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TOWN COUNCIL MEETING MINUTES THURSDAY, MAY 15, 2008 12:00 P.M.

- I. CALL MEETING TO ORDER** – Mayor Aragon, Council Member Atkinson, Council Member Holt, Council Member Jackson, Council Member Pierce, Council Member Weiler.
- II. DELEGATIONS**
- III. OLD BUSINESS**
 - 1. Discussion in regards to Impact Fees** – A developer has requested the town refund impact fees that have been previously paid and that they be allowed to enter a deferral period as established by Town Council for new projects. In reviewing this request, staff has past procedure for collecting impact fees: (1) the Town collected impact fees at time of permit application; (2) the fees were deposited upon the issuance of a permit; (3) upon deposit of these monies into individual impact fee accounts (tails, parks, etc.); (4) the Town issued checks to the 3 districts for which we collect (Fire, Water Conservancy and School District). The impact fees are distributed to the special districts and budgeted or expended to projects. Council Member Holt moved that since the monies are no longer available to the Town and have been dispersed to districts and accounts, Town Council will not consider refund of collected impact fees and not allow the 10 year deferral on items that have already been paid, Council Member Weiler seconded, unanimously approved. Council Member Holt asked a letter be written to this developer explaining the Town Council's decision. Another request from Chris Smith of Smith Construction Services asked for a refund of previously paid impact fees based on his interpretation of the CRS and municipal code as it relates to impact fees. The request was forwarded to Town's legal counsel for review and comment. This item will be deferred until the June 3rd meeting. Mr. Smith asked that the permit be released immediately so as not to hold up building that may be detrimental to his project and defer his impact fees until Certificate of Occupancy. Scott Pierce said the building department doesn't have a problem with releasing the permit if Council agrees. Consensus by Council that the building department releases the building permit to Chris Smith.
 - 2. Springs Resort Correspondence Review possible Executive Session per C.R.S. Section 24-6-402(4)(a)** – The Springs Resort, represented by Bill Whittington, Bill Dawson and Matt Mees submitted a memo to Town Council for consideration at the April 16, 2008 work session. Council met to discuss a response to this memo at the April 21, 2008 meeting. Staff has prepared a draft response to the Springs Resort and has included some relevant background information about the Town's geothermal water rights and infrastructure limitations. Council Member Pierce moved to go into executive session per CRS 24-6-402(4)(a), Council Member Weiler seconded, unanimously approved. Mayor Aragon declared Council back in session at 1:30pm.
 - 3. Discussion on The Mercer Group Schedule** – A draft of a contract with the Mercer Group has been completed. The contract outlines the Town's standard contractual requirements as well as the scope of work required from the Mercer Group, including completion of hiring by October 1, 2008 for a fee not to exceed \$21,500. Tom Dority, Mercer Group representative has scheduled to meet with members of Town Council and department heads to gain a better understanding of the qualities the Town considers

desirable in the Town manager's position. Council Member Pierce suggests that Tamra not sit with the Mercer group due to her interest in possibly applying for the managers position, Council Member Jackson agrees, consensus by Council that Tamra will not meet with them. Council Member Holt moved to authorize Mayor Aragon to execute the contract with the Mercer Group in the amount of \$21,500 and for a service period until October 1, 2008. Council Member Pierce seconded, unanimously agreed.

4. **Discussion on dates for Town Council Retreat** – May 30th and May 31st are currently being considered as possible dates to hold the Town Council retreat. Council Member Weiler suggests May 29th and 30th and that May 29th be the critical day and Council Member attend the 30th if they feel they want to continue. The dates are kept open until we hear from Tamra regarding her available dates.
5. **Mayor Aragon** asked Council to consider allocating \$15,000 to match a DOLA assistance grant for an intern to address the Feasibility Study of the Greenhouse. He will present this to Council at the June 3rd meeting.
6. **Council Member Weiler** said the owner from Made in Colorado Shop told him that Town staff told her she could not get an item on the Town Council agenda regarding her signage. Staff explained they had advised the owner that she go to the Planning Commission and design review first before coming to Council. Mayor Aragon said that the proper procedure to get an item on the agenda is through Town Manager and/or the Mayor.

III. **ADJOURNMENT** – Upon motion duly made, the meeting was adjourned at 1:45pm

Ross Aragón, Mayor