

The Minutes are Provisional until approved by the Board at the next meeting on 10/1/13.

**BOARD OF TRUSTEES  
TOWN OF GREEN MOUNTAIN FALLS  
MINUTES OF REGULAR MEETING – TUESDAY, SEPTEMBER 17, 2013**

The Board of Trustees meeting was called to order by Mayor Worthey at 7:07 p.m.

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

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

**CONSENT AGENDA**

- A. APPROVE BOARD OF TRUSTEES MINUTES FOR 9/03/13
  - B. BILLS RUN SEPTEMBER 4, 2013 THROUGH SEPTEMBER 15, 2013: \$6,622.87
  - C. HOTEL & RESTAURANT LIQUOR LICENSE RENEWAL, MUCKY DUCK RESTAURANT, 10530 Ute Pass Avenue; Amily Beidelman Almy, Licensee
- M/S Price/Peterson to approve the Consent Agenda as submitted. All ye**

**PAUL ELLER, SOUTH CENTRAL FIELD MANAGER, COLORADO DEPARTMENT OF PUBLIC SAFETY; DIVISION OF HOMELAND SECURITY** - Emergency Preparedness Presentation for Green Mountain Falls    Accompanying Paul Eller were Joel Palmer and Bill Watrel, FEMA Preparedness Analyst Planning Specialists. Eller presented a Green Mountain Falls Emergency Preparedness Synopsis power point presentation to the Board and audience members that outlined criteria to be addressed within an emergency plan:

- Elected Officials and their responsibilities for emergency management; the elected official role in emergency management and expectations of the community and standards of care; responsibilities of first responders; media
- Community Profile; understanding and knowing who and what is in your community; demographics
- Threat & Risk Assessment; identifying the threats and risks to your community
- Rapid needs planning; prior to a disaster, identifying life safety issues (functional Needs, special populations, protective equipment, essential facilities, and critical infrastructure)
- Whole of Community: including the entire community in the planning and mitigation processes to develop ownership and buy-in
- Planning & updating the Emergency Plan

Eller has not reviewed the Town's 1997 Emergency Plan but recommended that the Town keep the plan until the Board either decides to adopt the El Paso County Emergency Plan which the County is currently revising or add sections of the County plan to the Town's update. He recommends that the town consider that direction and enter into an IGA with the counties especially considering the professional resources within county emergency services as well as the financial burden that would be created for the town if the TABOR funds were depleted. Eller provided names of county emergency service contacts that would assist the Board members with a direction and he volunteered to assist with technical advice. Eller suggested that the board also contact Teller County Emergency Services for intergovernmental cooperation and assistance. Trustee Stevens recommended a subcommittee for this project and he and Mayor Worthey volunteered to steer such a committee. This will be put on the next Board of Trustees agenda.

Mayor Worthey called the Public Hearing to order at 7:43 p.m.

**PUBLIC HEARING: ORDINANCE 02-2013 AN ORDINANCE RESTRICTING ALL OPEN FIRES AND OPEN BURNING WITHIN THE TOWN OF GREEN MOUNTAIN FALLS –**

Trustee Jane Newberry submitted the ordinance for public review and comment. The Town Attorney has reviewed the content of this version as has the Marshal's Department and the GMF-Chipita Park Fire District. Richard Bowman, President of the District recommended some changes to the wording of the ordinance that would present no legal burden to the District which is a separate entity from the Town. The first suggestion would be to change the word "shall" to "may" in the first sentence under Sec. 10-333. He also suggested that the Town's Public Information Officer (PIO) and not the Fire Chief provide the notification of implementation of stages through a general press release and after coordinating with the Fire Chief. Bowman stated that the ordinance is very good otherwise. Chief Murphy felt that the changing from shall to may diminishes the accountability of the fire chief or their designee. He felt the public confuses easily and seem to take the route to burn if clear direction is not given. Bowman's concern was putting increased liability on the district if the fire chief did not adhere to ordinance language. There being no further comments from the audience or Board members, the Public Hearing was closed at 7:55 p.m. **M/S Stevens/Peterson to approve Ordinance 02-2013 with the amendments recommended by the Green Mountain Falls-Chipita Park District. All yea.**

**RESOLUTION 2013-09 A RESOLUTION SETTING THE PENALTIES FOR**

**ORDINANCE 02-2013** The Town Attorney has reviewed the content of this resolution as has the Municipal Judge. The penalty amounts are within the El Paso County penalty ranges. **M/S Newberry/Peterson to approve Resolution 2013-09. All yea**

**REVIEW OF SCOPE OF WORK FOR LEGAL COUNSEL FOR BID PROCESS**

**PREPARATION** Earlier in the year, the Board discussed soliciting bids for legal counsel for consideration of the 2014 budget. Town Attorney, Dan Stuart was considering retirement and two attorneys within the firm agreed to take up the municipal needs for the remainder of 2013. Lisa Tormoen Hickey has handled most of the municipal needs and Jina Koultchitzka those of the municipal court. Stuart's firm, Alpern Myers Stuart has been providing legal services for more than 22 years. The 2013 budget for legal services is \$12,000; prior year budgets were \$7,500. In an email to the Board members, Hickey conveyed that the attorneys have logged \$27,000 in legal services through August 2013. The Board made minor changes to the scope of work to be used for the bid process. Trustee Newberry stated that Hickey provided a good reflection and analysis of legal services. The mayor will provide a list of circuit attorneys for Board review and consideration at the next meeting. Legal representation of neighboring municipalities may also be included in the bid process. The clerk also requested and received a scope of work from Hoelting and Company, the Town's auditor for use in bid presentations. Trustee Stevens had expressed interest in those services being bid out.

**PUBLIC INPUT – Items Not Listed on the Agenda\*** **Judy Wiedner**, Spruce Street, member of the recall Issue Committee stated to the Board that the committee will be withdrawing the recall petitions for five board members and resubmitting recall petitions for two board members by mid-October. Wiedner stated that the town clerk had delayed the recall committee's progress so that they were falling within the 180 day mark of the Town's regular April 2014 election. Statutorily, the recall election would have to take place at that time. The committee will resubmit the two recall petitions and request recall of the two members at the April 2014 election. Wiedner gave a copy of the clerk's letter addressed to the Issues Committee dated Tuesday, September 10, 2013 stating that she had found misspellings of the name of board member, Ralph LoCascio within the petition. Wiedner noted that the clerk

had previously approved the five petitions to form on Friday. **Richard Lackmond**, Olathe Street requested the code policy as to how many meetings a Board member can miss. **Michael Lohman**, Douglas Way requested that the Public Works phone numbers be posted so that staff can be reached in the case of an emergency. Lohman stated that the Board's policies on social media should also apply to employees. **John Kramer**, Cottage Street asked that when a Board member votes no on the Consent Agenda that they state their reason for the no vote so the audience receives clarity. He also requested that instead of - No report - a line or two summarizing the two week period be submitted. Kramer requested that the Board contact Teller County as recommended during the emergency planning session.

**REPORTS: Mayor's Report:** Mayor Worthey reported that she had attended the Mayor's Summit Meeting hosted by CML and found the session very informative.

**Public Works:** Regional Building Department – No report in Pitrone's absence. Robert McArthur's report was submitted into the record. McArthur summarized the effects of the 9/11 storm that brought 3.5" of rain. He commended Jim VanScoten as instrumental in saving another bridge along with Sean Newberry during that storm in McArthur's absence. He stated that the play park at the Gazebo area was restored quickly and thanked Todd Mannor of Blue Spruce for his commitment to the project. The picnic tables will be delivered within two weeks.

**Trustee Liaison Newberry**, Administration: On 9/5/13, Newberry attended a workshop sponsored by CML and presented by the Alliance for Innovation and its corporate partner, Peak Democracy Inc. The workshop addressed: Online Civic Engagement and explored how local governments are using online public comment forums to dialogue with their constituents in ways that are civil, legal, and insightful. Peak Democracy develops internet software that augments and diversifies online civic engagement in ways that can increase public trust in government. A flagship product is Open Town Hall an online forum for ideation on general topics modeled after the best practices of brainstorming workshops professionally facilitated to optimize for collaboration (not arguments), consensus (not polarization), and broad public interest (not narrow special interest). Newberry would like to talk to the town webmaster about this program. Trustee Price did not realize that the town website discussed last November was not up and running. He will contact Cameron Thorne to clarify the reason it is not running.

**Trustee Liaison LoCascio**, Parks: No report in LoCascio's absence.

**Trustee Liaison Stevens**, PPRTA, PPACG, and CDAB: Stevens attended meetings at PPACG and PPRTA. PPACG discussed the transportation projects for the 2040 Regional Transportation Improvement Plan. PPRTA staff reported that sales tax revenues were higher than projected for 2013.

**Trustee Liaison Peterson**, Businesses, Triangle Chamber Commerce – Peterson received a Certificate of Appreciation from the Colorado Springs Indian Center thanking the Ute Pass Triangle Chamber of Commerce for their support as a contributing sponsor for 2013.

**Trustee Liaison Price**, Marshal's Department: No report submitted in the Marshal's absence. Trustee Price and Marshal Bradley have spoken and clarified budget issues that will require the transfer of funds within the department's line items. These transfers will be presented to the Board for approval.

**OTHER BUSINESS:** No other business was presented.

**CORRESPONDENCE – Trustee Pitrone** submitted copies through an email to the Board of his response to a letter from Mr. & Mrs. Chris Martinez, 10715 Ute Pass Avenue received at the last meeting. No other correspondence was received other than from the Concerned Citizens group as reported by the Town Clerk earlier in the meeting.

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**An email to the Board** was received from the Town Attorney stating that the Town has been served and is included as a defendant in a lawsuit regarding retail marijuana along with six other municipalities. The Town will be represented by Andrew Nathan, retained by CIRSA. Nathan is also representing other towns.

**A letter drafted by Trustee Pitrone** and signed by Mayor Worthey was sent to the Regional Building Department. The Board is recommending that the dangerous building funds set aside for Green Mountain Falls be transferred to the City of Manitou Springs who has immediate needs for dangerous building removal due to the flooding.

**There being no further business, Mayor Worthey adjourned the meeting at 8:49 p.m.**

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Mayor Lorrie Worthey

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