

Town Attorney, Matt Krob reviewed the updated policy. Peterson stated that several hours were spent reviewing by the committee. She felt that with the exception of the suggestions from CIRSA, the 1997 policy was not appreciably changed. Trustee Pitrone stated that he supports the updated version of the personnel policy and there is nothing he would change. Mayor Worthey expressed concerns about the policy's references to a Town Manager. She referred to the Concerned Citizens Referendum on the ordinance. Attorney Krob stated that he would discuss this during the Executive Session as requested by Trustee Pitrone's motion. The Mayor felt the new board should be reviewing the policy update. Audience member, Michael Lohman expressed concerns about the policy. Attorney Krob stated that if Lohman had concerns with the updated draft Personnel Policy that he put his concerns in writing. It was requested that the draft updated policy be placed on the Town's website. Pitrone stated that any comments need to be given to the Board for their review in a timely manner. The policy will be on the 2/18/14 agenda. Personnel Policies are adopted by resolution.

PROPOSED BOARD OF TRUSTEE PACKET TIMELINE AND CONFIDENTIALITY POLICY: AN ORDINANCE AMENDING THE DEADLINE TO SUBMIT MATERIALS TO THE TOWN CLERK FOR INCLUSION IN THE BOARD OF TRUSTEES' PACKET AND ESTABLISHING PROCEDURES FOR POSTING A COPY OF THE BOARD OF TRUSTEES' PACKET TO THE TOWN'S WEBSITE – Town Attorney, Matt Krob explained his reasoning for recommending an ordinance amendment to the existing municipal code rather than amending the resolution for the electronic media policy. Michael Lohman questioned the attorney about the lack of an ordinance reference number. Krob stated that is a matter of form. The Clerk sets the ordinance number and the absence of one does not affect the rest of the ordinance. Resident, Trajn Boughan questioned whether an elected official could be removed from office as stated within paragraph 4, on page 2. Krob quoted C.R.S. 31-4-307: By a majority vote of all members of the Board of Trustees, the Mayor, the Clerk, the Treasurer, any member of the Board, or any other officer of the Town may be removed from office. Resident Richard Bowman questioned whether any statement in the document violated the Sunshine Laws. Mayor Worthey wanted the town attorney to better define what documents could be or may be marked confidential. She wanted paragraph 4 on page 2 reworked. She thought it was vague and confidential documents needed to be more clearly defined. Krob explained that documents marked confidential would only be so until they were brought forward and discussed at the open meeting. He said that draft documents or work products that the board members and staff may be working on or documents discussing negotiations or potential annexations would be documents that would be marked confidential until such time they were brought forward to an agenda for discussion at a public meeting. The amendment gives the Board the ability to review sensitive documents, review and discuss work documents and receive legal counsel; that is the purpose of a draft document. Trustee Newberry requested a change to the first page, under Sec. 2-30 that the submittals are delivered no later than 4:30 p.m. on the Thursday prior to the regular Board meeting. The other members stated that this is the first presentation and reading. There will be public input at the second reading of the ordinance on 2/18/14. **M/S Pitrone/LoCascio to approve the first reading of An Ordinance Amending the Deadline to Submit Materials to the Town Clerk For Inclusion in the Board Of Trustees' Packet and Establishing Procedures For Posting a Copy of the Board of Trustees' Packet to the Town's Website with a change to the first page that submittals are due no later than 4:30 p.m. on the Thursday prior to the regular Board meeting. Pitrone, LoCascio, Newberry, Peterson in favor; Worthey opposed. Motion passes.**

REQUEST TO DEVELOP A STANDARD OPERATING PROCEDURE (SOP) FOR CURRENT CODE ENFORCEMENT FOR THE TOWN OF GREEN MOUNTAIN FALLS

Robert McArthur stated that upon review of the Marshal's Department's Standard Operating Procedures Manual, a definition for Code Enforcement was not found. He stated that there

have been at least three occasions when the Town did not have a Marshal's position for a period of time. He suggested that with a policy, the Town could bridge the gap during the times when the Town is without a Marshal. He presented a handout from Grand Lake, Colorado for the Board's review. Trustee Pitrone requested that McArthur be tasked with drafting a code enforcement policy. McArthur will be reviewing other municipal standard operating procedures for code enforcement content. Audience member Michael Lohman asked the town attorney how McArthur and his staff could drive the code enforcement vehicle and Krob stated that it has been cleared with CIRSA council. McArthur is using the vehicle not to enforce codes but for roads inspection and visibility. Lohman questioned the fact that the ordinance appointing the town manager position does not become law until 30 days after publication so how can McArthur assume the duties of the position. Krob stated he will discuss this issue during the Executive Session with the Board members.

PUBLIC INPUT – For Items Not Listed on the Agenda * **Dick Bratton, 11190 Hondo Avenue** presented the members with an email dated 2/4/14 with his recommendation for the Marshal's Department. Bratton stated that he has requested credible data on the level of the EPC Sheriff services to GMF and has not received it. He stated that the citizens deserve to know. He stated that the municipal code requires a Marshal's Department and that the citizens should have an opportunity to voice their desires. He recommends amending the budget to fund a post certified marshal. In reply to Bratton's request for current coverage, Trustee Pitrone read a report from Trustee Price on current GMF law enforcement coverage. He reported that at no additional charge to residents and taxpayers, the town is receiving 60 hours of POST certified patrols and an additional 10 hours of non-POST coverage on a weekly basis. This coverage is from El Paso County Sheriff's Office, the Teller County Sheriff's Office, Colorado State Patrol and from the Department of Public Works in the Town's Code Enforcement vehicle while the department does road inspections and neighborhood watch. Price stated that this is coverage at no cost that the Town was annually budgeting over \$100,000 for. **Judy Wiedner, 6520 Spruce Street** stated that residents are concerned with public safety and requested that there be an agenda item at the next meeting for this discussion. **Dr. Trajn Boughan, 6850 Howard Street** re-iterated statements made by Sheriff Maketa during his Board presentation addressing small town budget constraints to adequately train and keep a department updated. **Michael Lohman, presenting an address of 6802 Hotel Street** stated that Trustee Price gave incorrect information when he stated that there were no open cases at the last meeting. Lohman stated he was a victim of identity theft and the case is still open. Robert McArthur clarified Price's statement for Lohman. Price after a meeting with the DA's office was addressing open cases involving firearms with the DA's office and not municipal cases. At this point, Trustee Pitrone challenged Lohman on the address he is presenting. Pitrone stated there is no 6802 Hotel Street in Town. Lohman stated that he lives in a house owned by Dan Schauer and he can bring Pitrone the electric bills.

REPORTS: Mayor's Report: No report.

Trustee Liaison Newberry, Administration: No report.

Trustee Liaison Pitrone, Advisory Committee Regional Building Department: No report.

Public Works: Copies of the department report were submitted to each Board member.

Trustee Liaison LoCascio, Parks: No report.

Trustee Liaison Price, Marshal's Department: Report read earlier under Public Input by Trustee Pitrone.

Trustee Liaison Peterson, Businesses/Ute Pass Triangle Chamber: Trustee Peterson requested a point of personal privilege to read a statement to the Board and audience members. This is one of Roberts' Rules of Order, which states that any member may rise at any time and demand the privilege of the floor if the member feels their personal comfort has

been unduly injured by the words or behavior of another member. In her written statement, Peterson stated that while she had tried to promote community and continue the legacy of service started by her parents, she has been saddened to be called a liar and have her integrity questioned numerous times. Peterson went on to clarify the misinformation that has been communicated to her recently and disseminated on the social media. She encouraged citizens to ask for the facts. The clerk is a salaried employee and does not get overtime. The only employees paid an hourly wage are the part time and seasonal employees. Peterson reiterated that the appointment of a Town manager has not changed the town's form of government. The Board continues to set policy and the manager will carry out the day to day operations.

Trustee Liaison Stevens, PPACG, PPRTA and CDAB: No report.

Town Attorney Matt Krob stated that he will limit his report to the Executive Session.

OTHER BUSINESS: Trustee Pitrone recommended that the Town review its Public Input procedures. The clerk had provided Board members with several municipal agendas for review. Pitrone favored the City of Fountain's policy for citizens addressing the Board on items not listed on the agenda. Pitrone suggested that Fountain's statement on their agenda be incorporated into the Town's agenda. Mayor Worthey wants to add the Pledge of Allegiance to the start of Town meetings. Deputy Susan Barnes asked the Board to clarify who she should be reporting to when she does return to work.

CORRESPONDENCE: The Board received an agreement from El Paso County concerning the payment of election costs associated with the municipal election. CIRSA submitted the Property/Casualty End of Year Claim Report. Emails were sent to the Board members from the Town Attorney and CIRSA's chief counsel, Tami Tanoue, confirming that the Public Works employees are able to use the Town's code vehicle to inspect roads and provide a presence around town.

Mayor Worthey recessed the regular Board Meeting at 8:45 p.m. for the Board of Trustees to go into an Executive Session with the Town Attorney, Matt Krob.

M/S Peterson/Pitrone to authorize the Board going into an Executive Session under C.R.S. Section 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions regarding the Referendum Petition at 8:51 p.m. Peterson, Pitrone, LoCascio, Newberry, Worthey in favor.

The Board members came out of Executive Session and the regular meeting was resumed at 9:52 p.m. Trustee LoCascio had left the Executive Session at 9:35 p.m.

The Town Attorney stated the Concerned Citizen's Referendum petition was not returned within the time frame allocated by State Statute to be placed on the April 1, 2014 election ballot. Krob explained that the Board had the choice to repeal the ordinance or to set a Special Election according to state statute no less than 60 days and no more than 150 days from this date putting the election dates between April 7, 2014 and July 4, 2014. Mayor Worthey stated the ordinance should be repealed and that the Board should start over and solicit public input again. Peterson stated that the election should be set so that the Board can hear from all the citizens. Pitrone stated that based on all the information the Board received at the public meetings, he is convinced that the Town Manager position is a good idea.

M/S Newberry/Pitrone to coordinate with the Town Clerk to set a Special Election for the Referendum no less than 60 days from today and no more than 150 days from today. Newberry, Pitrone, Peterson in favor; Worthey opposed.

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Attorney Krob stated that the Town Manager contract and ordinance will be held in abeyance until after the election. Trustee Peterson requested that the Board direct Robert McArthur to serve as interim Town Manager. Within the Job Description for the Public Works Director, under Principle Duties and Responsibilities, is #22 which states: Additional assignments as directed by the Board of Trustees.

Mayor Worthey asked what duties would McArthur be performing as the interim manager and Trustee Pitrone listed the following:

1. At the direction of the Board of Trustees, the Manager performs the hiring and discharge of full time Municipal employees, (excluding Town Attorney and Municipal Judge). Recommends employee pay, department head performance evaluations, benefits and annual adjustments.
2. Works with the Town Clerk to research and prepare annual Municipal Budget for BOT consideration. Town Clerk to reasonably act on behalf of Town Manager as required.
3. Reviews expenses, revenue and needs with department heads. Recommends staffing levels and capital, materials and supply expenditures.
4. Monitors budget activity throughout the fiscal year. Advise the BOT of financial conditions and current/future municipal needs.
5. Advises the BOT regarding Municipal operations and policies.
6. Attends BOT meetings and committee meetings as required. Supervises the development of agendas for Municipal meetings.
7. Maintain a CPO license and oversees pool water quality and operations.
8. Provides oversight for all departments through supervisory personnel. Delegate management authority through department heads. Directs, advises and counsels supervisory personnel.
9. Works with the Town Attorney interpreting ordinances, resolutions, laws, code enforcement and zoning as reasonably required.
10. Explains Municipal operations through presentations and written materials to BOT, news media and residents. Acts as Municipal Liaison/Public Information Officer to the news media representatives. Advocates on the Municipality's behalf.
11. Oversees long-range capital improvement plans and their implementation.
12. Provides oversight for all research and application preparation associated with granting agencies, and the monitoring and reporting to same in the event of awards to the municipality; facilitates project management as required.
13. Oversees the development and administration of all municipal projects, including request-for-proposals and subsequent contracts, as well as cost and quality control.
14. Maintains a CDL driver's license and operates heavy equipment as required during project work, in the event of emergencies, or Public Works staffing incidents.
15. Communicate BOT plans, policies and procedures to residents, commissions, groups and other agencies. Receives resident complaints, and reasonably resolves or delegates any complaint resolution to appropriate department or individual.

16. Supervise the municipal safety program associated with risk management and loss prevention.

17. Oversees the writing of news releases, Municipal meeting agenda item background materials, memoranda on Municipal operations and correspondence on Municipal matters.

18. Coordinates with county and/or other agencies for law enforcement and other needs.

19. Reasonably serve as the Town's representative at regional meetings and as necessary (where elected officials are not required) with county and state officials, the general public, civic groups, commissions, and regional entities.

20. Oversees the Municipal website and social media development.

21. The Board of Trustees may assign reasonable additional duties as agreed upon by both the Board of Trustees and the Manager.

Mayor Worthey did not favor McArthur performing all the duties. She was opposed to McArthur working on the budget and overseeing the pool. Newberry and Pitrone stated that this oversight was essential to the everyday operations of the Town. Peterson stated that the Board can discuss the assignments and duties at the next meeting. It was discussed and agreed that Deputy Susan Barnes would report to McArthur.

Attorney Krob stated that Board approval of the interim position grants Robert McArthur the authority with the understanding that things can be added, changed or taken away.

M/S/ Pitrone/Newberry to direct Robert McArthur to serve as interim Town Manager with the duties for the interim town manager as outlined above with the Board having the authority to adjust the duties as they may see fit. Pitrone, Newberry, Peterson in favor. Worthey opposed.

Attorney Krob stated that Board approval of the interim manager position grants Robert McArthur authority with the understanding that things can be added, changed or taken away. Krob stated the Board is very attentive and listens to the citizens and will continue to do so with a vote of the citizens.

There being no further business, Mayor Worthey adjourned the meeting at 10:22 p.m.

Mayor Lorrie Worthey

ATTEST: _____
Chris Frandina, Town Clerk