

**TOWN OF SIMLA  
BOARD OF TRUSTEES  
January 4, 2022 @ 7:00 pm**

Mayor Fulmer called the meeting to order at 7:00pm.

**Roll**

Town Clerk Zion called roll. Members of the Board present: Mayor Fulmer, Trustee's Jeb Billmire, Andrew Kissam, Stephanie McCune, Dominick Black, Chad Thieman, Mayor Fulmer declared a quorum.

**PLEDGE OF ALLEGIANCE**

**Staff**

Staff Present Town Clerk Zion, Public Works Director Myke McCune.

**Additions to Agenda**

Public Works fuel tanks to j. new business  
Trustee vacancy moved to a. unfinished business.

**Consent Agenda Items**

Trustee Thieman moved to approve the minutes from the December 14, 2021 meeting, Trustee McCune seconded motion passed.

**Audience to Visitor:**

None

**Treasure's Report**

Trustee Thieman moved to accept the Treasurer's report, Trustee Black seconded motion passed unanimously.

**PUBLIC HEARING MODEL TRAFFIC CODE 2020 EDITION**

Mayor Fulmer went into a Public Hearing to adopt the Model Traffic Code, 2020 Edition. No comments from the public. Attorney Kimble informed the board that at the December 14, 2021 meeting when the Model Traffic code was presented to the board, that was the first reading adopt the code by reference. The Clerk received the affidavit of publication from the Ranchland News. If the board approves the **ORDINANCE 329, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SIMLA, ELBERT COUNTY, COLORADO, TO REGULATE TRAFFIC WITHIN THE TOWN BOUNDARIES BY ADOPTING, BY REFERENCE, THE 2020 EDITIONS OF THE "MODEL TRAFFIC CODE"; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING PENALTIES FOR VIOLATION THEREOF.** Trustee Black moved to adopt Ordinance 329, Trustee Kissam seconded roll call vote five (5) ayes, zero (0) nays motion passed unanimously. Attorney Kimble will send the adopted Ordinance 329, to CDOT when Attorney Kimble received letters from CDOT accepting Ordinance 329, then the 'Model Traffic Code' will be published.

**Report:**

**Attorney Stan Kimble**

Attorney Kimble brought the mylars regarding the 31100 Fox Street-Annexation to the town of Simla for the Mayor and the Town Clerk to sign. Trustee Thieman asked about the Hope Trust, Attorney Kimble felt that we should hear something within the month regarding the notification of income.

**Clerks Report:** Clerk Zion asked the board if the clerks office could go back to 40 hrs week open five (5) days a week, Mayor asked what was budgeted for, 40 hours is what was budgeted for, Clerks office will be open five (5) days a week. Clerk Zion informed the board that the 2022 Adopted Budget for the town of Simla had been sent to the state. There was discussion regarding the Clerks office working only 7 1/2 hours a day.

**Building Inspector/ in packet**

Andrew Kissam informed the Board that plans for a new home at 314 Cheyenne was being presented to him for approval.

**Police Department – Chief Schiefelbein - absent**

nothing to add.

**Public Works Director ( in packet)– Myke McCune**

Myke was counting the tables that need to be replaced in the park, he is to come back with numbers and figures. Mark Foxworthy will come to Simla this month to discuss the e coli numbers with the Simla Food Locker. Myke discussed with the board the sewer line that collapsed before it connects to the main line at the Sioux apartments, the owner of the apartments asked if the town would dig it up, the board informed Myke the collapsed line is the owner’s responsibility.

**Mayor's Report**

Mayor Fulmer had nothing to say.

**UN FINISHED BUSINESS**

**a. Trustee Vacancy**

Janette Nipple and Cody Deanne present to answer questions the board had of them regarding filling the vacancy left by Trustee Miller. Attorney Kimble informed the board that it is case law that the board could not do a secret ballot, and that the board could not go into an executive session at this time. A roll call vote was taken to appoint the trustee. Janette Nipple received four (4) votes and Cody Deanne received one (1), Mayor Fulmer swore Janette Nipple in as trustee to finish the term left vacant by Trustee Miller.

**b. Police Department Holiday’s**

The board decided that when the Police Department works on a holiday that employee has 30 days before or after the holiday to use that holiday, this is to be added to the personnel manual.(Clerk informed the board this was addressed when Dan Huston was chief.(see minutes from 6/13/2017 meeting).76

**c. Ordinance 326 AN ORDINANCE PROVIDING FOR THE IMPOSITION OF A LODGING OCCUPATION TAX FOR THE TOWN OF SIMLA, ELBERT COUNTY, COLORADO, AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE APRIL 5, 2022 REGULAR MUNICIPAL ELECTION,** Trustee Thieman moved to adopt Ordinance 326, Trustee Kissam seconded discussion roll call vote six (6) ayes, zero (0) nays, motion passed unanimously.

**NEW BUSINESS**

**a. Resolution 322-2022 INCREASE IN WATER WASTEWATER RATES FOR 2022**

Trustee Thieman made a motion to adopt Resolutions 322-2022 through 328-2022 Trustee Black seconded roll call vote six (6) ayes, zero (0) nays motion passed unanimously.

**b. Resolution 323-2022 Establish Rates and Fees for Building Permits for 2022**

**c. Resolution 324-2022 Establish cost of Transient Sales Permits for 2022.**

**d. Resolution 325-2022 Acknowledge Official Posting Place for Notices to Public for 2022.**

**NEW BUSINESS (continued)**

e. **Resolution 326-2022 Acknowledge Trash Rates Contracted with Dan's Trash for 2022**  
discussion, negotiations will need to be addressed October 1, 2022 for Trash Rates Contracted with Dan's Trash for the 2023 contract.

f. **Resolution 327-2022 Rod Webb Lease**

g. **Resolution 328-2022 A Resolution of the Town of Simla, Colorado Delegating Authority and Responsibility to the Town Clerk to Appoint Election Judges.**

h. **Resolution 329-2022 A RESOLUTION SUBMITTING TO THE REGISTERED ELECTORS OF THE TOWN OF SIMLA AT THE TOWN'S REGULAR MUNICIPAL ELECTION A BALLOT ISSUE ON WHETHER TO ENACT A LODGING OCCUPATION TAX.**

i. **Ordinance 328 THE BOARD OF TRUSTEES OF THE TOWN OF SIMLA, ELBERT COUNTY, COLORADO DO HEREBY RESOLVE AND ORDAIN TO LEASE A CERTAIN MUNICIPAL REAL PROPERTY TO JEANINE FOSTER.**

Trustee Thieman moved to adopt Ordinance 328, Trustee Black seconded motion passed unanimously.

j. **Fuel Tanks – Trustee Billmire**

Trustee Billmire brought before the board the availability of the town of Simla doing an IGA with Elbert County to get fuel from the Simla Shop when they have completed putting in new fuel tanks. Trustee Billmire moved to declare the two (2) above ground 300 gallon fuel tanks purchased LS-300-SPB-2DAC and LS-300-SPB-4DAC salvage and be sold Trustee Black seconded discussion motion passed unanimously.

**Claims and Vouchers**

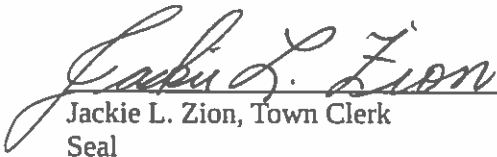
Trustee McCune moved to pay claims and vouchers, Trustee Billmire seconded motion passed unanimously

**Other:**

Set agenda for February 8, 2022 meeting


Meeting adjourned at 8:17 pm

Submitted:

  
Jackie L. Zion, Town Clerk  
Seal



**Approved by the Simla Town Board of Trustee's**

  
Ryan Fulmer Mayor  
Date Approved February 8, 2022