

**TOWN OF GREEN MOUNTAIN FALLS
BOARD OF TRUSTEES, REGULAR MEETING MINUTES
TUESDAY, JULY 1, 2014 - 7:00 P.M.**

IN ATTENDANCE:

Mayor Worthey
Trustee Butts
Trustee Cook
Trustee Ellis
Trustee Gardiner
Trustee Quinn
Trustee Stevens

The meeting was called to order at 7:04 p.m., the Mayor noted a quorum was present. There being no additions, deletions or corrections to the agenda, it stands as written. Consent calendar and meeting minutes from June 17 regular meeting and June 19 special meeting presented for approval, **M/S Trustee Butts/Stevens, ALL YEA.**

GUEST SPEAKER:

Mayor Worthey introduced Dave Munger and his assistant Carol, to discuss storm-water management concerns for the Green Mountain Falls community. He provided the Board of Trustees with a draft inter-governmental agreement (IGA), prepared following the discussions at other public meetings. Storm-water issues have been problematic here for the last 25 years and Green Mountain Falls is one of the only communities in this area without a storm-water plan. His firm, CH2MH, has recommended \$700M in infrastructure repairs/upgrades for this entire region, and approximately \$40M in operations and annual maintenance. The most immediate needs would require \$7M in funding, but the costs to defer are significantly greater, with potential for catastrophic loss. To have made these repairs a number of years ago might have resulted in maintenance costs of \$30M less annually, but the longer this decision is delayed translated to millions in losses every year. If resident and agencies all subscribe to the plan, it could create as many as 350 high-paying jobs. Their research shows a number of statistics that will interest every one attending is meeting:

- 90% of residents surveyed realize that storm-water management issues need to be addressed
 - 75% of residents responded that they would prefer to see these major repairs completed within an "administrative cap" to more effectively manage the costs
 - 78% of residents surveyed prefer to put a "sunset" on capital expenditures (i.e., a 20-year limit on capital costs and then review them again)
 - 75% of residents surveyed would prefer to see a storm-water master plan and a list of projects relevant to the community
 - Every storm event has the potential to change the project list, as well as the priority of subsequent projects
 - A majority of residents would prefer to see the higher priority projects addressed within the first five years of the agreement
- Their proposed IGA reaches communities as far out as Palmer Lake and Monument, but Pueblo has opted out. Mr. Mac Patrone, Green Mountain Falls resident at 10840 Myrtle Street, asked for the reasoning behind the choice for a Pueblo to opt out, and Mr. Munger explained that some areas like Pueblo and Woodland Park already have their own storm-water management programs in place, but they have the ability to join those communities represented in the IGA at any time. Mr. Patrone also noted the largest percentage of storm-water comes in from Woodland Park and the larger Teller County community. Mr. Munger clarified that in the draft copy, Ute Pass and Fountain Creek projects would be a very high priority. CH2MH has already been contracted to work with El Paso County and Colorado Springs, but this larger question of a fee for storm-water repairs would go to the voters in November. His assistant, Carol clarified that this is not a tax, but a fee assessed per entity, and the funds raised would remain in the community to address those issues of greatest concern to residents there. Mr. Munger advised the Board of Trustees to consider creating a regional program, perhaps a board of elected officials, who would decide to fund projects within the area, based on a 5-year rolling average. Their project list would have to include the priority items as well as the criteria used to establish priority. There could be a requirement to use local contractors whenever possible, if that is what citizens preferred. Mr. Munger explained that the fees are based upon a calculation of impervious surface area, and the greater the impervious surface, the less they would pay per square foot; this most simplified version of this calculation would average about \$9-10 per month, per resident. He also discussed the percentages of fees which could be allocated for a given area: Capital Improvements (55%), Operations and Management (35%), Emergency and Planning (9%), and Administration (1%). All these items would be subject to voter approval, and the voters could opt not to re-elect or even re-call an appointed member of that panel. The voters would select a Board Member to represent the interests of Green Mountain Falls, who would be working in tandem with the Board Member representing El Paso County and a number of other areas. There would likely be a Technical Committee and Citizens Committee and the Board would appoint an Administrator to bill and contract for services, and funding would fall into the limits per area as described area. He thought the Colorado Springs representatives could manage the funds and projects for their communities or they could hire an entity to contract for that service. Mr. Patrone asked how the fees might be assessed, and Mr. Munger noted that there would be a cap on each category, and the charges would be less or square foot based on impervious surfaces. Mr. Patrone's follow up question asked if those larger entities that contributed the most to the problem were paying less than everyone else, and Mr. Munger said that many of those entities were already dealing with storm-water and run-off problems via existing building code requirements. He also noted that there are two key provisions that will make this a viable option with greater appeal: (1) if a resident or business owner feels the assessed storm-water fees are too high, they can go to the Board for a full hearing and reconsideration of the fees calculated; (2) if, like Colorado College, they are in process of making surface area more permeable, they can apply for a credit. Dr. Trejo inquired about how the geographic

disparity would be recognized in awarding the projects - would smaller communities be penalized and forced to wait longer for a project in their area to be completed? Carol reminded everyone this is based on a 5-year rolling average, and the money to deal with a particular project does affect your community, but also your regional partners, so everyone has to be fully committed for it to work. Trustee Butts asked about a timeline for this process, and Mr. Munger noted that voters could approve this in November, then take up to a year to plan the projects, and recommend a 20-year bond to fund the work. There is some hesitancy to bond in some communities, but this is something residents will have to entrust that Board to decide the better option for the greater good. He observed that the system the County uses is sensible - encouraged everyone to consider putting that into place and allowing the time it takes to work consistently. He explained that there might be the option to complete some of the work within the first year if the Board agrees to that. Dr. Trejon asked if there would be EPA involvement, and Mr. Munger thought they would almost certainly be required to be involved at some point. Carol told the group that storm-water permits were already in place, and almost every entity would be required to have an MS-4 permit, but there may be some flexibility when an entity can make their case for the need to flex on a given item. She cited a recent American Society of Civil Engineers report that gave this community a "D-" grade for storm-water management and an "F" in public safety. Trustee Stevens asked for an estimate of the monies that would likely be raised through the recommended fee calculation and Mr. Munger thought \$48-52M per year for the region was likely, and with the proposed cap, there might be a refund mechanism for unspent funds. Trustee Stevens has reviewed the details of the IGA and asked if the Green Mountain Falls position on this Board would be an alternate spot shared with Palmer Lake. Mr. Munger explained that this Board is small enough to still be operable, but large enough to be inclusive for all the interested communities. Colorado Springs has a majority voice, as their residents are approximately 70% of the population served by this agreement, and is home to 75% of the impervious surfaces affected. If the Board grows beyond 13 seats, Colorado Springs would have 8 of the seats on its Board, and would have to vote-share to accommodate Green Mountain Falls. If Palmer Lake or Monument opts not to participate in the process, that would open up a spot. A super-majority vote would be required to adopt this program or amend the budget to change the percentages adopting this program. He said that having 4 from Colorado Springs, 1 from the County, and 1 for the municipality would encourage collaboration and cooperation, and if the group cannot come to agreement for a new budget, it will automatically revert to the previous year's agreed-upon budget, less 10%. Trustee Quinn asked if the Pikes Peak Rural Transportation Authority's (PPRTA) drainage questions were being duplicate during this process. Mr. Munger answered that this was not exclusive to transportation, and since this is floodwater, if the areas do intersect, the damage to road and bridge systems during a storm event might take greater priority. There will have to be an "emergency fund" dedicated to the most immediate repairs. Trustee Quinn asked if there would be an opportunity for the funds to roll-over year to year, and Mr. Munger noted that the fund would need to build up to \$25M and then the emergency funds could be re-assigned. Trustee Quinn also inquired about phasing the projects, and Mr. Munger thought it might be possible, but may not really be necessary, as the Board would determine the priorities, or may combine resources to address projects for both partners. There is significant synergy to offer most impactful solutions to participating communities. The biggest advantages to being involved in a cooperative effort such as this one are multiple opportunities that come with being involved in what is being done upstream and having the means to raise funds that will be focused on the projects that benefit everyone. Mr. Patrone asked about the impact to private property owners, and Mr. Munger thought it would reduce the likelihood for private property owners to be impacted by storm events, and in a best-case scenario, they might even see lower insurance premiums. Trustee Quinn commented that storm-water mitigation efforts were receiving national attention and might help underscore the significance of this decision. Trustee Butts asked Mr. Munger what the next steps were for this group. Mr. Munger expressed that the County Commissioners would prefer to see the IGA terms by end of July or early August, for consideration before the question is placed on the ballot in November. Trustee Quinn asked which counties had already committed to do this, and Mr. Munger said none have committed yet - this is something they will want to do together. If he had to guess, he thought they might have 6 of the 9 votes in Colorado Springs, but Councilmen Martin, Heizey and Latham had not yet indicated their preference yet. Trustee Butts asked Attorney Krob if it was appropriate to open a public hearing at this time. Attorney Krob noted he has recently participated in a conference call with a number of the prospective participating communities and confirmed that this would be a 13-member Board, comprised of these representatives: 2 for El Paso County, 6 for Colorado Springs, plus their Mayor, 1 for Fountain, 1 for Monument, 1 for Manitou Springs, and one remaining slot to be shared between Green Mountain Falls and Palmer Lake. Mayor Worthey asked the Board of Trustees to review the IGA terms and be prepared for public comment at the next meeting on July 15. Mr. Munger offered his contact information (337-5838 a cell phone, and website at pikespeakstormwater.org) to offer assistance with follow-up questions. Mayor Worthey asked if this draft IGA had been posted on the Town's website, and Trustee Butts confirmed that it had not. Mr. Munger will share the document with Mayor Worthey in electronic format, so it can be posted online and shared via email with interested parties. He also noted this was still in "draft" stage for a reason - 10 attorneys have already reviewed the document and Kenney Hodges, the City Attorney for Colorado Springs, has been authorized to respond to questions regarding this document.

PUBLIC COMMENT

Mayor Worthey asked if attendees wished to make public comment for any items not listed on the agenda. Mr. Mac Patrone came forward with the same discussion questions he has raised in previous meetings:

- (1) At the first meeting, the Board of Trustees voted to pass seven resolutions, despite Attorney Krob's objections. Has there been any additional input to resolving those objections?
- (2) Has the Mayor been authorized to negotiate with the Former Marshall?
- (3) Since this involves a financial matter that affects the tax-payers here, what was the salary decision made in fence to the Marshall?
- (4) There has been no report from the Marshall the last two months - what is the reasoning, and when can we expect to hear

an update from his office?

(5) One was made aware of the number of stops made, warrants executed and arrests, why not now?

(6) He is speaking for a number of resident who wish to express their dissatisfaction with the current road conditions. When can the citizens expect the standard of maintenance to return to prior levels of service?

(7) When the new Public Works employee is hired, can you please instruct them to hydrate the areas prior to compaction, and then grade the road? That might significantly improve the condition and give their work a longer period of time in between maintenance tasks. He indicated that Trustee Cook has provided him with satisfactory resolution to the his concern.

Mr. Dick Bratton reminded the board of Trustees and those attending tonight of the upcoming 76th Annual Bronc Days celebration, and asked them all to wear a pin to help promote this event when they attend other public functions.

Ms. Gail Gerig (1180 Pine Ridge Road) asked if the salaries for Public Works employee and Town Clerk had already been determined, and also, specific to the budget adjustments, when would the budget data be made available for public review? She would like to know what the items approved this evening were for and what the amounts authorized were. Mayor Worthey and Trustee Butts will respond to her concerns before the next meeting on July 15.

MT. DEWEY TRAIL PROJECT:

Mayor Worthey would prefer to continue the discussion of the trail project, and Mr. Chris Keesee has sent a representative to speak to the group on his behalf this evening. Mr. Jesse ____ first acknowledged that it is the intent of the Historic Green Mountain Falls Foundation to purchase properties as opportunities arise, in order to preserve the open spaces in this area. They have budgeted the funds to study forest health and will continue their efforts to gather information so they can make an informed decision about if a trailhead should be established, and if so, where it should be placed. He will be presenting to their Board of Governors soon and will share his findings and then come back to this group and report with their recommendations.

Mr. Dick Bratton noted that this item was previously tabled, as Mr. Keesee was focused primarily on the upcoming Green Box art installation, and suggested this topic be tabled again until the next meeting on July 15 if he is able to attend. Mr. ____ noted that he wasn't sure if Mr. Keesee would be free to attend that meeting, but if not, he would likely send a representative in his absence. Mayor Worthey noted the Board of Trustees will wait to hear from Mr. Keesee's office, and in the interim, those who wish to correspond may write to him care of the Historic Green Mountain Falls Foundation, Post Office Box 1, Green Mountain Falls, CO 80919-0001. Mr. ____ will need some time to evaluate - the Board of Directors meeting isn't scheduled until after the next Board of Trustees meeting on the 15th. Mayor Worthey asked that the Historic Green Mountain Falls Foundation contact Trustee Gardiner whenever they have a recommendation. Attorney Krob asked the Board to entertain a motion for a date certain to re-open this item for discussion. M/S Trustee Butts/Stevens to place this topic on the agenda for discussion at the upcoming August 19 Board of Trustees meeting, ALL YEA.

PUBLIC INPUT:

Mayor Worthey would like to address Mr. Mac Patrone's questions. Trustee Butts confirmed that the salary information requested is a matter of public record and is presently posted as \$35K. Mayor Worthey shared a letter as prepared by Attorney Krob to address the other items. Attorney Krob has addressed his objections to those aforementioned resolutions, in the form of a confidential memo. The Board is aware of his concerns and has discussed those items in Executive Session, and therefore, they are not a part of the public record. The Marshall will attend the first Board of Trustees meeting each month and will make his report at that time. The content of his monthly report will contain the number of traffic of stops, citations and arrests as previously requested. The grating and hydration issues have been previously addressed by Trustee Cook and the new Public Works Employee, Michael Cullinane, has assisted as necessary. Mr. Mac Patrone inquired about Attorney Krob's confidential memo and Attorney Krob explained that since these items were discussed in Executive Session and the follow-up responses were given in a confidential memo, it is deemed a "work product" and not subject to public record. Mr. Mac Patrone asked why the need for this type of secrecy, and Attorney Krob responded these discussions are more productive when conducted in Executive Session where he can make his recommendations to the Board of Trustees privately and hear their comments and questions. He gave an example that if he were to encourage the Board to rescind an ordinance and his response was in the form of a confidential memo, as related to need for a special election, the ordinance is matter of public record, but the confidential memo is not. Gail Geig asked if a first reading would be required, and Attorney Krob will check into it and can pass comment back to the Board of Trustees at a later time.

Mayor Worthey gave the second reading of an emergency ordinance, in the event of flash flood or wildfire, to prevent the expenditure of municipal funds, and noted this would be an appropriate action that the Town Clerk would need to have approved by the Board of Trustees. **M/S Trustee Butts/Mayor Worthey read twice, ALL YEA.**

UPDATE FOR OPEN POSITIONS:

Mayor Worthey commented that the clerk position had closed with 1,939 hits on the website. El Paso County pre-screened applicants and deemed 10 not qualified, 20 met qualifications, and 6 were "top picks" for the interview process to fill the position. Mayor Worthey will work with the clerk in Calhan to begin interview process. Trustee Stevens recommended narrowing the "top picks" to 3 candidates, and then asking for an interview with the full Board of Trustees to ensure a good fit since they will be working so closely with this group. He also thought a public meeting for interviews on July 15 might prove beneficial - maybe take 10-15 minutes to talk with each candidate, adjourn into Executive Session for a decision. Attorney Krob referenced 24.602 and reminded the Board of Trustees that they are authorized to negotiate for terms of employment for a town staff member, but wasn't certain about public interviews and thought they might be a little too intimidating to a prospective candidate. There are many opinions in this area and he thought maybe the Board of Trustees might consider a workshop prior to the next meeting to interview the candidates, or they could be interviewed during an

Executive Session and then they could email their recommendations to the Mayor and allow her to extend an offer on the Board's behalf. Ms. Gail Gerig asked if there was a current job description to evaluate a candidate's qualifications and Mayor Worthey confirmed that there is a job description they are using for this purpose.

POOL UPDATE:

Mayor Worthey reported that the pool was opened for business on June 24th, explaining there had been a brief delay due to some filter issues that were resolved prior to opening. Trustee Cook reported that the new Public Works employee had begun work and one of his first tasks required some attention at the pool over the weekend in order to open on time. Mayor Worthey detailed the revenues already generated: \$1,202 in admission fees, \$1,370 in passes, \$160 in punch cards, plus a smaller amount for sale of food and drink items. The lifeguards have requested a phone line (land line) at the pool, which might be shut off during winter months when no one is there. Trustee Butts noted that the local service provider is Comcast and the cell phones for Public Works and the pool are on a separate contract. Trustee Cook offered to do the wiring to reduce the costs. The lifeguards also recommended purchase of a pool cover for \$125.00 to reduce the required cleaning time and reduce the costs to heat the pool. Trustee Butts asked about dedicated time slots in the morning or evening for lap-swim, and Trustee Quinn recommended a sign-up sheet to assess the need and gauge interest. Mayor Worthey noted that the lifeguards had asked for some sweatshirts and additional gear, which Trustee Butts confirmed had been approved in the budget, but he will need a dollar amount to prepare the check, etc. The lifeguards have also asked about placing a donation jar and comment cards at the pool, and Trustees all agreed these were small requests that could make a big difference in quality of operations and resident feedback. Trustee Butts asked about the limit for tax-deductible donations, and Mr. Dick Bratton confirmed the \$250.00 limit. Trustee Butts recommended getting a receipt tablet so staff could give receipts for cash donations, and donors could use their canceled check stub necessary. Lifeguards will be responsible for securing the donations each night at closing time, and will turn in with admission fees collected. Ms. Jane Newberry noted that the jar should not say "tips" as that implies that the employees receive the money collected, but these are donations intended to help defray the operations costs of the pool. Trustee Ellis reported that Meagan Brown had passed her written exam, and Attorney Krob noted his firm would reimburse the Town \$230 for her class and test fees. Mrs. Jeannie Patrone asked if the Health Department had been to the facility to make their required checks for health and safety. Trustee Butts noted they had been on-site and provided a 1-year certificate for operations, but the Colorado Department of Health may require additional visits.

Mayor Worthey welcomed the new Public Works employee, Michael Cullinane, gave him a new GMF cap and asked Trustee Cook to introduce him to the audience and Board of Trustees this evening. Trustee Cook noted that Mr. Cullinane's previous work as an equipment operator in the County's Road and Bridge Department makes him an exceptional candidate for this position, and he has recently been certified by the State for pool operations. Mr. Cullinane came forward and addressed the group. He is a native of Colorado and has been married for the last 20 years. He and his wife have 2 daughters, a senior and a sophomore in high school this fall. He has previously worked for the County and owned his own business, so he genuinely understands the need for thorough attention and believes in making an investment of his time in this community. He will enjoy helping in the day-to-day needs for the residents here and looks forward to working with everyone.

REPORTS:

Mayor Worthey noted that they are still looking into the options for accepting credit cards for payment of fees, fines, etc. for those who wish to pay by phone. Chief Bradley has researched service fees and found that the standard is 2.5% or \$3.00 for licenses, park and recreation fees, permits and other charges in most municipalities. He thought this might help move things forward and with the appropriate security controls, this would only be an added convenience for residents. Trustee Butts noted the language he'd seen was indicative of a "convenience fee" that is passed along to the user, and would help cover the Town's fees with the service provider. Trustee Gardiner confirmed that she has received a number of requests to pay via credit card while volunteering and taking calls at Town Hall. Ms. Jane Newberry strongly cautioned the Board to look into the terms and control mechanisms and choose wisely, as this could impact everyone here if they made the wrong choice. She noted that a dedicated line would be necessary to transmit data securely, and that staff should be well versed in how to maintain secure file storage and destruction of credit card data at the appropriate time - there is a guideline for that level of detail. She stressed that they might opt to do an employee-only authorization, so there is a means of recourse if the card system is misused. Attorney Krob noted that the burden is typically in the way of charge-backs when a charge is disputed or reversed, so there is some risk. He cautioned the Board to read contract terms carefully - beyond the expense for the additional phone line, there would be a charge for the card machine and reporting terminal. There are also options to take electronic checks for payment, and whereas credit card fees previously lied with the merchant, there is now the capability to pass that expense on to the cardholder, but it is required to be disclosed. Chief Bradley's recommendation is a service called Muni-Pay, and Attorney Krob again cautioned the Board to read all the materials carefully - he has a great deal of experience with credit card processing firms, and they often have the ability to negotiate the number of transactions per month, etc. this is a convenience that is not without risk, therefore he would encourage the Board hold off on this until the new Town Clerk is hired and sworn in. Government employees at this level are typically bonded and insured against fraud or misuse of credit cards or government funds, as an added measure of security for the taxpayers. He discouraged the use of phone applications for credit card processing, as they are less secure, and would leave the Town in a position of liability if there were any problems. He also noted the importance of differentiating between fees for a service and fines for code violations and make clear the appropriate uses. He gave an example of someone who wanted to purchase a pass to the swimming pool using a credit card; this falls under the Parks and Recreation heading, so it would be allowed.

Trustee Quinn reported that he had attended meetings at the Regional Building Department last week, in answer to residents' requests to help work through their building permits more quickly. It was proposed to have the County collect the

use tax on the Town's behalf and then the money gets sent back through the loop at the Regional Building Department. This was proposed but not adopted. Attorney Krob advised that while there is no formalized IGA as yet, he would encourage the Board to entertain the idea of an IGA for consideration, in order to make this more convenient for residents. Trustee Quinn agreed that this made sense, and he is curious about the fees. Trustee Stevens indicated a missed opportunity for collecting use tax. Attorney Krob explained that if the County is the entity providing these inspections, then they collect the use taxes on the Town's behalf, returns it to the Town, and this Board still maintains its ability remain in fiscal control and compliance, per the requirements of the statute. Mayor clarified that they would be acting as the Town's agent, collecting use tax on our behalf, and could designate a percentage of what they collect as their fee in exchange for this service. Ms. Jane Newberry commented that they might take the time to re-evaluate the current fee structure and also consider adding an option for business licensing, and would encourage the Board to add that into the terms of their IGA. Trustee Stevens will ask their Counsel to send his recommendation shortly, and Attorney Krob agreed that this would work out well. Mr. Mac Patrone expressed that those paying their fees at the Building Department are likely to be more accurate and complete in their disclosures there than they might be with someone who isn't as well-versed in the construction industry.

Mayor Worthey asked to discuss the opportunity to purchase a membership for one of the large club stores like Sam's Club or Costco. The Mayor mentioned this would make the purchase of pool items, office supplies, etc. more convenient for staff members. Mayor Worthey noted the membership costs as follows:

- Sam's Club, Business Membership - \$45 annually
- Costco, Business Membership - \$55 annually or \$110 with 2% cash-back on purchases

Trustee Stevens thought this was a real benefit for tax-exempt entities and non-profit organizations so they can realize a pretty significant savings. Trustee Butts recommended allowing the new Town Clerk to make this decision, since they would likely be the person doing the majority of the purchasing. In the interim, Mayor Worthey and Trustee Butts agreed to use their own memberships if purchases need to be made during that time.

In reference to a Town credit card, Mayor Worthey has talked with Cindy and she confirmed that in their operations, only department heads have a credit card. They have an added layer of accountability and a strict policy for employee purchases. Their local bank does not offer a credit card, but it would be feasible from an operations perspective. Attorney Krob recommended looking to other banks to see what they can offer to a small municipality, especially the firm that does the credit card processing and reporting functions for the Town, as they often can offer more significant benefits than other financial institutions. Trustee Butts recommended waiting the next 2 weeks until the Town Clerk has been hired so they can do the requisite training. Attorney Krob noted the need for detailed reporting. Trustee Cook explained that with the school system, there was both a daily and monthly spending limit, and having a credit card allowed them to get rid of checks and purchase orders to make things more convenient. They were required to reconcile their statement each month and provide receipts for the school's audit process. Attorney Krob recommended development of a policy for authorized use and recommended they include the clause that the purchasing capability can be revoked at the Trustees' sole discretion if they believe there is an issue of misuse. Ms. Jane Newberry noted that some credit card issuers can activate a category exclusion or limit for use, for example that might disallow use in casinos, bars, etc. however they can create an exception for things like hotel charges, etc. when a staff member is traveling for a conference or other work-related event. Trustee Cook thought it might be feasible that the card would have a dual-use option, to include both the Mayor and Town Clerk. Ms. Jane Newberry also thought have an explicit payment policy is critical, and advised against "floating" any charges and indenting the Town. Trustee Cook also requested that they set the required payment periods to coincide with the Board of Trustees meetings to provide for the necessary approvals. Attorney Krob advised that they proceed slowly and "start small". It is easy to make decisions later that open up more purchasing opportunities, but it is more difficult to restrict that ability once it has been given previously.

Mayor Worthey reported that she would prefer to switch to a slightly different agenda template that recognizes guest speakers, provides for "new business" discussion items and omitting "prescriptive" language, and the Board agreed. Attorney Krob recommended checking the code before making that change. He also indicated that it might be more appropriate to address that at a later time with the new Town Clerk. Attorney Krob will make a recommendation to amend the existing code as necessary. Mayor Worthey shared that she would be awarding two symbolic "Keys to the City" on July 11th, and encouraged everyone to visit the new Green Box installation of musical swings. Attorney Krob clarified that social events and other informal gatherings are exempt from the Open Meetings Rule. Mayor Worthey indicated she would like to present Suzanne Brown with a punch card to the swimming pool in exchange for her volunteer work taking the minutes during the time they have been without a Town Clerk, and the Board agreed.

Trustee Gardiner reported that she is working with the Trails Committee to reroute the Kirkpatrick Trail in order to make it safer for hikers.

Trustee Stevens reported that he would like to use an event log to update them at each meeting on the progress of the new Town Hall construction. He told the group the construction is going well, but there was a small discrepancy in the accounting - they have paid the change order fee, not the "draw" amount, which represents a difference of about \$800. He will attend the joint meeting of the Pikes Peak Area Council of Governments (PPACG) and Pikes Peak Rural Transportation Authority's (PPRTA) and report back next meeting with comments and feedback from that discussion. Mayor Worthey thanked him for attending and taking on such an important task to communicate these updates back to the Board.

Trustee Cook noted there are a lot of projects awaiting their new Public Works employee, among them, to look at a new

diversion valve and then the ability to have it enclosed. He has asked Mr. Cullinane to procure estimates of the cost to enclose the valve and intake. Trustee Stevens inquired if there had been any additional water damage. Trustee Cook responded that there had been some damage to one private property, and there would be a need to secure the large stones behind the old hotel property that have acted as retaining blocks. Mayor Worthey asked about having track containers placed in the parks for the increase in visitors for the upcoming holiday weekend, and Trustee Cook added it to the list for Mr. Cullinane.

Trustee Ellis reported that his committee for municipal government has a number of volunteers, but the meeting dates are still to be determined.

Trustee Butts has no report at this time.

Trustee Quinn attending the Pikes Peak Regional Building Department's Advisory Committee meeting, and they will be working with a representative from FEMA to study the floodplain and attempt to more accurately depict those areas, so as to remove or encumber property from the floodplain area. He also shared the Marshall's report and provided a copy to Mr. Mac Patrone. The report listed 16 response calls for citizenry requests for assistance, issuance of 40 verbal warnings, issuance of 24 citations, 1 arrest was made, and 3 code enforcement questions were answered. He also has spoken with Mr. Cullinane about the addition of flocculants to the lake, which will collect particles and deposit them together at the bottom of the lake for an easier removal. There may be an opportunity for departments to report on their time and operating costs at a later time.

Trustee Quinn reported that a Green Mountain Falls teen is undertaking an Eagle Scout project to study flood mitigation and will break into groups and cover the creek and 4 staging areas to clean up the lake. The Scouts will provide insurance, and Attorney Krob requested that they add the Town as "additional insured" to their policy in order to cover any mishaps during this work. Trustee Quinn explained the project would necessitate the operation of a wood chipper, but that a Town Employee will be on hand to handle that operation and insure safety of the volunteers. This young man will be working with Chief Bradley, following CIRSA requirements and is still in the process of ironing out all the details.

Attorney Krob's report focused on the Trustees concerns about "social gatherings" being misconstrued as unofficial public meetings. The key to understand in the requirements lies in the discussion of Town business. Events such as the "Key to the Town" ceremony and opening of the Green Box swing set are open to the public but that doesn't make it a "public meeting" per se. If there are any questions about whether a meeting requires a public notification, ask the Town Clerk to have it posted. He also reported that the current Noise Ordinance is very subjective, and he agrees with Chief Bradley's comment once before that if there was a measurable standard, that would make the ordinance more appropriate and enforceable. He is aware of two complaints that could easily be resolved by retooling the language of the ordinance, and reminded the Board that they have the ability to use State statute because it has already been established as case law. He asked that the Board provide him with some direction to work with Chief Bradley to include additional language that covers the canyon and valley areas that have been the bigger concern. The Chief could recommend a decibel reading that could be monitored 25' from a given property line, and if the reading is greater, they can be cited, but if the reading is below, then they have the opportunity to go back to the complainant and explain that there has been no violation of the ordinance. He told the Board the most recent traffic code was approved in 2006 and would entertain the opportunity to study it for areas that might require further attention. Those 24 citations issued will be coming due soon, and Trustee Stevens asked if rather than going to the trouble of adopting the changes noted in 2010, it might behoove them to hold out for the 2014 traffic codes? Attorney Krob encouraged the Board to set a baseline and the a Town could later amend their code to suit its' needs. The 2010 code is inclusive, but newer legislation may need to be addressed separate and apart from the 2010 code; he will do some additional research and come back to the Board with more information.

Attorney Krob also gave an update on the Blue Moose application, stating that the State views this particular application as a "temporary" premise and won't grant it unless it is made into a "permanent" change. Despite his clear efforts and explanation that the Town is currently without benefit of a Town Clerk, he has received no assistance from the State on this application. He had the Applicant prepare a list of dates, and Robin Eaton will be able to grant her the license for 4th of July events. The Applicant would prefer to secure this arrangement for all weekend date this summer and Attorney Krob confirmed her \$300 fee covers her license for the entire year. The State representative threatened to enforce locally and cite both individuals and the Blue Moose for violations of their liquor licensing policy. The State can call it "temporary" if they so desire, but the Board has control of the situation in this particular circumstance because of home-rule legislation. He will continue his efforts on the Applicant's behalf and can visit with the State in person about the obvious customer service issue if need be. Trustee Butts proposed that maybe the State could be persuaded to change its application model.

MUNICIPAL CORRESPONDENCE:

Mayor Worthey shared the loss prevention audit reported the same concerns as expressed in previous discussions.

Mayor Worthey adjourned the meeting at 9:40 p.m.