

**TOWN OF LIMON
BOARD OF TRUSTEES
Regular Meeting
October 4, 2012
7:00 P.M.**

Notice of this meeting was published in the Limon Leader on October 4, 2012.

Mayor Coonts called the meeting to order at 7:00 p.m.

ROLL

Town Clerk Chris Snyder called roll. Members of the Board present: Mayor Coonts; Trustees: Andersen, Beattie, Hawthorne, Hendricks, Kelly and King.

STAFF

Staff present: Town Manager Stone, Chief Yowell, Attorney Kimble and Town Clerk Snyder.

GUESTS

Tyler Rosler, Dale Felzien, Jonathan Rosler, Robert Pearce, Jan & Jim Hiltner, Jennifer Boaz, Dominik Bratrsovsky, Cole Younger, Kasey Martinez, and Will Bublitz.

PLEDGE OF ALLEGIANCE

The Boy Scouts, Troup 52, led the group in the pledge.

APPROVAL OF MINUTES

Trustee Beattie moved to approve the minutes for September 6, 2012; seconded by Trustee Andersen. Voting Aye: Mayor Coonts, Trustees Andersen, Beattie, Hawthorne, Hendricks and King. Abstain: Trustee Kelly. Motion carried.

TEN MINUTE CITIZEN INPUT

Jennifer Boaz, Plains Medical Center updated the Board on planned renovations and reported the DOLA grant has been paid off.

PUBLIC HEARINGS: REPLAT OF NORDICK ACRES AND NORDICK ACRES SECOND ADDITION

Mayor Coonts opened the public hearing at 7:05 p.m.

Town Manager Stone gave a presentation and showed maps of the Nordick Acres Addition.

This replat does not change property boundaries or easements; it just reflects the property boundaries.

A sketch and preliminary plat was submitted and notices were mailed to property owners. The notice was published in the Limon Leader and the Planning Commission held a public hearing on September 18th.

Town Manager Stone went through highlights of the plat.

Don Morrison also had a request to subdivide a 260 ft lot into two lots of 160 feet and 100 feet.

Staff and the Planning Commission recommend allowing the changes.

Nordick Acres Second Addition

A sketch and preliminary plat was submitted and notices were mailed to property owners. The notice was published in the Limon Leader and the Planning Commission held a public hearing on September 18th.

Stone was asked what this will do if someone sells their property and if the title search on the property will affect the old description. He told the Board that the old description would be "previously known as". The next sale would not have the old description.

One individual property owner expressed concern and stated he would not sign the re-plat. Attorney Kimble has reviewed state statute and it will not be a concern that the property owner does not sign.

The Board can approve, approve with changes, or deny the replat.

Attorney Kimble talked about the Land Development Code and how it affects sub-division. This re-plat will help clean up county records and title companies will accept it.

Trustee Hawthorne asked if the property owner who is not signing it will have any problems selling his property and was told by Attorney Kimble that he did not think it will be a problem. The majority of the property owners have indicated they will sign. The property owner who does not want to sign has voiced concern about survey work sometimes being wrong, although he has confidence in the surveyor who did the work for this re-plat. He also wants to develop his property as he wants. Town Manager Stone stated the re-plat will help development.

We may be doing minor re-plats on I Avenue. The property owner wants to combine 2 lots and build in the middle. This can be done administratively unless adjacent property owners object.

There were no comments from the public.

Mayor Coonts closed the public hearing at 7:25 p.m.

Trustee King moved to accept the replat of Nordick Acres Addition; seconded by Trustee Beattie. Motion carried unanimously.

Trustee Hawthorne moved to accept the replat of Nordick Acres Second Addition; seconded by Trustee Kelly. Motion carried unanimously.

RESOLUTION NO. 12-09-34; PETITION AND APPLICATION FOR ANNEXATION

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

Resolution No. 12-09-34; A Resolution Finding the Petition and Application for Annexation for Limon Municipal Airport Addition to the Town of Limon to be in Substantial Compliance with Statutes and Setting Location, Date and Time for Public Hearing and Consideration of an Ordinance Annexing the Limon Municipal Airport Addition to the Town of Limon.

Trustee Hawthorne read the title of the resolution and a public hearing for annexation will be held on November 8, 2012 at 7:00 p.m.

Trustee Hawthorne moved to approve Resolution No. 12-09-34; seconded by Trustee Andersen. Motion carried unanimously.

JIM AND JAN HILTNER REQUEST TO CONNECT TO TOWN WATER SYSTEM

Town Manager Stone reported to the Board a request from James and Janice Hiltner to connect to the Town's water system.

The Board reviewed the factors to approve or deny service.

Will the service affect the ability to provide service to customers within the corporate limits of the town? 2. What is the economic benefit to the Town? 3. What affect will this service have on future development and annexation by the Town? 4. What factors prevent annexation of this property to be served by the water service. 5. Prior to the approval or denial the Board shall include in their decision the findings which explain the factors explored in their determination.

The Board discussed the request and the minimal amount of water that will be used in this residence will not have an effect on the Town's ability to provide water to in town users. The economic benefit will be the revenue generated by the water sales. Providing this service is perceived to have no effect on the future development of the Town or future annexation possibilities. Since this property is not contiguous to existing town boundaries it is not eligible for annexation. The Town may already be obligated to allow this connection as described in the agreement between the Town and Marion Raines on March 11, 1993.

Trustee Andersen moved to allow the request; seconded by Trustee Hawthorne. Motion carried unanimously.

BOARD OF ADJUSTMENTS APPOINTMENTS

Trustee Hawthorne moved to appoint Denise Kelly and Joseph Martin to five year terms on the Board of Adjustments; seconded by Trustee King. Motion carried unanimously.

ATTORNEY'S REPORT

Attorney Kimble reported on Bella's Market bankruptcy and that it shouldn't affect the utility payment. He talked about bankruptcy rules and how they can affect utilities.

ADMINISTRATION REPORTS

Chief Yowell

- Will have Sgt. Lengel report to the Board about the FBI Academy.
- Jackie Hastings trial

Town Manager Stone

- Colorado East Community Action Agency will be moving offices to Limon.
- Senator Udall will be at Town Hall on October 15.
- Meter data logger information
- Have received 82 sales tax leakage survey responses.
- Aerobic box at airport
- CB entry way

MAYORS REPORT

Mayor Coonts talked about scheduling a budget workshop. The Secretary of Education and Lt. Governor were at the school.

TRUSTEES REPORT

Trustee Kelly reported that the new building at the golf course is done and will be a nice addition.

Trustee Beattie talked about water leaks and how much water can be used. He thanked the boy scouts for attending the meeting.

Trustee Andersen reported that he and Trustee King had met with Town Clerk Snyder and Chief of Police Yowell to discuss their evaluations.

Trustee Hawthorne is glad the street is done in her neighborhood and looks great.

Trustee King has been approached by a rural resident who would like to purchase a dumpster and leave at the town shop and is willing to pay for the service.

APPROVAL OF BILLS

Trustee Hawthorne moved to approve the bills that were submitted for the month of September; seconded by Trustee King. Motion carried unanimously.

ADJOURNMENT

Trustee King moved to adjourn at 8:25 p.m.; seconded by Trustee Hawthorne. Motion carried unanimously.

TOWN CLERK _____

MAYOR _____