

**Village of Point Venture  
Village Council Meeting  
Monday February 2, 2009 @ 6:30 PM  
MINUTES**

**A. Call to Order.** Mayor Shinn called the meeting to order at 6:30 pm.

**B. Roll Call.** Village Secretary Chance Chatham called roll. Members present; Mayor Shinn, Mayor ProTem Adolph, Treasurer Hruby, Councilman Helton, Councilman Stuart and Councilman Warneke. Absent members none.

**C. Special Reports outside Representatives.** There were no outside representatives.

**D. Consent Agenda: All items under Consent Agenda are considered to be routine by the Village Council and will be enacted on by one motion. If discussion is desired, that item will then be removed from the Consent Agenda and will be considered separately.**

1. **Approval of the January 5, 2009 minutes.** Councilman Helton made a motion to approve the minutes, Councilman Stuart seconded the motion. All in favor – motion carried minutes approved.

**E. Administrative Reports**

**1. Sheriff's Report.** Councilman Helton reported three moving violations and two non moving violations reported for the month of January. A felony warrant was issued in Point Venture for aggravated sexual child assault. Sheriff Givens said he would know more about this when it goes to court. Court date has not been set at this time. Mayor Shinn stated that Point Venture has a resident with this background and asked the Sheriff if this may be the same person. The Sheriff was unable to answer this question at this time. Councilman Helton stated that each year there are more families moving into Point Venture. Everything else in Point Venture is running well.

**2. Emergency Management Report.** Councilman Warneke had no emergencies to report. The EMC is looking into several locations for the Emergency Command Center to have for emergencies. They are looking more to the WCID's water plant. This facility is in a good general location and is equipped with a generator. Councilman Warneke stresses again that the Committee needs more volunteers to participate in case of an emergency. At this time there are four members, Councilman Warneke, Councilman Stuart, Mayor Shinn and a part time resident. If any residents are interested in becoming volunteers please contact Councilman Warneke. Councilman Warneke thanked all that participated in the purchase of the Jaws Combi Tool that will be for the emergency use in Point Venture. Councilman Warneke is in the process of moving the web site. The web site was moved over the weekend and is now in the process of updating information. He apologizes for any inconvenience that this may have caused; the web site should be up and running soon. Mayor ProTem Adolph suggests that once the web site is available and information is able to be updated or add he would like a committee or Council to review the information prior to inserting on the web site.

**3. Treasurer's Report.** Treasurer Hruby reported monies in the bank; Security State Operating Account \$31,632.95, SS Money Market \$60,000.00, Wachovia Bank \$100.00. Certificates of Deposits, in SS (12 mos) @ 2.8% - Road Fund \$104,199.98, SS (9mos) @ 2.51% \$100,000.00. Hruby stated that there have been more taxes collected this year than expected, taxes may be paid at the tax office early and special arrangements can be made if resident (s) are facing financial difficulty. These arrangements should be made to prevent foreclosure.

**4. Animal Control Report.** –Councilman Stuart reported twenty four incidents for the month of January. Dr. Knix has asked for inspection of our holding tank, it was also requested that Councilman Stuart educate the residents on how dangerous rabies are and how important those shots are. These shots can be given as early as sixteen weeks old. A resident took three kittens to Life Long Friends which had been treed by a pit bill. Councilman Stuart asked the residents Please do not do this without first contacting him and then not until it has been approved. Another deer was buried after being pulled from an iron fence. Councilman Stuart again reminds the residents that they are responsible for the removal of any animal carouse. Stuart was asked by residents at that time could he ask that the POA put in their news letter not to feed the Deer, and also on the Village web site. There have been 121 dogs registered for the year 2009. Councilman Stuart thanked his wife for all of her help with the registration set up. The WCID was also thanked for helping burring one dog, three deer.

**5. Fire Department Report.** Councilman Stuart reported that 75% of the call is EMS and not fire. Capital Area Council of Mayor wants to charge for services that the Fire Department does not normally charge for. The Fire Department does not charge to come out on an emergency unless you are transported to the hospital. There is a meeting scheduled for Monday February 23, 2009 that Mayor Shinn has asked to attend. Councilman Stuart still encourages resident if there is an emergency to call 911. Stuart thanked the communities, The Village of Point Venture, The Lion's Club and the WCID for the purchase of the equipment for the Fire Department. Volunteers are still needed for the Fire Department. One of their volunteers has been recalled to the army and is scheduled to leave in February. Councilman Stuart reminds the residents that is training is hard and requires a lot of commitment. If interested contact Ed Stuart.

**6. Building Commission Report.** Treasurer Hruby reported thirteen new homes are under construction, eight homes being remodeled and five ordinance violations. Councilman Warneke requested that these ordinance violations be more detail in order to know what exactly the violation (s) was issued for.

**7. Floodplain Administrator's Report.** There was no floodplain report.

**8. Public Works Report.** Mayor ProTem Adolph reported that the tree trimming along the Village's right of ways to remove the branches that hang out into the roadway will begin. Yellow reflectors will be placed in the middle of the dual stripe on Venture Blvd. South. This work will begin this week and the approximate cost will be \$1,500.00. The completing of the right of way project on Lake Front past Peckham approximate cost will be \$900.00 and will be repairing the right of way on Peckham just in front of Lake Front where the drainage out flow pipe is, this approximate cost will be \$1,000.00. CapMetro has asked that we request the first half of our 2009 grant (\$20K); once we decide on the revised plan Mayor ProTem Adolph will request this money.

**9. Mayor's Report.** Council adopted a resolution to support Bob Ruggiero in October of 2008 as a voting member on the Lower Colorado Regional Water Planning Group Region K. Mayor Shinn was proud to announce that Bob Ruggiero was appointed this position. Mayor Shinn thanked all the volunteers that have helped in so many areas in The Village of Point Venture also thanking Councilman Stuart for his time and education on his completion and certificate for Code Enforcement Course.

**F. Citizens Inquiry: In accordance with the Open Meetings Act, Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them that are not on the agenda.** Resident Mrs. Kenner questioned the Mayor in regards to the position that each entity was responsible for and how these participants (volunteers) were appointed in these positions. She also asked how one could be voted or dismissed from a position. Mayor Shinn explained to Mrs. Kenner that this was something that would need to go to the magistrate that it is not just something that can be voted on. Mayor Shinn also reminded Mrs. Kenner that this was something that he and or Council was unable to discussion or go over at this time.

## **G. General Business and Action Items:**

### **H. Old Business**

**1. Discussion only on possible Ordinance regarding Golf Carts.** Mayor Shinn stated that at last months meeting that although he is against an ordinance he still feels it is necessary to do something to control this in order to maintain the safety of Point Venture. He proposes that the ordinance is something needed to research first the State Statue vs Ordinance, both of these need more legal advice before a decision is made. Councilman Warneke requested a draft of this ordinance be drawn up as to what they need before it is taken to the Attorney's office. The Council reintegrated that these are not just children but adults as well that are driving golf carts unsafe. Mayor ProTem Adolph asked the Council to move forward with this item. Councilman Helton suggested again that we first look into the State Statue to find out what we can do for all ages that are driving dangerously. Sheriff Givens feels that a lot of these children are not as well paying attention to the roads and or on coming traffic. This item was tabled.

**2. Discussion and Possible action on Road Safety.** The speed limit was with drawn last month but road safety still needs to be looked into. Councilman Warneke is looking into any type of grant money that may be used for installing sidewalks in Point Venture. Installing signs in various places such as tight curves may also be helpful. Councilman Warneke suggested an open meeting to be scheduled at a later date when Point Venture residents and Council could discuss further. At this time the item will be removed from the agenda.

**3. Discussion and Possible action on replacement of the Flood Plain Administrator.** Mayor Shinn was appointed the FEMA Administrator in January 2009 until the FEMA Administrator (Inspector) position was filed. A proposal from ATS and Marilee Pfannstiel was reviewed. Mayor

Shinn favored the proposal from Marilee Pfannstiel because of the closeness between the two cities. Jonestown and Point Venture have worked together for some time, with much success. Mayor Shinn asked for a vote on a new FEMA Administrator. Mayor ProTem feels also that Marilee will better serve Point Venture in this position due to the fact that this is the position that she holds for the city of Jonestown, Councilman Warneke agreed, ATS can be used as a back up in the event that Marilee would not be available Mayor Shinn replied. Mayor ProTem Adolph made a motion to accept Marilee Pfannstiel's proposal for the FEMA Inspector position, Council Warneke seconded the motion. All in favor –motion carried. Village Secretary Chatham will contact Marilee Pfannstiel with this information and request a inter local agreement or individual contract between the Village of Point Venture and Marilee Pfannstiel for the Mayor and Council's review.

**4. Discussion and Possible approval of revising the 2007 Road Program Phase II to a reduced area to be resurfaced.** Mayor ProTem Adolph stated that if we go with the original budget we may be looking at a tax increase. Mayor ProTem asked to look into deferring some of these items with River City Engineer's opinion providing that these roads are in good condition. If this is the case then some of this work can be deferred until 2010 – 2011. Mayor ProTem Adolph is also looking into other types of materials for road surfacing.

**5. Discussion and Vote on the amendment for the Lot Clearing Ordinance.** Mayor ProTem Adolph brought the request to Council in December 2008 to amend the original ordinance to include lot clearing when building a home. This ordinance amendment was passed 12-2-08. The original was sent to the City Attorney's office for proper legal wording and presented to Council this evening for signature. Mayor Shinn signed the amendment, Village Secretary attest signature. This ordinance is now in affect new ordinance number is 2008-12-01 replacing ordinance number 2007-02-02.

#### I. New Business

**1. Discussion and Possible action on the increase for recycling.** Mayor Shinn asked for this item to be researched due to the 100% increase. Mayor Shinn asked for a motion to increase the recycle fee up to \$300.00 in order to maintain this year's budget until further research can be done. Mayor ProTem Adolph made a motion to accept the increase, Councilman Hruby seconds the motion. All in favor – motion carried. Mayor ProTem Adolph will contact Ecologic. Item is tabled.

**2. Discussion and action on Welcome letter to residents.** Mayor ProTem Adolph explains that as new residents move into or build new homes they are given anything explaining some of the wonderful things that Point Venture offers. Some of these things include not only fun things but also the rules. This welcome letter will help residents to understand the steps needed to take in order to not only enjoy Point Venture but to also help keep Point Venture a beautiful place to live. Councilman Stuart asked that a place on the welcome letter include a note for new residents for annual dog registration. This letter will go out in a mail out with the WCID's mail out in order for all the residents to enjoy. Mayor ProTem Adolph makes a motion to accept the welcome letter, Treasurer Hruby seconds the motion. All in favor – motion carried.

**3. Discussion and possible action on relationship with Village attorney.** This item was tabled.

#### II.

**Adjournment.** Mayor ProTem Adolph made a motion to adjourn. Councilman Warneke seconded the motion. All in favor – meeting adjourned at 8:37 pm.