

**TOWN OF LIMON
BOARD OF TRUSTEES
Regular Meeting
December 6, 2001
7:30 P.M.**

ROLL

Town Clerk Chris Snyder called roll. Members of the Board present: Mayor Bandy, Trustees: Beattie, Hendricks, Kudlock, Lohmeier, and Younger. Trustee Templeman was absent due to the hospitalization of her husband.

STAFF

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

GUESTS

Keith Simpson, Ralph Gottschalk, Joe Dunham, Jodi Hilferty, Alan Matlosz, and Lisa Hamilton.

APPROVAL OF MINUTES

Trustee Kudlock made a motion to approve the minutes for the November 1, 2001 regular meeting, seconded by Trustee Hendricks. Motion carried unanimously.

TEN MINUTE CITIZEN INPUT - None

PUBLIC HEARING: GOTTSCHALK OIL LIQUOR LICENSE REQUEST

Mayor Bandy opened the public hearing at 7:36 p.m. There were no comments from the public. The public hearing was closed at 7:40 p.m.

Trustee Hendricks moved to approve the Gottschalk Oil Liquor License Request; seconded by Trustee Kudlock. Motion carried unanimously.

WATER TREATMENT PLANT PAY REQUEST NUMBER 8, INDUSTRIAL PROCESS TECHNOLOGY, INC.

Trustee Younger moved to approve Pay Request Number 8, in the amount of \$207,059.25; seconded by Trustee Beattie. Motion carried unanimously.

PUBLIC HEARING: BUDGET FOR 2002

Mayor Bandy opened the public hearing at 7:46 p.m. There were not comments from the public. The public hearing was closed at 7:55 p.m.

RESOLUTION NO. 12-01-47; ADOPTION OF BUDGET FOR 2002

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. 12-01-47; A Resolution Summarizing Expenditures and Revenues for each Fund and Adopting a Budget for the Town of Limon, Colorado, for the Calendar Year Beginning on the First Day of January, 2002, and Ending on the Last Day of December, 2002.

Trustee Kudlock moved to approve Resolution No. 12-01-47; seconded by Trustee Hendricks. Motion carried unanimously.

RESOLUTION NO. 12-01-48; PROPERTY TAX LEVY

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:

A Resolution Levying General Property Taxes for the Year 2002 to Help Defray the Costs of Government for the Town of Limon, Colorado, for the 2002 Budget Year.

Trustee Hendricks moved to approve Resolution No. 12-01-48; seconded by Trustee Kudlock. Motion carried unanimously.

ORDINANCE NO. 467; BUDGET APPROPRIATIONS

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

An Ordinance Appropriating Sums of Money to the Various Funds and Spending Agencies, in the Amount and for the Purpose as Set Forth Below, for the Town of Limon, Colorado, for the 2002 Budget Year.

Trustee Younger moved to approve Ordinance No. 467; seconded by Trustee Lohmeier. Motion carried unanimously.

A budget meeting will be held on December 26, at 5:30 p.m.

ORDINANCE NO. 468; WATER BONDS

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

An Ordinance Authorizing the Issuance by the Town of Limon of its General Obligation Water Refunding Bonds, Series 2001, For the Purpose of Refunding the Town's General Obligation Water Refunding Bonds, Series 1994; Authorizing the Levy of Property Taxes to Pay Such Bonds; Providing the Form of the Bonds and Other Details in Connection Therewith; Approving Documents Relating to the Bonds; and Declaring an Emergency.

Trustee Lohmeier moved to approve Ordinance No. 468; seconded by Trustee Beattie. Motion carried unanimously.

RESOLUTION NO. 12-01-42; USER RATES FOR TAMARACK COUNTRY CLUB AND RECREATION AREA

Public Works Director Stone 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. 12-01-42; A Resolution Setting User Rates for the Tamarack Country Club and Recreation Area.

Trustee Younger moved to approve Resolution No. 12-01-42; seconded by Trustee Kudlock. Voting Aye: Mayor Bandy, Trustees: Hendricks, Kudlock, Lohmeier, and Younger. Nay: Trustee Beattie. Motion carried.

RESOLUTION NO. 12-01-43; HOUSING NEEDS 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. 12-01-43; A Resolution Approving Contract No. 02-013 with the Colorado Department of Local Affairs for Community Development Block Grant Funds for the Lincoln County Comprehensive Housing Needs Assessment and Authorizing Execution of Said Contract.

Trustee Lohmeier moved to approve Resolution No. 12-01-43; seconded by Trustee Younger. Voting Aye: Mayor Bandy, Trustees: Beattie, Hendricks, Lohmeier, and Younger. Abstain: Trustee Kudlock. Motion carried.

RESOLUTION NO. 12-01-44; PROFILING POLICY

Chief of Police Yowell introduced and there was read in full 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. 12-01-44; A Resolution Approving a Policy for the Limon Police Department Addressing Profiling.

Trustee Kudlock moved to approve Resolution No. 12-01-44; seconded by Trustee Younger. Motion carried unanimously.

RESOLUTION NO. 12-01-45; 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 resolution was submitted in writing to each member of the Board of Trustees and the Mayor:

Resolution 12-01-45; A Resolution Approving An Agreement Titled, Agreement for Participation in the Southeast and East Central Recycling Association and Authorizing the Execution of Said Agreement.

Trustee Beattie moved to approve Resolution No. 12-01-45, contingent upon approval of the town's insurance carrier; seconded by Trustee Kudlock. Motion carried unanimously.

RESOLUTION NO. 12-01-46; FUNDING PRIORITIES FOR STATE FUNDING

Town Administrator Kiely introduced and there was read in full 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. 12-01-46; A Resolution of the Town of Limon, Establishing Priorities for Funding in the 2003 Strategic Investment Plan by the Transportation Commission of the State of Colorado.

Trustee Younger moved to approve Resolution No. 12-01-46; seconded by Trustee Hendricks. Motion carried unanimously.

LIBRARY BOARD APPOINTMENT

Trustee Lohmeier moved to appoint Betty Walker to a five-year term to expire January 2006; seconded by Trustee Beattie. Motion carried unanimously.

OLD TOWN HALL SITE APPRAISAL

Town Administrator Kiely reported on the appraisal that was done on the old town hall site. The Board discussed options for the site and decided not to sell the property at this time.

GALAXY CABLEVISION BANKRUPTCY

Galaxy Cablevision has filed Chapter 11 bankruptcy and this should not affect franchise fees and sales tax. The franchise agreement requires the new controlling owners to get town approval for the change and the Board instructed staff to have Ken Fellman handle the negotiations with Galaxy.

AUDITOR ENGAGEMENT LETTER

Trustee Beattie moved to retain Gary Woodward as the Town's Auditor and to sign the letter of engagement; seconded by Trustee Lohmeier. Motion carried unanimously.

ATTORNEY'S REPORT

Attorney Kimble reported that Coleman Packing did meet the deadline and the DAF system is working.

Next month there will be some code violation cases in court.

Trustee Kudlock asked about the signs that are still up at the Video Xpress location and Attorney Kimble will check into why they are still there.

ADMINISTRATION REPORTS

Public Works Director Stone reported on the loader bid results.

We have checked with the state and are going to start the process for a 3.2% on-off premises liquor license and the licensed premise will be the pro shop.

Town Administrator Kiely gave a Ports to Plains update.

The Federal Reserve is coming to Limon on Monday. They are developing a website for community development projects and are going to look at the childcare center. This website will assist other communities that are trying to develop childcare centers.

Mary Jo Downey, contacted the town about lack of impact assistance projects submitted and asked if we had a project. Kiely and Stone have decided that this would be a great opportunity to do the Limon Water Improvement project and Kiely outlined the plan for the Board.

Town Administrator Kiely reported on the re-apportionment of Senate districts and asked for Board permission to be involved in the process to participate in hearings about the districts, and was told he could.

MAYORS REPORT

Mayor Bandy reminded the Board about the Employee Appreciation Party that will be held on December 21st.

TRUSTEES REPORT

Trustee Hendricks thanked the Board and staff for the flowers that were sent to his mother's funeral.

APPROVAL OF BILLS

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

ADJOURNMENT

At 10:15 p.m. Trustee Kudlcok moved to adjourn; seconded by Trustee Younger. Motion carried unanimously.

TOWN CLERK_____

MAYOR_____