

The Minutes are Provisional until approved by the Board at the next meeting on 5/21/13.

**BOARD OF TRUSTEES
TOWN OF GREEN MOUNTAIN FALLS
MINUTES OF REGULAR MEETING – TUESDAY, MAY 7, 2013**

The Board of Trustees meeting was called to order by Mayor Worthey at 7:02 p.m.

ATTENDANCE: Newberry - present Pitrone - present LoCascio - present
Price - present Stevens - present Peterson - present

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

CONSENT AGENDA - APPROVE BOARD OF TRUSTEES MINUTES FOR 4/16/13
- BILLS RUN 4/17/13 THROUGH 5/3/13 FOR \$9,349.44
- ACCEPT 4/23/13 PLANNING COMMISSION MINUTES INTO THE RECORD

CLAY BROWN, REGIONAL MANAGER, CENTRAL REGION COUNTIES, DIVISION OF LOCAL AFFAIRS – Clay Brown discussed the criteria for the Energy Impact Assistance Grant to include application deadline for August 1, 2013, and the tiers available. Brown has been working closely with DPW Director Robert McArthur to prepare the procedures for the Town to submit for the new Town Hall Building. He stated that the plan being presented is a good one and well organized. He did state that if a second story was proposed, the space should be for local community use because DOLA would not support commercial space. Brown encouraged the Board members to take part in this unique opportunity to replace the old building with a structure that would meet the needs of the Town's future. Brown, as the Town's Regional Representative will continue working to assist in making the application fit the DOLA criteria.

PUBLIC INPUT - Items Not Listed on Agenda * Property owner, Ray Burgess was present to request Board support to receive a nomination to the CAC for PPACG to represent the Town. This item will be discussed as agenda Item #15.

A Public Hearing was called to order at 7:45 p.m. by Mayor Worthey.

PUBLIC HEARING: REQUEST FOR A SPECIAL USE PERMIT TO OPERATE A VACATION RENTAL BY OWNER; PROPERTY OWNER/MANAGER, KATHY BAKI, 6844 HOWARD STREET was present. The site was posted with a Public Hearing Notice. Eleven information packets requesting input were mailed; six letters have been returned; five in favor for granting the special use; Dr. Trajn Boughan 6850 Howard Street opposed. Boughan's opposition remarks were read for the petitioner, the Board and audience members. There being no further comments from the petitioner, the audience or Board members, the Public Hearing was closed at 7:52 p.m.

The Board reviewed and agreed with the following findings from the Planning Commission Public Hearing of 4/23/13.

- Five neighbors support the special use.
- The petition conforms to the requirements of the zoning ordinances.
- The use will not be detrimental to the public health, safety and welfare of the community.
- Neighboring land uses are compatible with the contemplated use.
- The Town will receive increased sales and lodging tax revenues with the use.
- Area businesses may benefit from an increase of overnight visitors to the community.

M/S Price/Pitrone to grant the Special Use Permit for 6844 Howard Street. All ye

A Public Hearing was called to order at 7:53 p.m. by Mayor Worthey.

PUBLIC HEARING: REQUEST FOR A SPECIAL USE TO OPERATE A VACATION RENTAL BY OWNER; PROPERTY OWNER, LARRY SMOOT; 11410 BELVEDERE AVENUE,

Property Manager, Dave Pearlman was present. The site was posted with a Public Hearing Notice. Six information packets requesting input were mailed; four letters have been returned; three favoring the special use and one opposed without any comments for the opposition. There being no further comments from the petitioner, the audience or planning members, the Public Hearing was closed at 7:55 p.m. The following findings discussed and recommended at the Planning Commission Public Hearing were agreed to:

- Three neighbors support the special use; no statement given from the one neighbor opposing the special use.
- The petition conforms to the requirements of the zoning ordinances.
- The use will not be detrimental to the public health, safety and welfare of the community.
- Neighboring land uses are compatible with the contemplated use.
- The Town will receive increased sales and lodging tax revenues with the special use.
- Area businesses may benefit from the increase of overnight visitors to the community.

M/S Pitrone/LoCascio to grant the Special Use at 11410 Belvedere Avenue. All ye

REQUEST FOR A SPECIAL EVENT PERMIT FOR CONCERT BANDS AT THE GAZEBO LAKE PARK, WEDNESDAY, JUNE 19TH AND WEDNESDAY, AUGUST 7, 2013

Ute Pass Triangle Chamber of Commerce: Representative, Kevin Henry A Certificate of Liability Insurance with the Town as additional insured will be supplied by the Triangle Chamber of Commerce.

M/S Pitrone/Stevens to grant the Special Event Permit and a \$20.00 event fee. All ye

REQUEST FOR A SPECIAL EVENT PERMIT FOR 75TH ANNUAL BRONC DAY EVENT SATURDAY, AUGUST 3, 2013: Amily Almy Beidelman and Dick Bratton

M/S Pitrone/LoCascio to approve the Special Event Permit and a fee of \$250.00. All ye

REVIEW AND APPROVAL OF ADDENDUM A TO PURCHASE AND SALE AGREEMENT FOR REAL PROPERTY – Town Attorney, Lisa Tormoen Hickey presented minor changes to the Purchase and Sale Agreement initially presented to the Board.

M/S Pitrone/Price to approve the amendments to the Purchase and Sale Agreement for Real Property which includes the Addendum. All ye

UPDATE ELK CROSSING TIMELINE CALENDAR - Robert McArthur, Project Manager and Robert Seever, Project Facilitator At the 4/16/13 Board meeting, Trustee Newberry requested and did receive approval to change three dates concerning the new town hall site schedule: to move the final preliminary design and scope of work to 5/7/13 for Board approval; to post RFP on 5/15/13, and to close RFP for architecture/engineering on 5/31/13. These updates to the timeline calendar were presented by McArthur. The RFP criteria was presented by Robert Seever and the Board members made changes increasing the square footage from 2,400 to 3,200 square feet and restructured two sentences within the second paragraph of the RFP. The RFP will post on 5/15/13. **M/S Newberry/Pitrone to approve the changes to the timeline calendar and to approve the changes to the RFP. All ye**

DRAFT ORDINANCE 01-2013 AN ORDINANCE PROHIBITING THE OPERATION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES OR RETAIL MARIJUANA STORES –

Town Attorney Lisa Tormoen Hickey In 2011, the Town adopted Ordinance 02-2011 prohibiting medical marijuana centers, cultivation operations and medical marijuana infused products manufacturing. In November 2012, Town Attorney Dan Stuart provided the clerk and board members with a timeline from CML on procedures to address Amendment 64 and the local options available to municipalities. Over the past three months, the clerk has supplied Board members with copies of the minutes from the meetings and the public hearing on

Ordinance 02-2011, copies of the ordinance, current information from CML on municipal actions, ordinances from other municipalities and counties that have adopted ordinances prohibiting the operation of marijuana cultivation facilities, marijuana product manufacturing facilities and testing facilities.

The clerk was requested to set a Public Hearing for Tuesday, May 21, 2013 to solicit input from the public.

DRAFT RESOLUTION 2013-06 A RESOLUTION CONCERNING ELECTRONIC MEDIA POLICY - Mayor Protem Jane Newberry and Cameron Thorne have researched social media policies adopted by several municipalities. The town attorney has reviewed the policy and had minor comments. Trustees Newberry and Peterson would like to add back in a section that was cut. The resolution will be brought back to the 5/21 agenda with those comments and additions.

DISCUSSION OF CHAMBER WEBSITE AND DISCUSSION OF THE TOWN GOVERNMENT WEBSITE – Cameron Thorne presented the members with a design mockup for the Triangle Chamber of Commerce website that he has been facilitating as a member of the ESC. Thorne stated that the website development is complete as is the filling in of the content. It is on track to launch to the public at the Chamber meeting on 5/14. This site development was entirely funded through Multi-Net Marketing, Inc. A design mockup for the Town's website was submitted. Thorne will demonstrate the completed site this summer.

EMERGENCY PREPAREDNESS DISCUSSION – Resident, Judy Wiedner was present to request help in creating an evacuation plan for the Ute Pass communities and creating a data base of residential special needs assessment. She would like to elevate this project to a high priority in the communities and feels it will bring the three communities together. Wiedner has contacted the Fire District, Ute Pass Elementary, and County Commissioner Clark for assistance and input. Trustee Stevens supplied Wiedner with several contacts that he feels will support the project and Mayor Worthey volunteered to assist.

REPORTS:

Mayor's Report: Chelsea Luttrall, Big Mountain Adventure Racing sent a letter through Mayor Worthey requesting that the Board reduce the fees charged for the previously approved Special Event on June 22. The 2nd part of the event on the 23rd has been cancelled; therefore, Luttrall would like the fee lowered from \$750 to \$375.00. Board members requested that this be on the next board meeting agenda for discussion.

Trustee Liaison Pitrone, Advisory Committee Regional Building Department: reported that the check for \$27,500 has been received from Regional Building to sponsor the Youth Work Program that will address fire and flood mitigation. **Public Works:** Robert McArthur's report was submitted into the record by Trustee Pitrone.

Trustee Liaison Newberry, Administration: Newberry requested that the Town Clerk be copied on all information that Board members receive so that the information can be added to the board packets prior to the meeting. No further report.

Trustee Liaison LoCascio, Parks: No report.

Trustee Liaison Stevens, PPRTA, PPACG, CDAB: No report. **At this time, Stevens made a motion to nominate Ray Burgess, seconded by Worthey to the PPACG CAC to represent the Town. All yea**

Trustee Liaison Peterson, Businesses, Triangle Chamber Commerce – Reported on the dates of the Chamber meeting and upcoming Chamber mixer. Chairman Beidelman is posting these dates on the website and emailing them to all chamber members.

Trustee Liaison Price, Marshal's Department: The Marshal's Report was entered into the record by Trustee Price. Marshal Bradley reported that he has an offer of a vehicle from

CSPD. He intends to sell the Jeep and the Crown Victoria. He would like to sell them on Craig's List but would need to revise the department's SOP's (#580) which states that assets are to be sold at auction. The Board will review the policy at the next Board meeting. The Marshal also presented the Board members with an outline addressing bringing a service dog back into the department operations. Bradley referred to SOP 590 where a canine policy had been established. Trustee Pitrone wants to discuss the need for a canine policy and would like this subject added to the next agenda. Pitrone does not want the dog brought into service until the Board has discussed the policy.

OTHER BUSINESS – No other business requiring Board action or discussion was presented.

CORRESPONDENCE – The Marshal's Department received a donation of \$2,400 from the Friends of Green Mountain Falls for new radios. **The Marshal's** Department received a check for \$9,500 from the Denver Foundation from the Colorado Fire Relief Fund 2012 for radios. The radios have been received and are being programmed by El Paso County Sheriff's Office. **Joyland Church** gave the Town a Certificate of Appreciation for the pool punch cards contributed to the annual easter egg hunt.

At 10:43 p.m. a request was made by the Town Attorney for an Executive Session.

M/S Price/Peterson to move into an Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). All yea

M/S Newberry/Peterson to come out of Executive Session at 11:06 p.m.

There being no further business, Mayor Worthey adjourned the meeting at 11:07 p.m.

Mayor Lorrie Worthey

ATTEST: _____
Chris Frandina, Town Clerk