

**TOWN OF LIMON
BOARD OF TRUSTEES
Regular Meeting
March 6, 2008
7:30 P.M.**

Notice of this meeting was published in The Limon Leader on March 6, 2008.

ROLL

Town Clerk Chris Snyder called roll. Members of the Board present: Mayor Beattie; Trustees: Bandy, Coonts, Hendricks, Jackson, Metcalf, and Williams.

STAFF

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

GUESTS

Kay Christie, Ethan Hendricks, Ryan Smithburg, Rob Handley, Mike Bass, Pat & Bob Younger, Keith Simpson, Andrea Lehner, Mike Bruckner, Kim & Ardan Hardi, and Vivian Lowe.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Trustee Jackson moved to approve the minutes for February 7, 2008; seconded by Trustee Williams. Voting Aye: Mayor Beattie, Trustees Bandy, Hendricks, Jackson, Metcalf, and Williams. Abstain: Trustee Coonts. Motion carried.

TEN MINUTE CITIZEN INPUT

Michael Bass gave the monthly report for Plains Medical Center.

GOTTSCHALK OIL INC. DBA VALERO LIQUOR LICENSE RENEWAL

Trustee Hendricks moved to approve the liquor license renewal for Gottschalk Oil Inc. dba Valero; seconded by Trustee Coonts. Motion carried unanimously.

SOUTHSIDE LIQUOR LICENSE RENEWAL

Trustee Bandy moved to approve the liquor license renewal for Southside Liquor; seconded by Trustee Jackson. Motion carried unanimously.

SMITHBURG RETAIL ENTERPRISES LIQUOR LICENSE RENEWAL

Trustee Hendricks moved to approve the liquor license renewal for Smithburg Retail Enterprises; seconded by Trustee Williams. Motion carried unanimously.

MARTINI'S LIQUOR STORE LICENSE RENEWAL

Trustee Williams moved to approve the liquor license renewal for Martinis Liquor store; seconded by Trustee Hendricks. Motion carried unanimously.

PUBLIC HEARING; LIQUOR LICENSE REQUEST FROM CFJ PROPERTIES DBA FLYING J TRAVEL PLAZA

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

The application was received on January 21, 2008 and the location in 2495 Williams Ave.

Fingerprint card were submitted to the Colorado Bureau of Investigation for background checks and the results are not back. Snyder asked the Board to consider conditional approval of the license with the stipulation that if the background results come back different than expected, the Town could pull the license without a show cause hearing.

Clerk Snyder swore in Mike Bruckner.

He was asked by Attorney Kimble if the Flying J Travel Plaza is the only business on that side of the Interstate and was told there in one other business by Mr. Bruckner and that he considers that area to be the neighborhood. Mr. Bruckner has had requests to sell beer and spoke about his experience at a competitor in Nebraska with professional drivers. They are on layovers for several days. There were no problems in Nebraska with drivers drinking and driving. He considers the traveling public the adult inhabitants of the neighborhood.

Mr. Bruckner stated that employees will be held to standards for liquor sales and will be trained. Flying J has a video and test employees have to view and pass.

Snyder reported no written communication was received. There was no public opposition during the hearing.

Mayor Beattie closed the public hearing at 8:05 p.m.

LIQUOR LICENSE REQUEST FROM CFJ PROPERTIES

Trustee Bandy moved to approve the liquor license request from CFJ Properties, with the stipulation if the background checks come back different that expected, the Town will revoke the license; seconded by Trustee Coonts. Motion carried unanimously.

GIRL SCOUT WEEK PROCLAMATION

Trustee Hendricks moved to approve the Girl Scout Week Proclamation; seconded by Trustee Jackson. Motion carried unanimously.

RESOLUTION NO. 03-08-11; AMBULANCE PURCHASE

Town Administrator Kiely 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. 03-08-11; A Resolution Approving a Bid from Max Fire Apparatus, Inc. in Excess of \$10,000 for a 2008 Ford E-450 2008 Chief XL III—Braun Industries Ambulance for the Limon Ambulance Service, A Department of the Town of Limon.

Trustee Bandy moved to approve Resolution No. 03-08-11; seconded by Trustee Williams. Motion carried unanimously.

RESOLUTION NO. 03-08-12; EAST CENTRAL COUNCIL

Town Administrator Kiely 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. 03-08-12; A Resolution Approving Older Americans Act Title III-B/C1-C2 Services/FTA Section 5311 Direct Services Contract, FY-08 Senior Services #5, Between the East Central Council of Local Governments and the Town of Limon for General and Public Transportation Services to Older Residents and Authorizing the Execution of Said Contract.

Trustee Metcalf moved to approve Resolution No. 03-08-12; seconded by Trustee Hendricks. Motion carried unanimously.

RESOLUTION NO. 03-08-13; DEPOT IMPROVEMENTS

Town Administrator Kiely 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. 03-08-13; A Resolution Approving a Proposal from R & M Design and Construction, Inc. in Excess of \$10,000 for the Limon Depot Improvements Project and Authorizing Execution of Agreement.

Trustee Coonts moved to approve Resolution No. 03-08-13; seconded by Trustee Hendricks. Motion carried unanimously.

RESOLUTION NO. 03-08-14; CANCEL ELECTION

Town Administrator Kiely 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. 03-08-14; A Resolution Authorizing the Town Clerk to Cancel the Regular Municipal Election Scheduled on April 1, 2008 and Declare the Candidates Elected Under Certain Criteria Defined in Ordinance No. 360.

Trustee Williams moved to approve Resolution No. 02-08-06; seconded by Trustee Hendricks. Motion carried unanimously.

ORDINANCE NO. 523; BULK WATER SALES

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

Ordinance No. 523; An Ordinance Amending Section 4.7 of Chapter 135 - Water Department in Ordinance No. 376, the Municipal Code of the Town of Limon, Lincoln County, Colorado.

Trustee Bandy moved to approve Ordinance No. 523; seconded by Trustee Jackson. Motion carried unanimously.

CEBT RENEWAL FOR EMPLOYEE BENEFITS

Trustee Bandy moved to approve the CEBT renewal; seconded by Trustee Jackson. Motion carried unanimously.

ATTORNEY'S REPORT

Attorney Kimble will have a trial for traffic case on Monday.

ADMINISTRATION REPORTS

Public Works Director reported on a health department survey.

Police Chief Yowell had an officer involved in an accident and his car was damaged. The Town has reported it to the insurance company and an adjuster is scheduled to come out.

Town Administrator Kiely thanked Trustees Jackson and Bandy for their work on the Board, and the members running again.

Dave Stang, Building Inspector has resigned and Kiely talked about options the Town is looking at for the building department and changes that are being considered.

Cedar Point LLC is doing a wind tower project and have an application in to the Big Sandy Water Board. Kiely requested as many board members as possible to attend the hearing.

MAYORS REPORT

Mayor Beattie referred to the CML conference information in the Board packet.

He received a thank you from the Economic Development Corporation thanking the Town for the contribution we made.

Friday at 10 a.m. the Progressive 15 Standing Committee will be hosting a conference call on water issues and if anyone is interested they should contact him.

The CML Legislative Workshop was interesting.

TRUSTEES REPORT

Trustees Williams and Hendricks expressed their thanks to Trustees Bandy and Jackson for their years of service.

Trustee Bandy spoke about the 18 years he has served and the changes that have occurred.

Trustee Metcalf commented on the change coming from a staff prospective to the Board. He is impressed with the new street sweeper and the street project in South Limon.

APPROVAL OF BILLS

Trustee Metcalf moved to approve the bills that were submitted for the month of February; seconded by Trustee Coonts. Motion carried unanimously.

ADJOURNMENT

At 9:50 p.m. Trustee Bandy moved to adjourn; seconded by Trustee Jackson. Motion carried unanimously.

TOWN CLERK _____

MAYOR _____