

PUBLIC HEARING 2006 BUDGET

Mayor Pro Tem Martinez opened the public hearing at 7:02 p.m. Harvey stated the final budget was the result of numerous work sessions and all of the financials have been prepared and reviewed by staff and the Board of Trustees. Martinez requested comments from the audience or the Board, hearing none closed the public hearing at 7:03 p.m.

CALL MEETING TO ORDER

Mayor Pro Tem Martinez called the regular meeting of the Board of Trustees to order at 7:03 p.m.

ADDITIONS TO THE AGENDA – There were no additions to the agenda.

ROLL CALL

Paul Aragon – present
Tony Asbury – present
Andy Martinez – present

Claudia Reich – absent
Jane Rumrill – present
Tony Trevino – absent

Chris Callaway – absent

Others present were:

Carl Harvey – Police Chief & Operation Director
Bradley Sorenson – Town Clerk/Treasurer
Barry Schaeffer – Public Works Director
Toni Polland – Deputy Town Clerk
Holly Bruce, David Smith, Mark Strauss, Larry Orleans (arrived 7:35 p.m.)

MINUTES 11/22/05

Asbury moved to approve, as presented, the minutes of the regular meeting held on 11/22/05. Aragon seconded the motion. Motion carried 4 – 0.

WARRANTS 12/13/05

Sorenson indicated there were two additions to the warrants. A warrant for \$750.00 issued to Johnny Carino’s for the Board of Trustees Holiday Dinner and a warrant for \$342.99 issued to C & J Deli for the Holiday Open House. Asbury questioned the Qwest phone bill. Asbury noted only one department appeared to be charged. Sorenson stated the Summary Report did not show the total number of general ledger lines. The phone bill is split numerous ways. Asbury asked the nature of the Wireless Communications invoice for the flashlights. Harvey stated it was necessary for the police department to have rechargeable flashlights. Asbury asked the Public Works Department if the items purchased for Tech Ag was for fertilizer for the parks and chemicals for the lagoon. Schaeffer confirmed Asbury’s inquiry as correct. Aragon asked the nature of the Green Leaf Tree Service. Schaeffer stated most of the work was done on trimming the parks. Harvey added that some of the work was done in accordance with the Town’s ordinance and a portion of the cost will be passed through to the landowners. **Asbury moved to approve the warrant’s list dated 12/13/05 for the amended total of \$58,419.55 and staff salaries dated 11/23/05 for \$25,724.15. Aragon seconded the motion. Motion carried 4 – 0.**

RESOLUTION S – 2005 – Humane Society 2006 Contract

Harvey explained the error made by the Humane Society on the original contract. The corrected amount of the contract had been amended. **Aragon moved to approve Resolution S – 2005 renewing our service agreement with the Weld County Humane Society for the budget year 2006, including a 3% increase from the previous year. Rumrill seconded the motion. Motion carried 4 – 0.**

RESOLUTION U – 2005 – Schedule of Fees

Harvey stated that Resolution U – 2005 is the combined document discussed with the Board of Trustees during the work sessions and while not all fees are inclusive the majority of administrative and operational fees are listed. Any fees currently in place not addressed by this document remain in force. **Asbury moved to approve Resolution U – 2005 establishing the Schedule of Fees effective January 1, 2006. Rumrill seconded the motion. Motion carried 4 – 0.**

BUDGET**RESOLUTION V – 2005 – Adopting 2006 Budget**

Mayor Pro Tem Martinez read the resolution heading indicating adoption of the 2006 budget. **Rumrill moved to approve Resolution V – 2005, to adopt the 2006 budget for the Town of LaSalle. Aragon seconded. Motion carried 4 – 0.**

RESOLUTION W – 2005 – Appropriation 2006 Funds

Mayor Pro Tem Martinez read the resolution heading indicating the appropriation of funds for the 2006 budget. **Aragon moved to approve Resolution W – 2005, appropriating funds for the 2006 budget year. Asbury seconded. Motion carried 4 – 0.**

RESOLUTION X – 2005 – Set 2005 Mill Levy

Mayor Pro Tem Martinez read the resolution heading indicating the setting of the Mill Levy. **Rumrill moved to approve Resolution X – 2005 to set the mill levy for the 2005 year to help defray the cost of government for the town for the 2006 budget. Asbury seconded. Motion carried 4 – 0.**

PLANNING AND ZONING

O'BRIEN / SMITH MINOR SUBDIVISION - Martinez explained the property located on 2nd Street and 3rd Ave. has one legal description with two homes on the lot. The proposed minor subdivision represents a "clean up" of town and county records allowing individual ownership and addressing of the homes. Applicant/owner, David Smith, was in attendance to address any questions by the Board. According to staff, Smith had complied with all subdivision requirements including notifications. No changes in use were anticipated, and there were no variances or dedications required. Polland stated pending approval by the Board, an ordinance would be prepared and public hearing could be held at the first meeting in January. **Rumrill moved for preliminary approval of the O'Brien / Smith Minor Subdivision. Asbury seconded the motion. Motion carried 4 – 0.**

VARIANCE REQUEST – 121 South 7th Street - Martinez explained the Planning Commission had reviewed a variance request submitted by Patriarch Developers for 121 South 7th Street. The variance is to reduce the rear yard set back from 25 feet to 19.5 feet, in order to accommodate a sunroom enclosure. The sale of the property is dependent upon the approval of the variance for the prospective buyers. Mark Strauss representing Patriarch Developers was in attendance to respond to any inquiries of the Board.

Asbury remarked he was hesitant to consider any requests made by the developer due to outstanding issues with covenant enforcement. More specifically, the replacement of the vinyl fencing and backyard fencing along the Latham Ditch. Contractually through the development agreement, and approval of the covenants these fences are to be constructed within one year of the certificate of occupancy. Asbury added the exterior color choice of a home on Sunset Drive was not within the approved color scheme. Strauss acknowledged the color was not acceptable and did not match the chosen paint chip. He stated the painters had already begun repainting the property. In regards to the fencing, Strauss stated many owners do not have the financial means to comply with the requirement. Strauss indicated he was not comfortable proceeding with legal action against the owners. Board members stressed the enforcement of the covenants is their responsibility and must be addressed. Non-compliance of the covenants is specifically outlined within the document. Many of the non-compliant issues have been addressed in correspondence sent to property owners by Brian Lindsey in August. There was no follow up or enforcement to the letter according to staff. Harvey noted the variance request should be considered separate from the covenant issues. Polland added this variance request is only for the portion of the rear yard with the sunroom enclosure. Additionally, the board had previously approved a similar variance for property on the same block. The applicant, according to Polland, has met all requirements necessary for the variance, and the Planning Commission had recommended approval. **Aragon moved to approve the variance request reducing a portion of the rear yard set back to 19.5' to accommodate the sunroom enclosure at 121 South 7th Street. Asbury seconded the motion. Motion carried 4 – 0.**

Board members requested Mr. Strauss to prepare a time frame and action plan for covenant enforcement issues for review.

CENTRAL BUSINESS DISTRICT - Martinez explained further information continues to be gathered regarding the issues with the Central Business District.

RESOLUTION Y - 2005

Harvey explained Resolution Y – 2005 was for the lease / purchase agreement for Union Reservoir Company water shares. This water would be used for augmentation purposes associated with the Town's irrigation water supply systems and all other uses deemed necessary. **Asbury moved to approve the Sauer lease / purchase agreement for Union Reservoir Company water share(s). Aragon seconded the motion. Motion carried 4 – 0.**

RESOLUTION T – 2005 – Banner Occupational Health Service – Letter of Agreement

Harvey indicated the terms of service provided by Banner Occupational Health Service, who will cover drug screens, breath alcohol testing, DOT physicals and case coordination for workers' compensation injury care. The Letter of Agreement will be memorialized in Resolution T – 2005. **Asbury moved to approve**

Resolution T – 2005, authorizing the mayor to sign the Letter of Agreement between the Town of LaSalle and Banner Occupational Health Service. Trevino seconded. Motion carried 4 – 0.

RECREATION DEPARTMENT

Department Report – Harvey reported in Dudley’s absence. The Recreation Department has been working on the spring brochure and the preliminary work for the GOCO grant application. Dudley has requested a member of the Board of the Trustees to attend the meetings regarding the grant which will be beneficial to the grant process. Rumrill will work with the Recreation Department during the grant process.

PUBLIC WORKS DEPARTMENT

Department Report – Schaeffer updated the board on the activities of the Public Works department. Information included: meeting with Town Engineer Bond and the State on the improvements of the lagoon, the continued progress reporting to the Colorado Water Quality Control Division concerning the wastewater treatment plant. Schaeffer requested the purchase of a sprayer for the application of fertilizer. This item was approved for the 2006 budget but due to tight controls during the 2005-year the department has sufficient funds available to purchase the sprayer this year. The cost of this sprayer will be \$2,300.00. **Asbury moved to approve spending \$2,300.00 for the purchase of a sprayer. Aragon seconded the motion. Motion carried 4 – 0.** Asbury asked Schaeffer how the Town has held up during the first hard freeze this winter. Schaeffer stated has done fairly well. He reported one frozen water line and has had to repair a water line on Ley Dr. in 2 places. This is an old galvanized line and possibly 100 to 200 ft. of the line will need to be replaced next spring or summer. Schaeffer will research cost estimates.

FINANCE DEPARTMENT

Department Update – Sorenson reported on the Cintas contract renewal. Sorenson stated the contract is a reduction from the 2005 costs and he would request approval of the 2006 Cintas contract. **Rumrill moved to approve the Cintas Facility Services Rental Service Agreement for 2006. Asbury seconded the motion. Motion carried 4 – 0.** Other information on the Finance Department was the November 2005 Financial statement, staff comp time and upcoming vacation schedule.

POLICE DEPARTMENT

Department Update – Harvey updated the Board on the continuing training of the new Police Officer, departmental vacation schedule, condition of the Police vehicles and the month of November activity report. Harvey informed the Board that the crossing guard, Connie Simonds, had tendered her resignation. She is leaving for full time employment. **Asbury moved to accept Simonds resignation, with great regrets. Aragon seconded the motion. Motion carried 4 – 0.** Harvey will explore possibilities for hiring a replacement. In the mean time, officers will be aware of the situation and will monitor the school areas more closely until a new crossing guard is found.

OTHER

Other informational items included; a two (2) North Front Range MPO updates, a memo on a Task Force on Energy and Mineral Direct Distributions and a request for applications for the Board of Directors to the Greeley/Weld Economic Development Action Partnership.

Meeting adjourned at 8:07 p.m.

Submitted by,

Bradley K. Sorenson
Town Clerk / Treasurer