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**TOWN COUNCIL MEETING MINUTES**  
**THURSDAY, DECEMBER 18, 2014**  
**Town Hall Council Chambers**  
**12:00 P.M.**

- I. **CALL MEETING TO ORDER** – Mayor Volger, Council Member Alley, Council Member Bunning, Council Member Egan, Council Member Lattin, Council Member Patel, Council Member Schanzenbaker
- II. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
- III. **APPROVAL of MEETING MINUTES FROM DECEMBER 2, 2014** – Council Member Egan moved to approve the December 2<sup>nd</sup> meeting minutes, Council Member Schanzenbaker seconded, unanimously approved.
- IV. **PUBLIC COMMENT** – None
- V. **DELEGATIONS**
  1. **Safe Routes to School – Annie Sewell** - The Archuleta School district is working with CDOT to develop a safe route to the elementary school for kids to walk or ride their bikes to school. The SRTS coalition group will be gathering data, assessing the current routes and formulating ideas and solutions. They are requesting representation from the Town Council and BOCC on the SRTS coalition to work toward solutions. Council Member Egan is involved in the SRTS statewide program and is happy to be a representative on the local coalition.
- VI. **NEW BUSINESS**
  1. **Ordinance 818, First Reading, Amending the LUDC to Provide for a Code Board of Appeals** - The Town Building Department, in conjunction with the Pagosa Fire Protection District, recommends that a single Code Board of Appeals be created to hear all appeals related to fire and building codes. The Town has adopted the ICC building and fire codes, including provisions regarding the Fire Code's own board of appeals and appeals process. In order for the Town to establish the Board of Appeals with the Fire District, an ordinance is required to amend the Town Code. It is proposed that the Code Board of Appeals would hear and decide on appeal requests based on Section 6.13 of the Land Use and Development Code. A resolution will come before council at the next meeting to determine the membership for this new board. Council Member Schanzenbaker moved to approve the first reading of Ordinance 818, amending section 6.13 of the Land Use and Development Code to provide for a Code Board of Appeals, Council Member Lattin seconded, unanimously approved.
  2. **Resolution 2014-17, Amending 2014 Budget** - During the 2014 year, several budgeted items have been amended by council to improve the Town's functionality, capital structure improvement and others. Some of these amendments have included funding for an elementary school crossing guard, purchase of a visitor center, and assistance to the Pagosa downtown group. Others like compensation for the town council and treasurers fees on sales tax receipts were unexpected until the election or until word was received by the County. The State of Colorado requires the council approve a budget amendment should a particular fund spend more than the original budgeted amount. The Capital fund will not be expending more than the budgeted amount of \$4,990,556, this is due to the delay in the

west side Town to Pagosa Lakes trail and the reconstruction of 8<sup>th</sup> Street. However, due to the large amount in the unbudgeted sales tax fund fees of \$100,000, the General fund will be expending more than originally budgeted. The amendment to the general fund expenditures of \$128,750 and general fund revenues of \$100,000 will leave the amended budget year end cash reserves at \$1,235,924. Council Member Bunning moved to approve Resolution 2014-17, amending the Town's 2014 approved budget to include increases in expense and revenue items, thereby decreasing general fund end of year budgeted reserves by \$28,750, Council Member Lattin seconded, unanimously approved.

3. **Agreement for Prosecutorial Services for Civil Cases in Municipal Court** - On January 17, 2014, the Town Council passed Ordinance 802 submitting to the registered voters of the Town of Pagosa Springs a ballot question amending Article 6, Section 6.2 of the Home Rule Charter regarding the powers of the Town of Pagosa Springs Municipal Court. One of the results of the ballot question passage is the need for the Municipal Court to try civil matters that are a violation of the Town Code, including the Building and Land Use Development Codes. It is staff recommendation that the Town engage Mr. Van Winkle to act as the Town's prosecutor for the new civil actions at a rate of \$100 per hour. Funding to pay for these services is budgeted in the Planning & Building Department in the amount of \$10,000. The Town Attorney, Bob Cole, retains oversight and discretion of the Attorney Van Winkle. Mr. Van Winkle is familiar with the Town as the current criminal prosecutor and was offered this agreement without knowing the extent of Mr. Van Winkle's potential work for the Town. Council Member Bunning asked that the work done between Mr. Van Winkle and Town Attorney Cole be broken out on the billing. Council Member Bunning moved to approved an independent contractor agreement with Brett Van Winkle and authorize the town manager to execute said agreement, Council Member Egan seconded, unanimously approved.

## VII. OLD BUSINESS

1. **Sales Tax Brief** –The State of Colorado has made changes to their distribution to the counties and towns. The December payment for the October 2014 sales tax was received incomplete. At this time the sales tax receipts have not been received.

## VIII. DEPARTMENT HEAD REPORTS

1. **Community Center Report** – The community center will be hosting a volleyball tournament with teams from Alamosa, Albuquerque, Santa Fe, and Durango. The 9<sup>th</sup> annual Festival of Trees raised \$19,791 for twenty local non-profits. The youth volunteer program continues to be successful with activities and relationships built with these students.
2. **Parks and Recreation Report** - Youth basketball season for 7- and 8-year-olds will end this week. Registration for the second season of youth basketball (ages 9-12) will continue through the end of the week; the season for ages 9-12 will begin in early January and run through early March. The parks crew is monitoring the thickness of the ice at the river center ponds in hopes of having ice skating open soon. The second public meeting regarding the Reservoir Hill tree thinning project was held Nov. 17 at 5 p.m. in the community center arts and crafts room. The actual thinning will not begin until late February, a sample thinning pattern will be shown to council prior to the start. Aaron Kimple (of Mountain Studies Institute) has provided staff with a draft MOU which incorporates feedback from the meeting within the next few weeks. The ice skating pavilion is also waiting for cold weather to open to the public. Council Member Lattin appreciates the positive attitude and the work the recreation department does for the kids.
3. **Town Tourism Committee Report** - Through October, the 2014 lodging tax collections continue to show growth just over 5%. September 2014 was up 12.41%, or \$5,289.80, over September 2013. Year to date, lodging tax is up 17.69%, or \$66,065. The visitor center upgrades have been well received. A new TV with video loop, children's activity area, holiday decorations and visits from Santa. Facebook fans exceed 10,000. TTC Director going to NYC Dec 15-17th to meet with 3 strategic media outlets to pitch Pagosa; appointments are being scheduled; TTC Director will also meet with website vendor during trip to scope out 2015 enhancements, including responsive site update and new enhancements. The Town Tourism Committee was notified that the CTO awarded \$21,000 towards the Pagosa Springs partnership with Chimney Rock National Monument, Mesa Verde Country and Durango-Silverton Train. TTC Pagosa Springs will be hosting the

annual CADMO (Colorado Association of Destination Marketing Organizations) retreat in late June 2015; the retreat is attended by Tourism Directors/CEOs across the state. We anticipate 25-30 participants. TTC Director volunteered to be host during 2014 Governor's Conference on Tourism.

4. **Planning Department Report** - The annual "Saving Places Conference" is on February 4-5, 2014 in Denver, Colorado. The Majestic Drive paving project has been completed with lane stripping to occur in 2015. The 6<sup>th</sup> Street bridge project is in place. The contractor has begun work on the south side ramp. Unfortunately because of the weather, the project will be shut down until the warmer weather allows for more activity. The Town planning department has been working to resolve an issue on the Walmart screening wall and truck egress regarding the sight line from an adjacent residence to the southern loading dock. Alpha Drive has been re-opened for public traffic, sidewalk to be finished, and accepting of the road will be in spring of 2015. Staff has initiated title work for the formalization of the South 5<sup>th</sup> Street ROW, once received an ordinance will be prepared for the Town to accept the land. An easement agreement for the pedestrian path along the City Market and Citizens bank parking lot has been received and will be brought to town council in January.
5. **Town Manager Report** – The geothermal water and power authority has received the executed agreement between Pagosa Verde and Fairway Trust, and has received the signed \$1.9 million grant documents back from DoLA, and approved the 2015 budget. Council Member Schanzenbaker will be serving on the Pagosa Waters LLC board as the authority representative. The LPEA franchise agreement should be back from LPEA after the first of the year and a franchise fee will be reviewed. The CDC has been working to form a new board, the Town and County will each have a seat on the board. The town staff is working with the Community Center Coalition to make the transition of fiscal stewardship run smooth. Council Member Lattin asked that the donation of time and space be accounted for on an annual basis. The lease with DHS is up at the end of 2014, they have requested extending the lease for another 2-3 years. The Chamber lease at the visitor center expires in December, they have requested a month-to-month arrangement until the new executive director is hired and the relocation is completed. The manager and clerk have been soliciting banking services from local banks in an effort to ascertain what other banking services are available that will benefit the town.

**IX. APPROVAL OF NOVEMBER FINANCIAL STATEMENT AND ACCOMPANYING PAYMENTS** – Council Member Bunning moved to approve the November financial statement and accompanying payments, Council Member Alley seconded, unanimously approved.

**X. PUBLIC COMMENT** – None

**XI. COUNCIL IDEAS AND COMMENTS** - Council Member Bunning would like to begin looking into the creation of a mechanism to allow a high school student sit on the town council as a non-voting member. Council Member Egan asked the council and others to attend a transportation summit February 26<sup>th</sup> from 8-11am to educate the public and transportation stakeholders in the needs of the community. Council Member Schanzenbaker commented on the positive feedback from staff on the council's requests.

**XII. NEXT TOWN COUNCIL MEETING JANUARY 6, 2015 AT 5:00PM**

**XIII. ADJOURNMENT** – Upon motion duly made, the meeting adjourned at 1:16 pm.

**Don Volger**  
**Mayor**