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TOWN COUNCIL MEETING MINUTES WEDNESDAY, JUNE 20, 2007 11:00 A.M.

**11:00 a.m. - Community Center South Conference Room
WORK SESSION with La Plata Electric Cooperative**

1:00 p.m. – Town Hall Council Chambers

I. CALL MEETING TO ORDER – Mayor Aragon, Council Member Cotton, Council Member Middendorf, Council Member Holt, and Council Member Simmons

II. NEW BUSINESS

- **County Property Acquisition** - Council has a proposal from Citizens Bank for a \$1.2 million loan. They also have a memo from our attorney's office regarding this and lease purchase terms. If we want to continue working on this we need to do more work with our attorney on lease purchase terms. After all the terms are specific and spelled out we will have to do this by ordinance. Council Member Simmons moved to authorize the Town Manager to move forward this and our intent to work on a lease purchase agreement to look at the budget concurrently. Council Member Holt seconded, the motion carried unanimously.
- **Homes at Rock Ridge LLC – Annexation and Zoning Request** - This was continued from a previous meeting. Council Member Holt has a few concerns, one being the reception number for the road easement he would like in the document. There seems to be a discrepancy in the drafts with the percentage of dedication. Joe stated that he went back to Planning Commission minutes and it is supposed to be 5% affordable and 10% attainable per their recommendations. Todd stated that they put in there and/or they are willing to do 10% affordable and then work with another agency and then deed restricts the property through them. Or they would do the 5% affordable and 10% attainable. Colorado Housing has told them they will need 6 lots in 2008 so they could sale them the property to build the affordable housing. Joe believes that being specific is the better approach rather than having and/or in there. Mark stated that deed restricting property may be hard to do due to if something gets foreclosed on the bank wants to be able to get full market value and not be restricted. Todd also stated that they want to build houses as cheap as they can and then only make a minor profit on them and are willing to give soft seconds to get people into the houses this will also include other government programs or loans. Todd stated at the present time they are planning on marketing their lots themselves. Mark stated that there is also the option of a land trust where we would buy the land from the Shelton's and the trust can deal with the ongoing affordability of that. They are pretty much ready to bring

their final plan in they are just waiting on the annexation stuff. Tamra had quite a few concerns with some of the changes the Shelton's had made she believes that some of them could be taken care of in the PUD process. Council Member Holt moved that in reference to the sign in the annexation agreement be 7 years with the stipulation that they improve the appearance of the sign and be in compliance with the sign code. Council Member Cotton seconded, the motion carried unanimously. We are looking at a B-2 zoning, Todd is okay with that other than he stated that the foundations will meet the 5' setback but the eaves will not so that will need to be taken care of or the whole development will have to be resigned. Joe stated that this can be taken care of and requested in the PUD process also so otherwise B-2 is okay. 72 mobile homes are acceptable to Todd rather than the 80. They want to be able to put in the infrastructure and build houses at the same time not have to wait to pull a building permit until the infrastructure is done so they can start foundations while the weather is good. If the town makes them do the infrastructure first that will change their whole plan on how they want to do things so we need to have deeper discussion on this. Staff and Todd will sit back down and try to work on this part along with the other minor ones. The impact fees will be collected incrementally not at the very end. This will come back to Council again at the July 3rd Meeting. Todd wants permission to go ahead and submit their final plan so they can make the closest Planning Commission meeting; Mark said he didn't think there was problem with this. The Council told him to go ahead by consensus.

- **District 2 Candidate Review and Appointment** - Each candidate will have ten minutes to respond to Council questions and then there will be a vote. Mayor Aragon told all candidates that he wanted to make sure that they all know what they are getting into as this position will be very time consuming.

Angela Atkinson - She expanded on her background and experience. She said she takes this very seriously and takes the time it will take to heart. She currently sits on the Planning Commission, she is Chair of TTC, and she was on Big Box Task Force. So she always volunteers a lot of hours to the town and has been happy to do so. She sees this seat as an even bigger opportunity. Professionally she is a consultant. She feels good about her ability to look at complex data and research and distill it down to communicate it to a variety of different audiences. She has clients from all spectrums of Public, Private, and Non Profit entities. She listed some of the work she has done for specific clients. She stated that with regards to the conflicts of interest issue, she believes she can look at an analyze data and she believes the consultant work she has previously done is an asset and will help round out and broaden any discussion. Council Member Holt asked that based on her commitment on her numerous involvements will you have enough time to dedicate to this. She answered she would like to continue being chair of TTC but that will be done at the end of the year. She would also like to continue on the Planning Commission but she believes she will be able to fulfill the time commitment. Then he asked about possible conflicts of interest in the future. She said she wouldn't be able to participate with any projects that RRC does with the town and doesn't see that as a problem in the future. Council Member Simmons asked if time commitments did become a problem what would be your first recourse to excuse yourself from, she said the Planning Commission.

John Steinert – He has been here before as he applied the first time for this seat. Council Member Holt asked what makes him what to serve on Town Council. He has been town resident for 16 years and has always been interested in town government and served on multiple previous committees but didn't have more time in the past. He recently closed his local business and now has the time to commit. He is concerned on what goes on in the town and wants to be a part of it. Council Member Middendorf asked what you consider the most immediate issues. Growth, downtown redevelopment, interaction between the town and county. Day to day services for our constituents and representing them as best as you can and making sure they are heard. Mayor Aragon asked his take on the acquisition of the land across the street. He said it is a good location and it is a good time to acquire the property and it will be part of looking ahead and into the future. Council Member Cotton asked about the direction the town is going in growth are we going the right way. He said he thinks we are doing pretty darn good. There will always be tension, and he believes in private owner's rights, but that also has to be weighed against the good of the community. Council Member Simmons asked what his take was on the conclusion of the Comp Plan as he worked on it. He believes that is should be implemented even though it will be tough. He believes it is work that needs to be done.

Davylin Valdez – She stated that after thinking about this for 20 minutes more she really doesn't think she will have the time to put into this job. She believes she is competent to do the job and was flattered when her peers and neighbors asked her to do this but withdrew her application.

Zella Scheer is out of town and not available to talk to Council and David Conrad withdrew his application this morning. The Council will vote by ballot.

The Town Clerk swore in Angela Atkinson as the District 2 Member and she took her seat.

Mark reminded the Council of the 5:00 p.m. meeting tonight. The architect who did the Cortez and Durango Recreation Centers will be present. Now that the Seeds of Learning building on 8th Street is open we are having some conflicts with them and skaters so we found a possible new piece of land down by the Sports Complex and Sanitation Plant that might work good for a skate park. John King of the Parks and Recreation Commission took this up and ran with it so there will be an article in the paper asking for fund raising help. Mark also wanted to double check the budgeted amount we budgeted for Mountain Express since they are asking for their money but reducing services. Jay Harrington stated that they need that money to even keep the 3 trip per day service which is a decrease to what they were doing before. We had funded them at much more money this year for more support from the town and hopefully increasing services, but with their current financial problems that will not happen. By consensus of the Council they said to release the whole check as they believe it is an essential service to some people to get to work.

III. ADJOURNMENT – Council Member Cotton Moved to adjourn. Council Member Simmons seconded and the motion carried unanimously. The meeting adjourned at 3:13 p.m.

5:00 p.m. – Town Hall Council Chambers

WORK SESSION with Greenways & Associates on Recreation, Trails, and Open Space

**Ross Aragón
Mayor**