

**FOWLER TOWN COUNCIL  
TOWN COUNCIL CHAMBERS  
200 MAIN STREET  
DATE: February 9, 2009  
6:00 P.M.  
COUNCIL MEETING MINUTES**

Mayor Wards led the group in the Pledge of Allegiance and called the meeting to order. Present were Trustees Pat Christensen, Chuck Hitchcock, Jack Hobby, Monie Stites and Larry Vibber. Trustee Randy McKown was absent. Also present were Administrator Snider, Klinkerman, Rein, Borrego, Lindholm and Pagnotta.

Public Comments: Shelly Bonjour addressed the council regarding the professionalism of the Police Department. Mayor Wards asked Ms. Bonjour if she had discussed her issues with the Police Chief or with Administrator Snider. She replied that she had not. Mayor Wards informed her that her complaints could be better addressed by going to those individuals first and then if her needs are not met then she could address council with her complaints.

Virgie Aragon signed the sheet requesting to make a comment regarding the police department, but after Mayor Wards stated that comments first needed to be addressed with the Police Chief, she had no comment.

Becca and Dee Sharp also wanted to speak regarding police conduct, but would address the issues with the Police Chief.

Changes to the Agenda: Administrator Snider stated that the Town needed to have a formal closing for the comment period of the Land Use Plan. This item was added as item B under Unfinished Business. Trustee Vibber asked that an executive session be added to the agenda to discuss personnel issues regarding the Police Department.

Approval of previous minutes (January 26, 2009): Trustee Stites made a motion to approve the minutes; motion was seconded by Trustee Hobby. Motion passed unanimously.

Reports:

Mayor Wards had nothing to report on but allowed Jay Winner, the Director of the Lower Arkansas Valley Water District, to make his presentation during this time. Mr. Winner discussed the conduit and the bill that is to be passed. He urged all communities to get on board with the conduit. Winner stated that there were no firm figures as to the percentages that each community would have to come up with.

Trustee Hitchcock asked about the Super Ditch and what it would mean to the Fowler Community. Winner stated that the Super Ditch is getting traction and is now incorporated. He stated that the Super Ditch would supply water to the Lower Arkansas Valley.

Trustee Christensen reported that he had attended a solar power meeting and another meeting was scheduled for the 18<sup>th</sup> of February at the Fowler Elementary conference room.

Administrator's Report: Snider reported that the school and park projects are moving right along. He stated that he received notice from DoLA that the town should the award letter for the sewer project by the end of this month.

Unfinished Business:

Sewer Project (easement for Depot): Snider stated that the Town will receive the easement from the land owners of the Depot and Attorney Hyatt is working on drafting the agreement. Snider stated that \$3,000 was agreed upon for the easement.

Land Use Plan: Snider stated that the public comment period for the Land Use plan needed to formally close. Attorney Hyatt explained that the public comment portion of the hearing needed to be formally closed and then the Planning Commission needs to adopt the plan by way of resolution. The Planning Commission then submits a certified copy of the resolution to the board of trustees to be approved. Mayor

Wards asked if anyone had any further comments of the Land Use Plan, none were noted. Trustee Christensen made a motion to close the public hearing for the Land Use Plan. Motion was seconded by Trustee Stites. Motion was passed unanimously.

New Business:

Liquor License Renewal for Fowler Liquor Store: Trustee Vibber made a motion to approve the renewal of the Retail Liquor Store license for Fowler Liquor Store; motion was seconded by Trustee Hitchcock. Motion passed unanimously.

Liquor License Renewal for Loaf-N-Jug: Trustee Christensen made a motion to approve the renewal for retail 3.2% beer off premises liquor license to Loaf-N-Jug; motion was seconded by Trustee Stites. Motion passed unanimously.

Water Restrictions: Trustee Hitchcock stated that the Utility Board had discussed and approved lifting the watering restrictions during the winter months. Trustee Hitchcock made a motion to lift the water restrictions until Daylight Savings time begins. After that time the Utility Board will make further recommendations regarding the restrictions. Motion was seconded by Trustee Stites. Motion passed unanimously.

Trustee Vibber asked if the Town would write a letter in support of the Fowler High School's track and football field GOCO Grant request. Council members agreed to the letter.

Trustee Stites made a motion to go into executive session to discuss personnel matters under C.R.S. Section 24-6-402(2)(f) and not involving any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. The motion was seconded by Trustee Christensen. Motion passed unanimously and council members went into executive session.

Council members came out of executive session and were back in regular open session.

Adjournment: Motion to adjourn by Trustee Hitchcock, seconded by Trustee Stites. Motion passed unanimously.

Respectfully Submitted

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Shawn Pagnotta, Town Clerk