

The Board of Trustees for the Town of Akron held a **Regular Meeting** on **Monday, January 6th, 2020, at 7:00 p.m.** at the Akron Town Hall in full conformance with the laws and ordinances of said Town.

Mayor Brittani Kusel opened the meeting at 7:04 pm.

TRUSTEE PRESENT: Scott Porteus Susan Watson
Derek Glosson Harry Slusser

TRUSTEE ABSENT: Danielle Woods

STAFF IN ATTENDANCE: Matthew Richardson, Town Attorney
Dencia Raish, Town Clerk/ Administrator

OTHER IN ATTENDANCE:

Joanne Busing - Akron News Reporter, Tony Wells – Washington Council Commissioner

Approval of Minutes 12/09/19

The Council reviewed the minutes of the regular meeting held on December 9, 2019. A motion was made by Derek Glosson to approve the minutes, seconded by Susan Watson; all votes were yes, motion passed.

Approval of December Bills

Dencia Raish presented the December bills list. A motion was made to approve the bills as presented by Derek Glosson seconded by Harry Slusser all votes were yes, motion passed.

Trustee Resignation

Trustee Danielle Woods submitted a letter of resignation on December 24th as she had moved outside town limits. A motion was made to accept the resignation by Derek Glosson, seconded by Scott; all votes were yes, motion passed.

Airport Report

FBO operator Randy Hayes was not in attendance. The Fixed-Base Operator agreement was due for an extension. Matt Richardson reported that he had reviewed the agreement and had no concerns for Council. Derek Glosson motioned to sign the fourth extension of the agreement, Scott Porteus seconded; all votes were yes, motion passed.

Derek Glosson reported that he had reviewed the most recent Master Plan Agreement from Jviation. There were minor edits that needed to the drawings, and most other information had stayed from previous versions. Dencia reported that she had not received a final version that needs official approval by Council.

Sheriff Report

Sheriff Jon Stivers was not attendance, and Brittani Kusel presented the reports as an employee of the Sheriff Office. The final numbers for December included 35 incidents in Akron with 5 citations being written. Brittani Kusel also reported on the recent drone sightings. Multiple agencies, including Federal, State, and Local entities, had met in Brush, CO earlier to compare notes on the drones. No information was released from that meeting other than the State and Feds do not know who owns the drones. If you have something to report, please call local dispatch. Brittani also reported that two vehicles had been stolen from the YW parking lot during working hours; she encouraged everyone to lock their cars.

Renewal of FMB License for Odell's Supers

Dencia Raish presented a renewal Fermented Malt Beverage License (off-premise) for Odell's Supers. Before the meeting, Sheriff Stivers reported no objections in issuing the license. A motion was made to issue the license by Derek Glosson, seconded by Susan Watson; all votes were yes, motion passed.

County Report

Commissioner Tony Wells was in attendance and also spoke of the drones and calls to the County. He reported that YW Communications is under new management. And that the State has recognized IT Manager, Jim Evans at the County for his work in cybersecurity. Tony was grateful for his contributions to the County.

Public Invited To Be Heard

No one was in attendance.

Optional Agreement for Permanent Easement

Viaero Wireless has asked for a second permanent easement for one of their towers to be located in the NE corner of the public works shop areas. Matt Richardson reported that the optional agreement presented was the same as last time, without mention of additional power supply for a siren. Viaero will pay \$500 for the optional agreement to review the potential of a permanent easement. The cost of a permanent easement to be established is \$9,500.00 and will be determined after analysis by Viaero. A motion was made to approve the optional agreement by Derek Glosson, seconded by Harry Slussler; all votes were yes, motion passed.

First Reading – Ordinance 566 – Approving Optional Agreement

State Statute requires that the Town passes an ordinance to convey real property. Ordinance 566 speaks to the potential permanent easement at the public works yard. A motion was made to approve the first reading of Ordinance 566 by Derek Glosson, seconded by Scott Porteus; all votes were yes, motion passed.

Increase Utility Deposit

A report was presented by Deputy Clerk Lori Baer requesting a raise in the utility deposit. The current deposit of \$90 went into effect in 2003. That amount does not cover the full cost of 2 months of a utility bill plus late fees, which seems to be the amount left by renters if they do not intend to pay their final balance. Lori said a deposit of \$150 would cover all leftover costs in almost all final billing situations. Further discussion was held, then a motion was made to approve the deposit increase as presented by Derek Glosson and seconded by Harry Slusser. Discussion was continued after the motion for clarification. The vote was called, Scott Porteus voted no, all other votes were yes, motion passed.

Signing State Agreement - Fishing is Fun Fund

The Town has received the grant contracts from the State for the Fishing is Fun awards on the Akron Pond Project. Upon review, there are two corrections. First, the date in Exhibit A needs to be extended past January 2020, and the second correction is the verbiage on page 23, sect. 17 should read "to the extent permitted by law" A motion was made by Derek Glosson to approve Dencia signing the agreement with the corrections. Scott Porteus seconded the motion; all votes were yes, motion passed.

Roadside Park Garden Management

Penny Vaughn and other members of the Community Garden Club have notified the Town that they will be unavailable to volunteer their time to maintain the garden at the Roadside Park on 1st & Custer this coming season. Council discussed potential organizations to be approached that may be willing to help. Further discussion can continue after people check in with the organization. Irrigation was also discussed and needs further investigation.

Resolution 20-001 Election Question

Matt Richardson reported that he had looked into an Akron election question in 1998 asking to retain all revenues generated in that year and each subsequent year for the existing mill levy of 57.214. Matt thought that this language was too specific, and Akron should provide an election question in the 2020 election to allow Akron to retain revenues beyond the 5.5% increase limitation defined in TABOR. Dencia reported that the 5.5 % limitation does not pertain to the Akron School District. The County had waived the limitation by-election in 1995. And the Akron Rural Fire District is still subject to the limitation. Derek suggested creating an informational page so voters can understand the cost of removing the limitation would be to their property taxes. The proposed election question reading :

WITHOUT CREATING ANY NEW TAXES OR INCREASING ANY TAX RATE, FOR PROPERTY TAX REVENUE COLLECTED IN CALENDAR YEAR 2020 AND ALL FUTURE PROPERTY TAX REVENUE COLLECTED THEREAFTER, SHALL THE TOWN OF AKRON BE PERMITTED TO LEVY, RETAIN, AND SPEND SUCH TOWN REVENUES FOR ANY LAWFUL PURPOSES WITHOUT THE LIMITATIONS THAT WOULD OTHERWISE BE IMPOSED BY THE 5.5% LIMITATION UNDER C.R.S. SECTION 29-1-301 OR ANY OTHER LAW?

Was presented in resolution 20-001, a motion was made to approve the resolution by Derek Glosson, seconded by Harry Slusser; all votes were yes, motion passed.

Temporary Investment of Estate Funds

There was information presented at the December meeting to the Council regarding Colo Trust as an investment option for the Marjorie Brandon Estate Funds. Dencia Raish reported that since the last meeting, the funds would have generated \$700-800 in interest if invested with Colo Trust. Dencia recommends placing the trust funds in this account as they can be withdrawn at any time in any amount, and will be earning interest until funds are appropriated.

Derek Glosson motioned to resolve the authorization to execute the paperwork to create the account and deposit the Brandon Estate funds. Scott Porteus seconded the motion; all votes were yes, motion passed. Further discussion continued about what type of committee to create in helping discern how the funds will be used per Ms. Brandon's request in her estate. Council thought that two members of the Town Council and three members of the community would be a good start. Council asked Dencia to call Leah Holtorf (sister of Ms. Brandon) to discuss representation from the family. They could also assist in how community members should be invited.

Council, Committee, and Staff Reports

Public Works Director Shane Watson submitted a written report to Council. Derek Glosson asked if there was anything new on the water reclassification. Shane reported that Mark Foxworthy had called, but Shane had not talked to him. Shane said if we have to reclassify, we have until 2024 to

Council, Committee, and Staff Reports (cont.)

complete it. Colorado Rural Water Assoc. will assist the town with training for new certifications. The town could also contract with someone who is Class A certified.

Town Clerk/Administrator Dencia Raish submitted a written report to Council including points on:

- Akron Pond Revitalization Project Bid is out to contractors.
- The Stalling TOPO information has been turned over to Derek, Harry, and Shane. Council discussed aspects of the area such as lot lines, and road location. Derek suggested meeting onsite within the next month.
- Financial reports through December 2019.

No library reports presented.

Town Attorney Matt Richardson reported that the upcoming municipal docket for January is busy. He updated the Council of his communication about the Stallings power lines discussed at the last meeting. Matt said he had not heard more from the YW about the letter sent in November concerning the Certificate of Occupancy.

Trustee Harry Slusser said that he had talked with Jason at AG Tech and suggested that Shane contact Jason in regards to updating the bobcat.

Trustee Susan Watson reported that the next Chamber meeting would be on January 20th. In December Chamber worked hard with multiple promotions to shop local. Chamber is considering a shop local receipt drive for a ham during the Easter season.

Mayor Brittani Kusel asked Council if they would like to continue the second meeting a month now that the holidays are past. After some discussion Council agreed that the meeting has been useful in the past. February 17th is the next work session at 7:00 pm.

Adjournment

There being no further business, Derek Glosson moved to adjourn the meeting at 8:20 pm. With no objections, motion carried.

ATTEST: _____

Dencia Raish, CMC, Town Clerk Administrator

Brittani Kusel, Mayor