

**TOWN OF LIMON
BOARD OF TRUSTEES
Regular Meeting
January 9, 2003
7:30 P.M.**

ROLL

Town Clerk Chris Snyder called roll. Members of the Board present: Mayor Bandy, Trustees: Beattie, Hendricks, Kelly, Kudlock, and Younger. Trustee Lohmeier was absent.

STAFF

Staff present: Town Administrator Kiely, Public Works Director Stone, Attorney Kimble, Chief of Police Yowell and Town Clerk Snyder.

GUESTS

Diane Scott, Terry Jaques, Chris Hayes, Keith Simpson, and Trevor Williams.

APPROVAL OF MINUTES

Trustee Kudlock made a motion to approve the minutes for the December 5, 2002 regular meeting, as corrected; seconded by Trustee Beattie. Motion carried unanimously.

Trustee Younger made a motion to approve the minutes for the December 30, 2002 special meeting; seconded by Trustee Kelly. Motion carried unanimously.

TEN MINUTE CITIZEN INPUT - None

SUNSHINE LAW REQUIREMENT; POSTING OF SPECIAL MEETINGS

Trustee Kelly moved to continue to post special meetings in the front door at Town Hall; seconded by Trustee Beattie. Motion carried unanimously.

LOAF N JUG LIQUOR LICENSE RENEWAL

Trustee Kudlock moved to approve the Loaf N Jug liquor license request; seconded by Trustee Beattie. Motion carried unanimously.

GOTTSCHALK OIL DBA TOTAL LIQUOR LICENSE RENEWAL

Trustee Hendricks moved to approve the Gottschalk Oil, d.b.a. Total; liquor license request; seconded by Trustee Kudlock. Motion carried unanimously.

RESOLUTION NO. 01-03-01; AIRPORT BID

Public Works Director Stone introduced and there was read the title of the following proposed resolution and the entire text of said proposed resolution was submitted in writing to each member of the Board of Trustees and the Mayor.

Resolution No. 01-03-01; A Resolution Approving a Bid from Concrete Coring Company in Excess of \$10, 000 for Joint and Crack Sealing and Repair for Concrete Pavement for the Town of Limon Municipal Airport.

Trustee Kudlock moved to approve Resolution No. 01-03-01; seconded by Trustee Kelly. Motion carried unanimously.

PUBLIC HEARING: PERFORMANCE OF THE TOWN OF LIMON IN CARRYING OUT THE LINCOLN COUNTY HOUSING NEEDS ASSESSMENT

Mayor Bandy opened the public hearing at 7:40 p.m.

Town Administrator Kiely reported to the Board on the Housing Needs Assessment. We did a pre-award hearing and are now doing the post-award hearing tonight. Public notice of the hearing was put in the paper and no written comments were received.

Mayor Bandy closed the public hearing at 7:42 p.m.

LIBRARY BOARD APPOINTMENTS

Trustee Beattie moved to appoint Tammy Schieffelin to fulfill Marilyn Smith's term that will expire December of 2005, and to appoint Carol Barb for a term to expire December of 2007; seconded by Trustee Kelly. Motion carried unanimously.

PUBLIC HEARING; CONSIDERATION OF ORDINANCE NO. 480; AMENDING MUNICIPAL CODED OF THE TOWN OF TOWN CHAPTER 137 – SEWER AND ADDING CHAPTER 144 – INDUSTRIAL PRETREATMENT

Mayor Bandy opened the public hearing at 7:45 p.m.

Town Administrator Kiely reported to the Board that this public hearing was for written comment only and was given public notice on November 28, 2002. The Department of Corrections and Coleman Natural Products submitted written comments, which were in the Board packets for this meeting. Coleman Natural Products asked for the opportunity to address the Board at this meeting.

Staff, including Attorney Kimble met with the Department of Corrections and Coleman Natural Products, representatives from the EPA, Colorado State Health Department, and Greg Worden from GMS. They felt the meetings were productive.

The major discussion was on three issues of concern:

1. size of penalties
2. allowable limits under local standards
3. clarity of process. Both users felt the discretionary power of the Public Works Director and the appeals process could be a problem for users.

Staff recommendations:

1. Staff recommends significant penalties. Violations should be addressed before becoming significant.
2. Look at doing an average BOD testing over a period, as suggested by GMS.
3. Staff has asked Attorney Kimble to review the process because they feel the process will work. They will add language to the ordinance about giving the permit holders the enforcement response guide. The EPA and Health Department feel the language in the document is essential.

Town Administrator Kiely recommended the Board allow GMS, Attorney Kimble, and the users to do a review of the changes proposed and continue the public hearing to the next Board meeting on February 6, 2003.

Chris Hayes, Attorney for Coleman Natural Products, reported to the Board Coleman has provided written comments and wants to wait to give comments at the hearing in February and asked if anyone had questions for him.

Trustee Beattie moved to continue the public hearing on February 6, 2003; seconded by Trustee Kelly. Motion carried unanimously.

Mayor Bandy closed the public hearing at 8:12 p.m.

ATTORNEY'S REPORT

Attorney Kimble thanked the board for inviting him and Diane to the Employee Appreciation party.

ADMINISTRATION REPORTS

Public Works Director Stone reported on the feedlot mill and shop building. He is looking into using some of the materials to construct a 3 sided building at the town shop. There were no objections from the Board.

Parker Ag is moving a dredge into the number one cell at the wastewater plant to begin sludge removal.

The culvert at the airport is moving again and Stone will be keeping a close eye on it.

The hearing with the health department is coming up and Stone asked for a Board member to be in attendance at it. Mayor Bandy will attend and if he is unable Trustees Hendricks, Kelly, or Kudlock will attend.

Stone talked about potentially helping Genoa with their water/wastewater situation.

He gave the Board a copy of the employees accrued sick time.

Town Administrator Kiely reported that we are now getting internet and long distance telephone service from Netecin.

He asked if anyone on the Board would be interested in attending meetings at the Colorado Municipal League he is unable to attend. Trustee Beattie will attend.

Kiely gave a Heartland Express update.

The Airport Committee will meet on January 16th at 5 p.m. to decide on which companies to interview for the upcoming project.

The Board watched a ten-minute video showing a housing development. Kiely asked the Board if there was interest in changing the Land Development Code to help make housing more affordable, such as eliminating alleys and street parking in certain zones. Proposed changes would be brought to the Planning Commission for approval and then to the Town Board. There were no objections.

MAYORS REPORT - None

TRUSTEES REPORT

Trustee Beattie asked if we are aerating all the lagoons and was told by Public Works Director Stone that 3 & 4 are off.

APPROVAL OF BILLS

Trustee Younger moved to approve the bills that were submitted for the month of December; seconded by Trustee Kudlock. Motion carried unanimously.

ADJOURNMENT

At 9:30 p.m. Trustee Kudlock moved to adjourn; seconded by Trustee Younger. Motion carried unanimously.

TOWN CLERK_____

MAYOR_____