Weiler asked the governor to persuade the State to allow the Sanitation District to benefit from the stimulus bill, along with 100% grants toward impact fees for builders, developers, and business owners in Pagosa Springs.

II. LIQUOR LICENSING

- 1. Special Events License – Seeds of Learning** – Council Member Pierce moved to approve the special events license, Council Member Volger seconded, unanimously approved.
- 2. Renewal License – Los Garcias's, Inc dba Tequila's**
- 3. Renewal License – Los Bernal LLC dba Chato's Mexican Restaurant** – Council Member Volger moved to approve the two liquor license renewals, Council Member Weiler seconded, unanimously approved.
- 4. New Art Gallery Permit – Artisans of the Southwest 175 Pagosa Street** – Council Member Pierce moved to approve the new art gallery permit, Council Member Volger seconded, unanimously approved.

III. DELEGATIONS

IV. NEW BUSINESS

- 1. Closing Out Capital Improvement Projects** – The Town has recently received invoices for work on projects from prior years. Some of these invoices do not have fund appropriated in the 2009 approved budget from which to pay these obligations. Of these invoices one is for work completed on the Great West Avenue reconstruction project although thought to be complete, an additional \$25,000 in the 2009 budget will need to be paid to close this project. Another item includes a Notice of Noncompliance from the Army Corps of Engineers related to the sewer pipe extension of 2005. The notice requires mitigation of lost wetlands to comply with the terms and conditions of the construction

permit, costs are not yet available. Ms. Kara Helige with the Army Corps has verbally allowed the Town to complete a mitigation easement. The Town's auditor applied items, including the Lewis Street Intersection, to be applied toward the 2008 financials even though the Town budgeted to spend the money in 2009. This accounting resulted in \$110,000 being available for other expenditures or reserves. The use of these funds will not cause the 2009 budget to go over the approved amount. Council Member Volger moved to approve the use of the \$120,000 to be utilized for the closeout of projects discussed in the town managers report including but not limited to Great West Avenue, Council Member Cotton seconded, motion carried.

2. **Congestion Mitigation and Air Quality (CMAQ): Majestic Drive** – The Colorado Department of Transportation (CDOT) has awarded the Town two years of funding from the State's Congestion Mitigation and Air Quality (CMAQ) funds. The Town has requested the State to approve utilization of the 2009 and 2010 CMAQ funding for a single project, this has been verbally approved. No funds were budgeted for this project in the Town's 2009 budget, however if CDOT approves the proposed utilization of two years funding, several options are available to pay for the estimated \$450,515 project. More work needs to be completed with CDOT's approval to get this project started. Council Member Holt disclosed he will not join in discussion or vote due to conflict of interest. Council Member Volger moved that not going ahead with the project will hurt the relationship the town has with CDOT and would like to proceed with the project with great caution and allow the Town Manager to come back to council with funding options, Council Member Jackson seconded, unanimously approved with one abstention, Council Member Holt.
3. **Resolution 2009-11 Appointment of Substitute Judge for Municipal Court** – Judge Anderson is currently absent due to illness, therefore, a substitute judge needs to be appointed. Judge Diane Knutson has submitted her resume and agreed to serve for a three-month term with hourly compensation of \$75.00. It is expected that Judge Anderson will return by mid April. Candace Dzielak will solicit for judge pro-tem positions. Council Member Cotton moved to approve Resolution 2009-11, appointing a substitute municipal judge and initiate a search for a judge pro-tem, Council Member Pierce seconded, unanimously approved.
4. **Resolution 2009-12 Appointing Town Tourism Committee Member** – Mr. Jon Johnson has submitted his letter of interest to serve on the TTC board representing the Association of Realtors. Council Member Pierce moved to approve Resolution 2009-12, Appointing Mr. Jon Johnson to the Town Tourism Committee for a two (2) year term, Council Member Volger seconded, unanimously approved.

V. OLD BUSINESS

Town Manager Mitchem reminded Council the short time frame between the 1st and 2nd meetings in April and the possibility of changing the meeting dates. Council Member Holt moved to change the mid April meeting from the 16th to Thursday the 23rd of April, Council Member Weiler seconded, unanimously approved. Therefore, for the month of April the regular 3rd Thursday meeting will be cancelled and a special meeting for Thursday April 23rd will be scheduled.

- VI. **ADJOURNMENT** –Upon motion duly made and seconded, the meeting adjourned at 1:22pm

Ross Aragón
Mayor