

**BOARD OF TRUSTEES
TOWN OF GREEN MOUNTAIN FALLS
MINUTES OF REGULAR MEETING - TUESDAY, FEBRUARY 1, 2011**

The meeting was called to order at 7:02 p.m. by Mayor Tyler S. C. Stevens.

ATTENDANCE: Pitrone present Useman absent King absent
Bratton present Newberry present Worthey absent

ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA - No changes were presented.

PUBLIC INPUT - Items Not Listed on Agenda * - No input received.

**CONSENT AGENDA - APPROVE BOARD OF TRUSTEES MINUTES 01/18/11
- APPROVE BILLS DUE AND PAYABLE FOR \$3,367.03**

M/S Pitrone/Newberry to approve the Consent Agenda as presented. All yeas

ARCHITECT 'S REQUEST TO UPDATE BOARD OF TRUSTEES ON REGIONAL BUILDING FLOODPLAIN REQUIREMENTS FOR HANDICAP ACCESSIBILITY PROJECT

Architect, Robert Seever summarized the past two months for the Board members. After receiving Planning Commission approval, the drawings for the Town Hall Handicap Accessibility Project were taken to Regional Building for plans check, then onto Floodplain. On 1/31/11, Seever received an email from Floodplain Administration staff member, Michael Augenstein stating that the project is in the Special Flood Hazard. The project would require that the lowest floor of the addition be constructed one foot above the Base Flood Elevation. The approximate BFE for this location is 7727 feet; the lowest floor elevation would need to be 7728 feet. Augenstein also required certification from an engineer that the addition will not cause a rise in the base flood elevation. Seever stated that he provided that information submitted by engineer, Ralph LoCascio. Augenstein provided Seever with the conditions for Floodplain Code Pre-Construction Variances which Seever discussed with the Board.

The code states that variances shall only be issued upon the Review Board's or the Governing Body of the Jurisdiction's finding that the application substantially complies with the following:

- showing of good and sufficient cause.
- determination that failure to grant the variance would result in exceptional hardship to the applicant.
- determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expenses, create nuisances, cause fraud or victimization of the public as identified in Section RBC313.17.1.5, or conflict with existing local laws or ordinances.

Seever supports proceeding with the appeal process. There is no additional funding to be received from the HUD grant that the Town received for this project. The grant would not be jeopardized in any way according to grant advisor, Tiffany Colvert if the Town was granted a variance. The Town's insurance provider, CIRSA, has been contacted and there would not be an increase to flood insurance premiums for Town facilities if a variance was granted.

Seever feels that the Town can defend and justify the relevant factors for appeal with the consideration of a variance. Some of the factors are:

The danger that materials may be swept onto other lands to the injury of others.

The danger to life and property due to flooding or erosion damage.

The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.

The importance of the services provided by the proposed facility to the Governing Body of the Jurisdiction.

The availability of alternate locations for the proposed use, which are not subject to flooding or erosion damage.

The compatibility of the proposed use with existing and anticipated development.

The relationship of the proposed use to the Comprehensive Plan and floodplain management program for that area.

The safety of access to the property in times of flood for ordinary and emergency vehicles.

The expected heights, velocity, duration, rate of use, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site.

The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

A lengthy conversation ensued with consideration of the Floodplain regulations to the future of the community (as well as Chipita Park and Cascade) and property owners' ability to add to the value and use of their homes and businesses with necessary improvements. Ongoing FEMA studies consistently change base flood elevations with negative impacts on communities; these impacts are often not realized by contractors or residents until plans are taken to Regional Building. Trustee Pitrone expressed concern that these regulations could render property valueless. The Board concurred with the points discussed and with the importance of going forward with the project in a timely course. The Board requested that the Town Clerk set a public hearing for Tuesday, March 1, 2011 at 7:00 p.m. to consider a variance to regulations within RBC313.

JOY CLARK, COMMUNITY HEALTH EDUCATOR, TOBACCO EDUCATION AND PREVENTION PARTNERSHIP, EL PASO COUNTY HEALTH AND ENVIRONMENT - Discussion of Hookah Pipes and E-Cigarettes Due to the severe weather, Joy Clark requested that this item will be tabled until Tuesday, February 15, 2011.

M/S Bratton/Newberry to table. All yea

The Public Hearing was called to order at 7:54 p.m. by Mayor Stevens.

PUBLIC HEARING: DISCUSSION AND APPROVAL OF ORDINANCE 01-2011 MUNICIPAL LEASE PURCHASE OF A 1977 CATERPILLER 140G GRADER A draft of this ordinance was presented to the Board at the 1/18/11 meeting. There were no additions or corrections to the ordinance at that time. There were no comments from the audience members at that time or letters or verbal statements received at the Town Hall on the subject matter. At the 1/04/11 Board meeting, Director of Public Works, Robert McArthur submitted a 15 page report on the pros and cons of trading in the department's 1978 John Deere grader and purchasing the rebuilt 1977 Caterpillar grader which included preliminary and final research, the equipment's maintenance reports, pictures and replacement parts availability. McArthur pointed out that the current equipment is in need of more than \$20,000 in repairs, if the John Deere parts could be found. Wagner's price is \$50,000 with \$11,000 trade in, leaving \$39,000 to finance. Park State Bank has approved a 5-year loan for \$39,000 with 6% interest with the first payment due in March 2012. **There being no further comments from the Board members, audience or staff members the Public Hearing was closed at 7:58 p.m.** The Board members concurred with the research compiled and presented by Robert McArthur outlining the pros and cons of the grader purchase. **M/S Bratton/Pitrone to approve Ordinance 01-2011 to authorize the municipal lease purchase of the 1977 Caterpillar Grader and the financing presented. All yea**

ECONOMIC SUSTAINABILITY UPDATES - Due to the severity of the weather, grant facilitator Joe Hanke did not attend this meeting. The next meeting will be on Tuesday, February 8, 2011 at 7:00 p.m. which is immediately following the Planning Commission meeting.

REVIEW OF PUBLIC WORKS STANDARD OPERATING PROCEDURE FOR PROCUREMENT - Public Works Director, Robert McArthur introduced a standard operating procedure that expanded on the contract bidding procedures used by the Town.
M/S Bratton/Newberry to approve the Procurement SOP as presented. All ye

DISCUSSION OF FUTURE RURAL TRANSPORTATION AUTHORITY CAPITAL IMPROVEMENT PROJECTS **Mayor Stevens** suggested that this topic be discussed at the first Board meeting of each month. He stated that there is time to research and make comprehensive decisions. RTA Member entities will be submitting capital improvements priorities by the end of 2011 for discussion for inclusion on a potential 2012 ballot question. Trustee Bratton presented a memo with items from the Town's Capital Improvement Plan and Rob McArthur presented other items in an email for discussion and consideration.

REPORTS: The Marshal's Department report was entered into the record by Mayor Stevens and presented by Deputy Banovz. **Mayor Stevens: PPACG/PPRTA** - Stevens attended the Joint Meeting in Manitou Springs with their City Council on Tuesday, January 25th to view a presentation of the Future of Regional Transit. Stevens found the presentation very valuable for the future economic climate of the Front Range. He encouraged other trustees to review the presentation on the transit website. **Trustee Pitrone: Regional Building** - No report. **Public Works Department: DPW Director** - McArthur's report was entered into the record by Trustee Pitrone. McArthur submitted a memo addressing amendments to be presented to the Planning Commission relating to sections of the Hillside Overlay Regulations within Chapter 16 and the Grading codes in Chapter 17. Many of the recommendations were presented to the Planning Commission in 2008 by Woodland Park Planner, Joe Napoleon after a workshop the GMF commissioners requested. **Trustee King: PPACG Alternate / TES Alternate Rep / Admin** - No report. **Trustee Useman: Manitou School District 14** - No report. **Trustee Worthy: Urban Forestry/GIS website** - No report. **Trustee Bratton:** The Trails Committee meets on 4/7/11 at 6:00 p.m. at the Mucky Duck. On Thursday, 2/3/11, the Bronc Day Committee will meet and determine if there will be a Bronc Day event. The committee is searching for a new chair. Dick Bratton stepped down after chairing the event for three years. **Trustee Newberry: Parks** - Newberry, McArthur, Will, Beth Kosley and Bratton met and determined the planting sites for the 5/14 Arbor Day event.

OLD BUSINESS - Trustee Bratton requested that the Board review and approve the 2011 Calendar of Events that he compiled. Bratton would like to place this calendar on the website. Board concurred with posting the event calendar on the website.

NEW BUSINESS - No new business was presented that required Board discussion or action.

CORRESPONDENCE - No correspondence was received that required Board discussion or action.

The meeting was adjourned at 8:55 p.m.

Mayor Tyler S. C. Stevens

ATTEST: _____
Chris Frandina, Municipal Clerk