

**BOARD OF TRUSTEES  
TOWN OF GREEN MOUNTAIN FALLS  
MINUTES OF REGULAR MEETING  
TUESDAY, MAY 5, 2009**

The meeting was called to order at 7:00 p.m. by Mayor Tyler S. C. Stevens.

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

**ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA – No changes presented.**

**CONSENT AGENDA - APPROVE BOARD OF TRUSTEES MINUTES: 4/21/09  
- APPROVE BILLS DUE AND PAYABLE: \$4,575.46  
- ACCEPT PLANNING COMMISSION MINUTES 4/28/09  
INTO THE RECORD**

**M/S Bratton/Newberry to approve the consent agenda as presented. All yea**

**CITIZEN'S INPUT – No input received at this meeting.**

**SPECIAL EVENT PERMIT REQUEST: UTE PASS ELEMENTARY PONY RUN EVENT,  
SATURDAY, MAY 16, 2009 - 8:00 A.M. TO 11:00 A.M.**

**M/S Bratton/Useman to approve the Special Event Permit for Ute Pass Elementary for  
5/16/09. All yea**

**M/S Bratton/Newberry to waive the Special Event Permit fees. All yea**

**2009-2019 CAPITAL IMPROVEMENTS PROGRAM Review and Discussion: Trustee Bratton  
presented a revised CIP dated 4/22/09. The Board of Trustees had recommended changes at the  
4/21/09 meeting that Bratton incorporated into this version of the CIP.**

**PROJECT SPONSOR AGREEMENT WITH TOWN OF GREEN MOUNTAIN FALLS AND  
COLORADO LEGENDS AND LEGACIES YOUTH CORPS - The approval and signing of this  
agreement was tabled at the 4/21/09 meeting. Trustee Bratton was requested to contact the Town  
Attorney concerning including the name of the property owner of the land where the trail is being  
constructed into the agreement. The Board also requested the inclusion of the amount that the  
property owner was contributing to the cost of the trail building on page 2. Mayor Stevens had  
requested some additions to the section that addressed protective equipment for the crew  
members. Trustee Pitrone was concerned that the Town is signing the agreement for the entire  
amount of \$11,200.00 without security that the other half would be received from the property  
owner. Mayor Stevens felt the Board must exercise prudence on behalf of the Town.  
Bratton stated that he will ask for the check to be sent to the Town prior to the start  
of the trail building in July. Bratton will also add the property owner's name to the section  
under "Sponsor will provide" at the Town attorney's recommendation. Mayor Stevens will sign the  
agreement upon receipt of the \$5,600.00 from the Historic Green Mountain Falls Fund.  
**M/S Bratton/Useman to approve the agreement with CLLYC and authorize the Mayor to sign  
the agreement upon receipt of \$5,600.00, one half of the cost. All yea****

**TRAILS EASEMENT UPDATE - Trustee Dick Bratton emailed the town attorney, staff and board  
members two proposed easement agreements for review. He has requested that the approval  
and signing of the agreements be on the May 19, 2009 agenda. The Board members had  
expressed liability concerns at prior meetings while discussing building a trail on private land and  
then the subsequent use of the trail by the public.**

Bratton stated that the easements granted within A and B should alleviate liability concerns. He stated that these agreements are the results of two years of preparation. Easement A is for the new connector trail across parcel 13 within Green Mountain Falls' town limits and owned by the Historic Green Mountain Falls Fund. Easement B addresses a non-perpetual easement across property owned by Historic Green Mountain Falls Fund lying within Chipita Park, parcels 10 and 11. Two corrections are needed - one on each of the easements. On "A" - #8 should read "obligation of the Grantee" and not "Grantoree"; on easement B - #8 should read "Grantor" and not "Grantee". Bratton will request those corrections be made by the property owner's attorney, Spencer Gresham.

A discussion ensued about future trails maintenance and where the responsibility lies. Trustee Bratton has spearheaded all trails activities since 1992. He said that he would be looking for another trustee to take the reins in the future. He felt that town trails were as important to the community as the parks system and that maintenance should fall to the Town. Trustee Pitrone was not supportive of the Public Works department taking over the maintenance of trails. He also questioned the use of general operating funds should Bratton not be on the Board in the future to solicit grants and volunteer activity. Trustee Worthey felt that eventually it would fall to the Board to decide how to proceed with trails once Bratton was no longer the primary trustee. He encouraged Bratton to put together a trails' maintenance manual for the Town with his NGO contacts, etc. Worthey stated that Bratton has a good method in place and most likely another trustee could go forward and formulate a trails committee. Bratton re-iterated that very little Town funds have been expended on trails over the past 17 years. Pitrone stated that was primarily because of Bratton's labors with grant solicitations. Mayor Stevens stated that at this time, the easements are what the Board will be considering and approving. He feels the board will make decisions about the trails maintenance when the need arises. The approval and signing of the easements will be on the May 19, 2009 agenda.

**REPORTS:** **Marshal Ford's** report was entered into the record by Mayor Stevens. Ford reported that the department was given a superior rating after a Criminal Justice audit. This was an annual inspection of juvenile/criminal processing. **Mayor Stevens: PPACG/PPRTA:** No report. **Trustee Pitrone: Regional Building/Public Works Department - Senator Udall** accepted Regional Building's offer to place his Colorado Springs office within the complex. **DPW Director Robert McArthur's** report was entered into the record. McArthur reported that the Fountain Creek Water Quality study is being finalized and the Green Mountain Falls area does not show any contributing factors to contamination calculations. **McArthur** updated the Board members on the ongoing repairs to the El Pueblo Building's septic system in the park by the Marshal's building. Repairs should be completed by 5/15/ Board members and staff will review the existing contracts. **Trustee King: PPACG Alternate / TES Alternate Rep / Admin / Grant Research - King** stated that when Trustee Pitrone completes the fabrication and installation of the light fixtures, King will send in the final photos to the Historic Foundation and seek a release of the project. King felt it was time to get an estimate on repairs to the Land Company Building. He will contact Chuck Severance to start the inquiries. **The clerk** submitted copies of the April financials. **Trustee Useman: Manitou School District 14 - No report.** **Trustee Worthey: GIS - Worthey** stated that the Eagle Scout mapping project is almost complete. 90% of the Town trails were mapped by donated equipment from Trimble. Worthey calculated the amount of donated time, equipment, material and expertise to be over \$70,000. **Urban Forestry - CWPP** group is setting up a slash site at the Ute Pass Elementary School bus parking lot on June 12, 13 and 14. **Trustee Bratton: Bronc Day Liaison/Annual Trails - Bratton** reported on the Bronc Day committee meetings. The next meeting will be on Wednesday, May 6, 2009 at the Mucky Duck

Restaurant. Bratton said that the regatta event committee had purchased three remote controlled boats for testing in the lake. The committee wants to include boat races as part of the Bronc Day events. Trustee Pitrone requested further Board discussion on remote controlled boats in the lake. Pitrone stated that the Town would be setting a precedent by allowing this activity to take place. He felt it increased the Town's liability, threatened current recreational fishing activity and would require additional enforcement by the Marshal's department. Boat owners would possibly go into the lake to retrieve boats that may stop working or get stuck. He was uncomfortable encouraging this use. Pitrone felt that once individuals witnessed the Bronc Day event, they would think this was a permitted use. Bratton stated that the Town has signs in the park area stating a standard policy of no boats in the lake. He felt it had not been a problem to date. Bratton stated that there will be a retrieval boat on the lake operated by committee members; everyone involved in the race will sign hold harmless releases. He said the Bronc Day committee would put out information that this activity was by Special Event permit for Bronc Day only. Worthey felt that precedence would be established. Newberry felt more information was needed. Useman stated this event would create problems later and require enforcement. Mayor Stevens recognized the Bronc Day committee's creative efforts in bringing new activities to the event. Bratton asked Pitrone if he wanted a vote from the Board and a motion was brought forward. **M/S Pitrone/Newberry to prohibit the use of remote controlled boat races as a Bronc Day event activity. Pitrone, Useman in favor; Bratton, King and Stevens opposed; Worthey and Newberry abstained. Motion carried.**

Bratton stated that he was disappointed and will report the Board's decision to the committee. **Trustee Newberry: Parks – The clerk** received a request from Ute Pass Elementary about having a portapot for the Field Day event on Monday, May 11th in the pool park. The Board authorized the expense. No further report.

**NEW BUSINESS:** Trustee Bratton has expressed concern with the increased use of LED lights throughout the Pikes Peak region. He feels the Town should be proactive and review the sign ordinance to prohibit the use of these lights. He noted that Woodland Park is currently holding public hearings on an update to the City's sign codes. Bratton will recommend the Planning Commission reviewing Woodland Park's results for consideration to the Town's sign codes. **No other new business brought before the Board of Trustees requiring discussion or action.**

**CORRESPONDENCE:** No correspondence was received requiring Board of Trustee discussion or action.

**The meeting was adjourned at 8:45 p.m.**

ATTEST:

  
Chris Frandina, Municipal Clerk

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Mayor Tyler S. C. Stevens