

**BOARD OF TRUSTEES
TOWN OF GREEN MOUNTAIN FALLS
MINUTES OF REGULAR MEETING - TUESDAY, JULY 6, 2010**

The meeting was called to order at 7:09 p.m. by Mayor Protem Bratton.

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

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

**CONSENT AGENDA - APPROVE BOARD OF TRUSTEES MINUTES 06/15/10
- APPROVE BILLS DUE AND PAYABLE: \$11,789.31
- ACCEPT PLANNING COMMISSION MINUTES OF 6/22/10 INTO
THE RECORD**

M/S Pitrone/King to approve the Consent Agenda as presented. All yea

The Public Hearing was called to order by Mayor Protem Bratton at 7:10 p.m.

PUBLIC HEARING - REQUEST FOR A 13' FRONT PROPERTY LINE SETBACK VARIANCE TO BUILD A 24' X 24' DETACHED GARAGE, PROPERTY OWNER, MICHAEL BROWN: 6510 SPRUCE AVENUE Property Owner, Michael Brown is requesting a 13' front setback variance. Municipal Code requirement for a front setback is 15'. The garage overhang will be 2' from Brown's front property line. In his application for a variance Brown noted the topography constraints, location of the septic system and shape of the parcel as several reasons for the variance. He addressed the municipal zoning code guidelines for a variance. Brown stated that the granting of a front property line setback would not adversely impact any neighbors and would be an aesthetic improvement to the neighborhood and increase property values. The driving lanes of Spruce Street are more than 12' from Brown's front property line pin.

Three information packets addressing this variance request were sent to property owners within 100' of Brown's property line pins. The site was posted with a Public Hearing Notice. Planning Commission held a Public Hearing on 6/22/10. To date, two letters have been received supporting the variance request. One of the responses was from the Tichenor family who own three properties adjacent to Michael Brown. **There being no further comments from the audience or board members, the Public Hearing was closed at 7:13 p.m.**

The following Planning Commission findings were concurred with: the topography constraints, location of the septic system and shape of the parcel create a hardship for improvements to the site without a variance; the granting of a front property line setback variance would not adversely impact any neighbors or their property values; granting a front property line setback would permit a project that would be an aesthetic improvement to the neighborhood and increase property values. **M/S Pitrone/Newberry to concur with the findings from the Planning Commission Public Hearing and grant the front property line setback variance for 6510 Spruce Street. All yea**

PUBLIC INPUT - Items Not Listed on Agenda * Marshal's Deputy David Soyka introduced a new reserve officer, Harley Kile to the Board of Trustees. Kile has completed a criminal justice degree after serving in the army. He currently works as a civilian police officer at Fort Carson. Kile was welcomed to the department and the community. He was previously sworn in by the Town Clerk as a reserve officer.

El Paso Street resident, Tom Dobson was present to discuss the July 4th flash flood (2" of rain within 4 hours) and the extensive damage to the two culverts that cross Fountain Creek on El Paso Street East. The culverts were completely blocked by huge amounts of debris and were moved out of their location with one collapsing and the other floating. The portion of the road over the culverts collapsed and the road is now closed until repairs can be estimated. Rob McArthur reported to the Board members in a separate memo dated 7/5/10. He also referred to and gave a copy to the Board of a memo dated 5/7/07. Concerns have been discussed with the upstream development in Woodland Park, i.e. Wal-Mart and Safeway, increasing runoff to Crystola and into Fountain Creek through Green Mountain Falls. Trustee Bratton recommended contacting Floodplain Administration at the Pikes Peak Regional Building Department. Pitrone felt that Teller County should also be contacted and shown the damage photos. McArthur will report back to the board members on the cost estimates to repair El Paso Street. Dobson recommended that the Board adopt policies and regulations to have property owners along the creeks remove limbs and debris on an annual basis.

REQUEST FOR A SPECIAL EVENT PERMIT FOR SATURDAY, AUGUST 7, 2010

- **Bronc Day Representative**, Dick Bratton has secured insurance for the event from CIRSA. The Town of Green Mountain Falls is named as additional insured. The committee decided to forego the 5k race this year. **M/S King/Pitrone to grant the Special Event Permit for August 7, 2010 for the 72nd Annual Bronc Day Event. All yea**

DISCUSSION OF ORDINANCE REQUIREMENTS FOR MEDICAL MARIJUANA DISPENSARIES - This Agenda item is Rescheduled for Tuesday, August 3, 2010

REPORTS: **The Marshal's** Department report was entered into the record by Mayor Protem Bratton. **Mayor Stevens: PPACG/PPRTA:** No report. **Trustee Pitrone: Regional Building** - The advisory board will be discussing the criteria for the Dangerous Building Fund that Regional is setting up. **Public Works Department: DPW Director** Robert McArthur's report and memos were submitted into the record.

Trustee King: PPACG Alternate / TES Alternate Rep / Admin / Pool – King reported that the mailing for Phase Two - Restoring the Land Office has been completed. Response has been positive with over \$3,000 received from individuals interested in purchasing memorial pavers at the Gazebo. State Historic Restoration Funds for the Land Company Building were denied because it has been moved from the original site and previously renovated with a Water Conservation grant in the 1980's. King's rough estimation of the restoration is \$24,000.00. **The clerk** submitted copies of the Town's financial reports for June.

Trustee Useman: Manitou School District 14 – No report.

Trustee Worthey: GIS website - No report.

Urban Forestry: No report.

Trustee Bratton: Bratton reported on the Bronc Day and Trails Committee meetings, progress and impending projects.

Trustee Newberry: Parks – Newberry reported that the Town did not receive the GOCO grant award for the tennis court restoration. GOCO staff is encouraging a resubmittal for the October fall cycle. The Board wholly supported Newberry's request to resubmit the tennis court grant. GOCO staff volunteered to work with the Town staff to make the application stronger.

OLD BUSINESS - No old business was presented.

NEW BUSINESS - Trustee Pitrone is recommending that a policy be adopted by the Board of Trustees concerning Town businesses that fail to supply the insurance certification necessary to have a Revocable Permit for subsurface, surface and above surface use of the public right of way land. Pitrone is recommending that business licenses be suspended and fines imposed if the insurance is not submitted with the annual application and/or does not have the Town of Green Mountain Falls as Additional Insured. Pitrone stated that the Town leases the right of way for a nominal fee for a revocable permit. He said revocable permits greatly enhance the revenues status of the business as well as the aesthetic characteristics. Insurance coverage as addressed in the ordinance and required by the Town's insurance provider, CIRSA, is essential to protect the community and property owners from increased liability. Pitrone was requested to draft up a policy with those additions discussed.

The clerk advised the trustees to review and educate themselves on the initiatives that will be on the November 2, 2010 statewide general election ballot. CML has prepared and distributed detailed packets of information about Amendments 60 and 61 and Proposition 101. The passage of these three measures both individually and collectively will have a dramatic impact on state and local government finances and revenues. The clerk can provide copies of CML's packet as well as copies of the initiatives. Preliminary review shows that passage could reduce the Town revenues by more than 35%.

CORRESPONDENCE: No correspondence was received requiring Board discussion or action was presented.

The meeting was adjourned at 8:18 p.m.

Mayor Protem Dick Bratton

ATTEST: _____
Chris Frandina, Municipal Clerk