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TOWN COUNCIL MEETING MINUTES
THURSDAY, JANUARY 15, 2009
Town Hall Council Chambers
12:00 P.M.

- I. **CALL MEETING TO ORDER** – Mayor Aragon, Council Member Cotton, Council Member Holt, Council Member Pierce, Council Member Weiler, Council Member Volger
- II. **DELEGATIONS – Police Department Commendation Presentation** – Chief Saunders presented a life saving certificate of commendation to Detective Sergeant Carl Smith for resuscitating an infant in danger.
- III. **NEW BUSINESS**
 1. **Appointment and swearing in of District 2 town council seat** – The ballots were presented and the count was Mr. Steve Koneman -0, Mr. Donald Volger - 5. Mr. Donald Volger was sworn-in and took the seat as the new District 2 Council Member.
 2. **Ordinance No. 735 (first reading) Repealing & Readopting Chapter 21 of the Town of Pagosa Springs Municipal Code in regards to the Land Use & Development Code** – A 14 member LUDC advisory committee has met on multiple occasions to review components of the draft code. Clarion & Associates completed implementation of all edits as proposed by the Advisory Committee on November 7th, 2008 and the public review draft of the entire code has been available since November 10th, 2008. The Planning Commission reviewed the remaining alternative mapping and text amendment requests at the January 13th meeting and forwarded a complete recommendation to Council. Mayor Aragon opened to public comment. Mr. Bruce Hoch's business is in a sub-division, Bennett-Booth Commercial Park, and if the underlying zone district of that sub-division was changing. Staff explained they are legislatively rezoning every property in the corporate boundaries and the underlying zone districts will no longer exist, his current D-3 zoning is consistent with the mixed-use corridor in the new LUDC code which will be applied to his property. Council Member Pierce moved to approve first reading of Ordinance No. 735 Repealing and Readopting Chapter 21 of the Town of Pagosa Springs Municipal Code in regards to the Land Use & Development Code, Council Member Holt seconded, unanimously approved.
 3. **Ordinance No. 736 (first reading) Repealing & Readopting the Official Zoning Map** – The above-mentioned 14 member LUDC advisory committee meeting regarding the Land Use & Development Code has also, as it relates to the LUDC, met with regards to the Official Zoning Map. Clarion & Associates completed implementation of all edits as proposed by the advisory committee on November 7th, 2008 and the public review of the entire code has been available since November 10th, 2008. The Planning Commission reviewed the completed a recommendation and forwarded to Council. The title was read for the record. Mayor Aragon opened to public comment. Council Member Holt moved to approve first reading of Ordinance No. 736 Repealing and Readopting the Town of Pagosa Springs Official Zoning Map, Council Member Pierce seconded, unanimously approved.
 4. **Resolution 2009-04 Expressing Intent to Reserve Geothermal Waters and Land for the Development of the Pagosa Springs Geothermal Greenhouse Project** – The proposed geothermal greenhouse project to be located in the Town owned Centennial Park requires a minimum geothermal flow of 100 gallons per minute. This resolution commits the Town to the reserving of that minimum 100 gallons per minute of effluent water from the PS-3 and PS-5 geothermal wells, as well as a minimum of .2 acres of land in Centennial Park. The Town has been adjudicated 450 gallons per minute of effluent geothermal waters from these wells. Mr. Whiting explained this project was conceived by the mayor about a year ago, to develop this community geothermal project. Ms. Kathy Keyes says it's an economic driver generating interest. Mr. Rick Bellis says the County's property across the river is available to the town if needed and the County is completely behind the project. The Town's 2009 budget includes money for a feasibility study, however the committee feels it will be a more community supported project and the budgeted money won't be spent on a study. The project is scaled for a 4,000-5,000 square foot greenhouse. Mr. Dan Aupperle believes it's a great project and a nice fit for Pagosa. He also stated that Citizens bank has acquired geothermal rights due to a foreclosure and the rights include 30 gallons per minute that can be donated to the town. Mr. Bob Hart with Hart Construction would like to donate excavation equipment for the project if it is truly a community volunteer project. Council Member Holt moved to approve resolution No. 2009-04 expressing intent to reserve geothermal waters and land for development of the Pagosa Springs Geothermal Greenhouse project, Council Member Pierce seconded, unanimously approved.

IV. OLD BUSINESS

- 1. Discussion of Joint Application for Skate Park Grant with Archuleta County** – Town Parks and Recreation Director Tom Carosello requests permission from Council to work with the County on a joint grant for the skate park. The skate park is proposed to be built on Town property and some businesses have offered to donate funds. The County has become involved and would help write a grant and possibly match funds. The town does not have any funds budgeted for the skate park in 2009 and will need to discuss the future maintenance. Mayor Aragon opened to public comment. Mr. Mike Musgrove has been working with the skater's coalition. In 2006 the Town had committed to \$30,000 to the coalition. The coalition has raised \$9,000. The Town has already paid for design of the park. Mr. Bruce Hoch has supported the project financially as have other businesses. Ms. Karen Kohake with the county says this is one of the county's top priorities for the parks, recreation, open space, trails committee. She will be asking the commissioners to give part of the 1-A funds for this project with the Town's approval. She is willing to write a grant to get additional funds. Mr. Rick Bellis says a skaters association should be developed and they would be the ones to maintain the park. The council agrees that Tom Carosello should go forward in pursuing a grant with the county's help for this project.
- 2. Sales tax** – The November sales tax came in 11.67% lower than last year which equals a sales tax revenue 1.37% lower year to date. The December's lodgers tax have not been received as of yet. Council Member Cotton suggests ratcheting down. Council Member Weiler would like to table until the January 22nd meeting, and council agrees. Mr. Mitchem attended the meeting late and the discussion of sales tax was again discussed. He suggested that per resolution 2008-33 the Town ratchet back to 10% revenue with a 15% expenditure budget. The Thursday January 22nd meeting will not include sales tax discussion.

V. OTHER

- 1. Personnel Matter Discussion possible Executive Session per C.R.S. Section 24-6-402(2)(f).** – Council Member Pierce asked Mr. Mitchem is he would like this item open to the public, he responded that he'd like it in executive session, Council Member Pierce moved to enter executive session for discussion of a personnel matter under CRS section 24-6-402(2)(f) and not involving; any specific employee who have requested discussion of the matter in open session, Council Member Weiler seconded, motion carried. Mayor Aragon called the meeting back in session at 2:45pm.

- VI. ADJOURNMENT** – Upon motion duly made and seconded, meeting was adjourned at 3:06pm.

Ross Aragón
Mayor