

**BOARD OF TRUSTEES  
TOWN OF GREEN MOUNTAIN FALLS  
MINUTES OF REGULAR MEETING – TUESDAY, AUGUST 21, 2012**

**The Board of Trustees meeting was called to order by Mayor Worthey at 7:08 p.m.**

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

**ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA - No additions requested.**

**CONSENT AGENDA**

- APPROVAL OF MINUTES FROM 8/07/12
- APPROVE BILLS DUE AND PAYABLE FOR \$5,625.28
- ACCEPT PLANNING COMMISSION MINUTES 8/14/12 INTO THE RECORD

**M/S Pitrone/LoCascio to approve the Consent Agenda as submitted. All yea**

**REQUEST FOR HOTEL AND RESTAURANT LIQUOR LICENSE RENEWAL** Owner, Bennie L. Stephens, Jr.; Buffalo Chefs Inc., The Pantry Restaurant, 6980 Lake Street - The clerk presented the renewal application from the license holder and business owner. Board of Trustees minutes from four prior license renewals were submitted to the members. Renewal fees were submitted for the State and the Town. Marshal Bradley submitted a letter stating that the office had no knowledge of any violations that would prevent the establishment from receiving a liquor license renewal. There was one correspondence addressing the license renewal; an email from resident Deacon Patrick Jones, 10440 El Paso Street had been sent to Mayor Lorrie Worthey, the Board members and Marshal Tim Bradley dated 8/15/12. Jones requested that Worthey read the email on his behalf. In the email, he stated that he could not appear in person due to a brain injury. He requested his concerns with the liquor license renewal be heard by either a video or phone conference. Mayor Worthey placed a call from a speaker phone to Jones at 7:11 p.m. As outlined in the email, Jones reiterated that a liquor license and the right to amplified music is a privilege and not a right. He stated that this privilege has infringed on his property rights over the past five or six years. Jones requested that the license be modified to put the motivation and onus of compliance to an enforceable noise limit on the recipients of the privilege rather than those whose rights are being violated. He stated that a defined limit of three violations should result in the immediate loss of the liquor license. Jones reported he had called the Marshal's office three or four times concerning the music being heard at his property. Bradley stated that he and officers, Torres and McQueen did go to the establishment and then to the driveway of Patrick Jones' residence and could hear the creek noise and the children at the playground. Bradley stated he found nothing that would be determined as a noise ordinance violation or a liquor license violation. He said that he did speak to the owner in 2011 when he received reports on the music levels but that everything seemed to be working well this year. Trustee Newberry read the following restrictions that the Board had placed on the outdoor modified premise facility in 2010: Board would allow mildly amplified background music low enough to allow normal table conversation; Board to exclude DJ's and their sound systems as well as bands that would have more than one performer onstage; music to end by 9:00 p.m. with The Pantry Gardens to close at 10:00 p.m. **M/S Price/Stevens to approve the Hotel and Restaurant Liquor License Renewal for Buffalo Chefs Inc. The Pantry Restaurant. All yea**

**FIRST AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT AMONG EL PASO COUNTY, COLORADO, THE CITY OF COLORADO SPRINGS, THE CITY OF MANITOU SPRINGS, THE TOWN OF GREEN MOUNTAIN FALLS, AND THE TOWN OF RAMAH REGARDING THE PIKES PEAK RURAL TRANSPORTATION AUTHORITY** At the 8/7/12 Board meeting, PPRTA Program/Contracts Manager, Rick Sonnenburg summarized the history of the original IGA in which El Paso County, the City of Colorado Springs, Manitou Springs and Green Mountain Falls entered into for the creation of the Pikes Peak Rural Transportation Authority in 2004. The Agreement became effective after the approval of the majority of voters at the general election on November 2, 2004. The capital transportation improvement portion of the Authority sunsets in December 2014. A ballot question will be presented before the voters at the November 6, 2012 general election to extend the 0.55% sales and use tax collected for the PPRTA for the purposes of funding regional transportation capital improvements until December 2024. During the 8/7 meeting, Sonnenburg informed the Trustees that the Town of Calhan may be excluded from the amended IGA. He said the PPRTA Board of Directors

would be deciding that on Wednesday, August 8, 2012. The IGA currently before the Town Trustees does exclude the Town of Calhan. **M/S Stevens/Price to approve the First Amended and restated IGA among El Paso County, City of Colorado Springs, City of Manitou Springs, and the Town of Ramah and the Town of Green Mountain Falls regarding the Pikes Peak Rural Transportation Authority. Stevens, Pitrone, Price, Worthey, Newberry and LoCascio all yea.**

**PUBLIC COMMENT – Items Not Listed on Agenda** Neil Ekker, Chairman of the Bronc Day committee presented the Town with a \$500 check. Ekker said the 74<sup>th</sup> Bronc Day event was very successful and he thanked the Town for the partnership. The committee did not have a specific project for their donation but suggested it could be used towards a beautification project. Ekker thanked the Marshal's Department for their participation. **Resident John Kramer**, 10955 Cottage Street, stated his support for the liquor license renewal for The Pantry Restaurant. Kramer did not feel the music was too loud on the three occasions he was a patron. Kramer did not realize that he could have commented under the renewal agenda item.

#### **REPORTS:**

**Mayor's Report:** Mayor Worthey received \$3000 from the Friends of Green Mountain Falls fund through the Pikes Peak Community Foundation. Though the letter stated the donation was for Waldo Fire efforts, it was meant to state it was for sponsorship for the tennis court upgrade. Worthey noted that the town clerk submitted the department breakdown allocations for the \$14,046.00 emergency funds received from El Paso County.

**Marshal's Department:** The Marshal's report was summarized by Marshal Bradley and entered into the record by Liaison Worthey. Mountain Avenue resident Sharyn Grace thanked the Marshal for the increased neighborhood patrols that she has been witnessing. Bradley reported that he has been requested to submit a grant through a fire recovery resource agency for HT's and car radios. He submitted a request for \$9,500. Pitrone requested that the Marshal research an antenna booster that may increase radio frequency. Price stated that the department may want to contact Sprint and discuss boosters they supply at no cost.

**Trustee Liaison Pitrone**, Advisory Committee for Regional Building Dept: No report.

**Public Works:** Rob McArthur's report was submitted into the record by Liaison Pitrone. McArthur also reported that a section of guardrail in the vicinity of 10778 Ute Pass Avenue, damaged in a traffic incident, was installed on Saturday.

**Trustee Liaison Newberry**, Administration: The clerk's report was submitted into the record by Liaison Newberry. Newberry reported that she is compiling protocols for the board to review outlining board interaction. She will present a draft to each member for their review.

**Trustee Liaison Stevens**, PPACG, PPRTA: No report.

**Trustee Liaison LoCascio**, Parks: Reported that the tennis court upgrades have been well received by the public and are in continual use.

**Trustee Liaison Price**, Business/Chamber: Chamber will be meeting on 8/22/12. Price reported that his company would like to host and manage a Town web site at no annual cost. The IT staff would collapse the "gmfco.us" site hosted by the El Paso County and incorporate it into a new domain "greenmountainfalls.net". Mayor Worthey requested that the discussion be placed on the 9/4/12 agenda.

**OTHER BUSINESS – Trustee Pitrone** wanted to go on record that he felt the Board was setting a dangerous precedent by allowing individuals to call in to a meeting to present before the Board. Pitrone stated that historically the Board has allowed authorized representatives to appear and speak on the behalf of individuals who were not able to attend a meeting. He was uncomfortable with talking to and receiving information from someone he could not see. Pitrone preferred that this not be a continued practice and requested direction from the Town attorney.

Mayor Worthey recommended the Planning Commission provide updates to the Board on their research regarding sites for a new town hall building. Worthey suggested that the commission move from workshop format to discussion as an agenda item. Trustee Stevens felt that even if the commission continued with the workshop format, the Board needed a reporting of their discussions. The Planning Commission has held four workshops through 8/14. Mayor Worthey requested that the Board set a workshop on 9/18 instead of a regular meeting to discuss the After Action Review (AAR) submitted by the GMF-Chipita Park Fire District and the GMF Marshal. Trustee Price stated that he did not see this review as a priority and recommended it be addressed after the budget sessions. He thought some of the issues identified would require budget allocations. Price felt that the Town needed to collaborate with other communities and agencies for a course of action. He felt that area emergency policies, procedures and actions are under the umbrella of incident commanders at county, state and federal levels. Trustee Stevens said that there may be emergencies that are more localized and not in the caliber of the Waldo Fire incident. He thought it would be wise to concentrate on the review and update the Town's 1998 Emergency Disaster Plan. Trustee LoCascio did not see the review of the AAR as a priority and felt the Board needs to keep the Waldo Fire evacuation in perspective. Mayor Worthey felt the review was a priority and reiterated that these AAR issues were identified by Marshal Bradley and Fire Chief Steve Murphy. Trustee Pitrone looked over the AAR Issues Identified handout from Mayor Worthey and felt that the Board would be hard pressed to be able to review during only one workshop and foresaw several workshops to accomplish the task. It was agreed by the members that they would select two to three AAR issues identified in the handout for placement on the 9/4 meeting agenda. The Board will then decide whether to hold workshops or continue placing AAR issue discussions on regular meeting agendas. **Belvedere Avenue resident**, Nancy Brittan generously donated sets of cabin maps that were destroyed in the Town Hall fire to include the cabin names and owners from 1947 and 1952.

**MUNICIPAL CORRESPONDENCE –** The Board and staff received invitations the Annual CML District 4 Meeting. The City of Woodland Park is hosting the meeting and dinner to be held at Swiss Chalet Restaurant, September 24, 2012 from 4 to 8:00 p.m. **No other** municipal correspondence was presented that required Board discussion or action.

**ADJOURNMENT** - Mayor Worthey adjourned the meeting at 8:43 p.m.

---

Mayor Lorrie Worthey

**ATTEST:** \_\_\_\_\_  
Chris Frandina, Town Clerk