

**TOWN OF LIMON  
BOARD OF TRUSTEES  
Regular Meeting  
January 4, 2001  
7:30 P.M.**

**ROLL**

Town Clerk Chris Snyder called roll. Members of the Board present: Mayor Bandy, Trustees: Beattie, Hendricks, Kudlock, Templeman 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**

Guests present: Joe Martin, Brian Atkinson.

**APPROVAL OF MINUTES**

Trustee Hendricks made a motion to approve the minutes for the December 7, 2000 regular meeting; seconded by Trustee Templeman. Motion carried unanimously.

Trustee Templeman made a motion to approve the minutes for the December 26, 2000 special meeting; seconded by Trustee Kudlock. Voting Aye: Mayor Bandy, Trustees: Hendricks, Kudlock, Templeman, and Younger. Abstain: Trustee Beattie. Motion carried.

**TEN MINUTE CITIZEN INPUT**

Joe Martin reported to the board that he still is without cable tv but that his purpose in addressing the board was to state his opposition to the current location of Video Xpress and the harm he feels it does his business.

**SUNSHINE LAW REQUIREMENT; POSTING OF SPECIAL MEETINGS**

Trustee Templeman moved to post the special meeting notices in the front door at town hall; seconded by Trustee Hendricks. Motion carried unanimously.

**LIMON HOUSING AUTHORITY BOARD APPOINTMENTS**

Trustee Younger moved to appoint John Grenawalt, Chairman of the Board, Louis Kinkel, Vice-Chairman for a one-year term and Marvyl Schreiber to a five year term for the Limon Housing Authority Board; seconded by Trustee Kudlock. Motion carried unanimously.

**RESOLUTION NO. 1-01-1; RECREATION MASTER PLAN**

Town Administrator Kiely introduced and there was read in full 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. 1-01-1; A Resolution Approving a Memorandum of Understanding with the Colorado Department of Local Affairs and Colorado State University Cooperative Extension for the Development of a Comprehensive Recreation Plan and Authorizing Execution of Said Memorandum of Understanding.

Trustee Younger moved to approve Resolution No. 1-01-1; seconded by Trustee Templeman. Motion carried unanimously.

#### **RESOLUTION NO. 1-01-2; CEMETERY MASTER PLAN**

Town Administrator Kiely introduced and there was read in full 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. 1-01-2; A Resolution Approving a Memorandum of Understanding with the Colorado Department of Local Affairs and Colorado State University Cooperative Extension For Site Planning and Design and Development and/or Revisions to Applicable Regulations at the Pershing Memorial Cemetery and Authorizing Execution of Said Memorandum of Understanding.

Trustee Hendricks moved to approve Resolution No. 1-01-2, as amended; seconded by Trustee Kudlock. Motion carried unanimously.

#### **RESOLUTION NO. 1-01-3; TRANSIT CONTRACT**

Town Administrator Kiely introduced and there was read in full 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. 1-01-3; A Resolution Approving FTA Section 5311 Subcontract, FY-2001, Between the East Central Council of Local Governments and the Town of Limon for Public Transportation and Authorizing the Execution of Said Grant Agreement.

Trustee Templeman moved to approve Resolution No. 1-00-3; seconded by Trustee Kudlock. Motion carried unanimously.

#### **RESOLUTION NO. 1-00-4; PIPELINE CROSSING AGREEMENT WITH UNION PACIFIC**

Town Administrator Kiely introduced and there was read in full 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.1-00-4; A Resolution Approving a Pipeline Crossing Agreement, Folder No. 1939-53 Between the Union Pacific Railroad Company and the Town of Limon for a 12-inch Raw Water Pipeline Crossing and Authorizing the Execution of Said Grant Agreement.

Trustee Kudlock moved to approve Resolution No. 1-00-4; seconded by Trustee Beattie. Motion carried unanimously.

#### **RESOLUTION NO. 1-00-5; RECYCLING AGREEMENT**

Town Administrator Kiely introduced and there was read in full 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. 1-00-5; A Resolution Approving an Agreement Titled, Agreement for the Participation with the Southeast and East Central Recycling Association and Authorizing the Execution of Said Agreement.

Trustee Hendricks moved to approve Resolution No. 1-00-5; seconded by Trustee Kudlock. Motion carried unanimously.

#### **RESOLUTION NO. 1-00-6; ANNUAL INVENTORY OF PROPERTY**

Town Administrator Kiely introduced and there was read in full 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. 1-00-6; A Resolution Establishing the Threshold for Which an Annual Inventory of Property, Both Real and Personal, Must be Maintained Pursuant to Colorado Revised Statutes, Title 29, Article 1, Part 506.

Trustee Kudlock moved to approve Resolution No. 1-00-6; seconded by Trustee Templeman. Voting Aye: Mayor Bandy, Trustees: Hendricks, Kudlock, Templeman, and Younger. Nay: Trustee Beattie. Motion carried.

#### **RESOLUTION NO. 1-00-7; ENERGY IMPACT ASSISTANCE GRANT FUNDS CONTRACT**

Town Administrator Kiely introduced and there was read in full 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. 1-00-7; A Resolution Approving Contract EIAF #3721 Between The Colorado Department of Local Affairs And The Town of Limon for Energy Impact Assistance Grant Funds and Authorizing the Execution of Said Contract.

Trustee Templeman moved to approve Resolution No. 1-00-7; seconded by Trustee Younger. Motion carried unanimously.

#### **ATTORNEY'S REPORT**

Attorney Kimble reported on the Lake Creek drainage issue and what the report GMS contained and asked for board permission to meet with the adjoining property owners to discuss the options found in the report. The board felt meeting with the property owners was a good idea and gave permission.

The Coleman hearing results were covered in Town Administrator Kiely's memo and Attorney Kimble will meet with the judge to discuss amendments.

Attorney Kimble advised that the board that because an action has been filed and legal advice on the complaint is needed that the board should go into executive session.

At 8:20 p.m. Trustee Templeman moved to go into executive session pursuant to Colorado Revised Statutes, Title 24, Article 6, Part 402 Subsection 4(b) to confer with the town attorney for the purpose of receiving specific legal advice on specific legal questions regarding Civil Action 00-2595 with Universal Distribution, L.L.C. and would like staff including Joe, Dave, Stan, Lynn and Chris to enter the executive session; seconded by Trustee Beattie.

At 8:50 p.m. Trustee Younger moved to come out of executive session; seconded by Trustee Beattie. Motion carried unanimously.

Attorney Kimble has spoken with CIRSA concerning the case filed and has discussed the items filed. While the attorneys retained by CIRSA are evaluating the case Kimble would like the board to consider a stay for a time of enforcement of the amortization portion in Ordinance No. 457, for Universal Distribution LLC doing business as Video Xpress without waiving our right to enforce the code at a later date.

Trustee Beattie moved to agree to Attorney Kimble's request; seconded by Trustee Kudlock. Motion carried unanimously.

### **ADMINISTRATION REPORTS**

Public Works Director Stone has had various people requesting pasturing leases at the feedlot and it was the consensus of the board that this not a use the town should allow for the property.

Stone will notify the FAA about the runway problem at the airport.

The gas pumps at the airport are not working correctly and a repairman is to be out on Monday.

Stone found a dump truck he would like to purchase and was given board approval to proceed.

Town Administrator Kiely has not received the paperwork required for the Galaxy Cablevision transfer.

He gave the board an update on the county building inspector position. The county has decided to wait until the new commissioners take office to make a decision.

### **MAYORS REPORT**

Mayor Bandy gave a short report on the vacant library board position.

Trustee Kudlock moved to appoint Marilyn Smith to the Library Board; seconded by Trustee Templeman.

### **TRUSTEES REPORT**

Trustee Templeman thanked the parks department for their work on the employee appreciation party.

Trustee Beattie thanked Attorney Kimble for keeping the board updated on legal issues.

### **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: 15 p.m. Trustee Kudlock moved to adjourn; seconded by Trustee Younger. Motion carried unanimously.

TOWN CLERK \_\_\_\_\_ MAYOR \_\_\_\_\_