

The Minutes are Provisional until approved by the Board at the next meeting on 8/20/13.

**BOARD OF TRUSTEES
TOWN OF GREEN MOUNTAIN FALLS
MINUTES OF REGULAR MEETING – TUESDAY, AUGUST 6, 2013**

The Board of Trustees meeting was called to order by Mayor Worthey at 7:00 p.m.

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

ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA – The Chamber will not be requesting a Special Event Permit for a band concert on 8/22/13. Request withdrawn. Trustee Pitrone requested that Public Input be moved on the Agenda to follow Reports. **M/S Peterson/Pitrone to approve the revisions to the Agenda as presented. All ye**

CONSENT AGENDA

- APPROVE BOARD OF TRUSTEES MINUTES FOR 7/16/13
- BILLS RUN JULY 18, 2013 THROUGH JULY 31, 2013: \$19,561.76
- ACCEPT PLANNING COMMISSION MINUTES INTO THE RECORD FOR 7/23/13
M/S Pitrone/Newberry to approve the Consent Agenda as presented. All ye

The Mayor called the Public Hearing to order at 7:09 p.m.

PUBLIC HEARING: REQUEST FOR 4’ SIDE SETBACK VARIANCE FOR NEW CONSTRUCTION FOR A SINGLE STORY ADDITION AND GARAGE CONSTRUCTION; 11350 BELVIDERE AVENUE; PROPERTY OWNER, PAMELA BANTA Resident, Robert King represented property owner Pam Banta. Banta is requesting a 4’ side setback variance for a section of the residential addition to include the roof overhang and a potential installation of a stairwell to a proposed crawl space. The site was posted with a Public Hearing Notice. Six informational packets were sent to neighbors 100’ from the property pins. Four letters were returned each in favor of granting a variance. The Planning Commission held a Public Hearing on 7/23/13 and presented the following findings:

- four adjacent neighbors favor granting the variance.
- the addition will increase the property value and increase property tax revenues
- the granting of the variance is necessary for the reasonable use of the property
- the variance will not have adverse effects on the neighborhood, increase congestion in public streets, increase fire danger, endanger public safety or impair property values within the neighborhood.

There being no comments from the petitioner, audience or Board members, the public hearing was closed at 7:12 p.m.

M/S Pitrone/Stevens to grant a variance as requested for 11350 Belvedere Avenue and to accept the Public Hearing findings from the Planning Commission. All ye

REVIEW AND DISCUSSION OF DRAFT ORDINANCE 02-2013 AN ORDINANCE RESTRICTING ALL OPEN FIRES AND OPEN BURNING WITHIN THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO – Trustee Jane Newberry volunteered to research county fire restriction codes and draft an ordinance for the Town. After the Waldo Canyon fire, planning commissioners Thorne and Lowndes learned that fire restrictions and Stage I and II bans from both El Paso and Teller Counties did not apply to incorporated areas. Their

research of the Town codes found them to be inadequate as they related to fire danger and mitigation. Newberry reviewed the draft with Chief Steve Murphy and Marshal Bradley. The municipal judge is reviewing penalty sections as they would relate to municipal court. This draft ordinance will be placed on the next Board agenda for continued discussion.

RESOLUTION 2013-07 A RESOLUTION SUPPORTING THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO GRANT SUBMITTAL TO THE DIVISION OF LOCAL AFFAIRS (DOLA) FOR CONSTRUCTION OF A NEW TOWN HALL

M/S Pitrone/LoCascio to approve Resolution 2013-07 supporting the DOLA grant submittal for the new town hall building for \$794,944.00. All yea

REPORTS:

Mayor's Report: Mayor Worthey will be touring the Waldo Canyon burn site with the forest service. She will be attending a DOLA Elected Officials workshop in Pueblo. Worthey stated that the Rudy's Restaurant on 31st Street will open its back room to all Ute Pass residents in instances where the pass may close down due to flooding.

Public Works: No Regional Building Department report. Robert McArthur's report was submitted into the record by Trustee Pitrone.

Trustee Liaison Newberry, Administration: the 2012 audit is finished and all trustees have been given the Financial Statements from Hoelting & Company. The financials through July have been presented to board and staff. Outsourced payroll with Paychex not yet manually entered into the general ledger. A thank you to resident, Nell Clyborne and Luanne Hungerford for the donation of the fireproof safe; reiterating that the County has received the FEMA check; Trustees Peterson and Newberry attended an ethics meeting in Pueblo. Newberry will be looking into the Town's current policy and how the ethics policies should be enforced; proceeding with the personnel policy manual update with the town Attorney; there are minor updates on policies such as electronic media. At the Ethics Workshop, the attorneys from the Town of Centennial requested a copy of the Town's social media policy and remarked that every municipality should have one in place. A reminder to Board members that e-mails are to be informational only when sent out by trustees to the entire Board; do not engage or try to get others to engage in a conversation, and letters signed on behalf of the board or the municipality should be presented to the Board prior to signing. Pool staff doing an excellent job; weather has been a revenue producing deterrent.

Trustee Liaison LoCascio, Parks: No report.

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

Trustee Liaison Peterson, Businesses, Triangle Chamber Commerce – Peterson reported on a successful Bronc Day event and thanked everyone who volunteered to make it a success. She was very glad to have the native influence back in the Bronc Day parade and is discussing the group holding their traditional pow wow in Town.

Trustee Liaison Price, Marshal's Department: Marshal Bradley submitted a year to date law enforcement summary for review comparing 2012 statistics with 2009, 2010 and 2011. He has been receiving applications for the deputy position. He stated that of the six received, three may go forward with his doing background checks; the others did not meet the mark. The two department vehicles being transitioned out are almost ready to be placed on Craigslist. With a lull in service calls, Bradley has been reducing the comp time hours that he had accrued.

DISCUSSION ON COMMUNICATION OF THE BOARD OF TRUSTEES WITH THE PUBLIC AND UPDATE ON LIVE STREAMING TOWN MEETINGS - Concerned Citizens Group

At the 7/16 Board meeting, Olathe Street resident, Richard Lackmond recommended that based on the allegations that the Board does not communicate with the citizens, alleged improprieties, and discussion of a complete board recall, the Board members should consider a public forum discussion at a larger location than the Town Hall in an attempt to rebuild the citizens' trust. Several board members thought this agenda item was to set a

date for a citizen's forum and Trustee Newberry asked that a date be considered and voted on. She reiterated that the Board needs questions documented and presented prior to a workshop so that answers may be given with research and clarity and legal advice. Lackmond stated that a workshop would have to be scheduled immediately because the recall was underway. Lackmond stated that he represented the Concerned Citizens and that the general public feels the board is non-functional and a recall election would take place. Lackmond stated that the citizens are requesting the Board ask Trustee Price to step down as the Liaison to the Marshal's Department due to his attacks on the department. Judu Lofland Wiedner requested that the Board temporarily suspend the Town Clerk as the Town's Election Official because she has a conflict of interest and replace her with someone not involved with the Town to run the recall election. Trustee LoCascio stated that these requests were not appropriate and not on the agenda for discussion and when the conversation was not stopped, he left the council table. Trustee Pitrone declared that he would not be threatened and that the discussion was out of order and left the council table. Judy Lofland Wiedner stated that the recall petition would be processed within the next week and that the Concerned Citizens are consulting with their attorney.

Mountain Avenue resident Berkeley Davis will be assisting Cameron Thorne with the implementation of live streaming at the Town Hall. He was not able to give a completion date.

PUBLIC INPUT - Items Not Listed on Agenda – Belvedere Avenue resident, Nancy Brittain asked if it was rumor or fact that the Marshal was leaving on August 20, 2013. The Board members stated that they had no knowledge of Bradley leaving. Brittain supported having a Marshal's Department. The runoff into the lake due to the daily rains was discussed. Trustee Newberry discussed the PPRTA Capital Improvement project that the town will be able to undertake since the ballot issue passed in November. Still basins are being planned to mitigate some of the runoff in the drainage ditches as well as grants to drain the sedimentation from the lake.

OTHER BUSINESS – CIRSA's Chief Legal Counsel, Tami Tanoue conducted a workshop addressing Suggestions to Reduce Risks of Liability for the Board members, town attorney, and staff members today from 5:00 to 6:30 p.m. Handouts from the workshop are available upon request as is the Ethics, Liability and Best Practices Handbook for Elected Officials. **An invitation** to the 2013 CML District 4 Meeting in Fountain was received. RSVP's required by 8/30/13. Cost is \$30.00 per person. **No other** business requiring Board action or discussion was presented.

CORRESPONDENCE – The Board and Planning Commission received a letter from Colorado Street resident Jo Lester protesting the fence permit request by adjacent neighbor, Shawn Meyers at 6816 Colorado Street. Lester requested postponement to granting the fence permit until she could sell her home. She stated that the fence will greatly diminish the main value of her property.

A letter requesting continued support for S. 524, the Pike National Historic Trail Study Act of 2013 which amends the National Trails System Act to require a study for the designation of Pike's Trail, a series of routes that follow the route taken by Lt. Zebulon Montgomery Pike during the 1806-1807 Pike expedition that began in Fort Bellefontaine, Missouri, and ended in Natchitoches, Louisiana, as a national historic trail. The bill was introduced on 7/31/13 by Senator Bennett. The association supports the bill being placed on the legislative calendar as well as a companion bill for a feasibility study. The Board members were given a list of support contacts and recommendations.

No other correspondence was received that required Board discussion or action.

There being no further business, Mayor Worthey adjourned the meeting at 8:11 p.m.

Mayor Lorrie Worthey

ATTEST: _____
Chris Frandina, Town Clerk