

The Minutes are Provisional until approved by the Board at the next meeting on 2/4/14.

**BOARD OF TRUSTEES  
TOWN OF GREEN MOUNTAIN FALLS  
MINUTES OF REGULAR MEETING – 7:00 P.M. - TUESDAY, JANUARY 21, 2014**

The Board of Trustees meeting was called to order by Mayor Worthey at 7:09 p.m.

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

**ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA –** Mayor Worthey requested a revision to the agenda to add a presentation from Carol Baker of the Stormwater Task Force after the Consent Agenda. **M/S Worthey/Newberry to approve the addition to the agenda as requested by Mayor Worthey. All ye**

Trustee Pitrone requested an Executive Session with the town attorney to obtain legal advice on the Intergovernmental Agreement (IGA) presented by El Paso County Clerk and Recorder, Wayne Williams. **M/S Pitrone/Price to approve the addition of an Executive Session according to C.R.S. Section 24-6-404(4)(b) for the purpose of receiving legal advice on specific questions. Pitrone, Price, Newberry, Stevens, Peterson in favor; Worthey opposed. Motion passes.**

**CONSENT AGENDA**

- A. APPROVE BOARD OF TRUSTEES MINUTES FOR 1/7/14
- B. APPROVE BILLS RUN 12/31/13 THROUGH 12/31/13: \$36,482.80  
AND 1/10/14 THROUGH 1/14/14: 5,170.10

**M/S Pitrone/Newberry to approve the Consent Agenda as submitted. Pitrone, Newberry, Price, Peterson in favor; Stevens, Worthey opposed. Motion passes.**

The Town Clerk explained that the additional bills presented and run for 12/31/13 include the \$27,030 paid with DOLA Emergency Funds to Lamb Plumbing & Excavating for completion of Phase 1, Fountain Creek flood damage repairs.

**REGIONAL TASK FORCE PRESENTATION -** Carol Baker, an engineer with the City of Colorado Springs Utilities, is a representative of the Stormwater Task Force formed in August 2012 by the City of Colorado Springs, El Paso County, Colorado Springs Utilities, community business leaders and citizens to determine the breadth of the community's stormwater needs and options for managing it. The group includes business leaders, interested citizens, professional engineers, and city, utility and county staff. Baker presented the Board and audience members with a handout outlining the task force survey findings and estimation on the funds needed and funds available for capital and operational needs included in a study from CH2M Hill. At this time, the task force is educating key groups in the region on the projects and costs as defined from the studies. The steering committee is reviewing results and recommendations in order to report to elected officials in February and March to obtain approval on final recommendations for long term funding sources and enter into intergovernmental agreements in order to go to the voters in November 2014.

**ADDENDUM TO THE EMPLOYMENT AGREEMENT BETWEEN THE TOWN OF GREEN MOUNTAIN FALLS AND ROBERT W. MCARTHUR FOR THE POSITION OF TOWN**

**MANAGER -** Town Attorney, Matt Krob presented the addendum to the Board in an email. The addendum clarifies the discrepancy between C.R.S. 31-4-307 and Section 9c of the contract and adds the insurance language suggested by CIRSA.

**M/S Pitrone/Newberry to approve the addendum as prepared by the Town Attorney to the Employment Agreement for the Town Manager. All ye**

**REVIEW AND DISCUSSION OF THE 2014 ESTIMATE FOR THE GREEN MOUNTAIN FALLS MUNICIPAL ELECTION FROM THE EL PASO COUNTY CLERK AND RECORDER**

The town attorney explained that these estimates were requested by the Board members at the 1/7/14 meeting along with a draft IGA between the Town and the County Clerk and Recorder. The estimates range from \$7,000-\$10,000 depending on whether the County administers the entire election or supplies technical and support backup. The discussion for County to administer the election is the result of the Concerned Citizens request in September 2013 for the Clerk to step down as the Designated Election Official due to a conflict of interest, the submittal of five recall petitions, the submittal of a referendum petition and recent notification to the Clerk that two initiatives may also be submitted. To date, no notification has been received from the Concerned Citizens withdrawing the request that the Clerk step down as DEO. The town attorneys; Lisa Tormoen Hickey and Matt Krob, both confirmed that no conflict exists. Judy Wiedner, representative for the Concerned Citizens group was in the audience and stated that the group withdraws their request and that they do not have a problem with the Town Clerk being the DEO for the election. Wiedner was requested to put her statement in writing. Trustee Stevens suggested that the budget for the election be increased and that the \$5,000.00 donation to the Town from Mrs. Billie Harwood be used to cover the increase. Trustee Pitrone requested that these decisions be discussed after the Executive Session when legal advice will be received from the Town Attorney.

**REVIEW AND DISCUSSION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN EL PASO COUNTY CLERK AND RECORDER AND THE TOWN OF GREEN MOUNTAIN FALLS REGARDING THE CONDUCT AND ADMINISTRATION OF THE RECALL PROCEEDINGS AND ELECTION INVOLVING THE TOWN OF GREEN MOUNTAIN FALLS**

Discussion of this agenda item will follow the Executive Session when legal advice is received from the Town Attorney.

**2014 GREEN MOUNTAIN FALLS MUNICIPAL ELECTION CALENDAR – Town Clerk,**

**Chris Frandina** The Election Calendar will be distributed when the Board makes a decision on whether or not to enter into an IGA with El Paso County Clerk and Recorder to administer the April 1, 2014 election. The Municipal Election Calendar would change considerably if the County administered the election because they are under Title 1, Election Code.

**PUBLIC INPUT – For Items Not Listed on the Agenda \* Dick Bratton, 11190 Hondo Avenue** stated that there is citizen concern for safety and the lack of law enforcement in Green Mountain Falls. Bratton said it has been more than 75 days without local security and law enforcement. He wants to know the plan for opening a temporary Marshal's office and the plan for manning the office. He stated the citizens need to know how effective are the safety and law enforcement services being performed within the Town by El Paso County. Bratton wants the data on any and all services the County has provided since they started patrolling. **Michael Lohman** asked if a response to his letter of interest in the Town Manager position had been prepared; Mayor Worthey handed Lohman a letter of response from the Town.

**REPORTS: Mayor's Report:** No report.

**Trustee Liaison Newberry, Administration:** No report. The December 2013 Financial reports were submitted to each board member.

**Trustee Liaison Pitrone, Advisory Committee Regional Building Department:** Pitrone reported that Rob McArthur and Rob Seever presented the DOLA Grant for the new Town Hall to the CAC Board and will be presenting before the Building Commission on 1/29. The Regional Building Department has offered a \$50,000 donation for the new Town Hall. The building department also donated the set of new meeting tables for the Board and Planning Commission meetings.

**Public Works:** Copies of the department report were submitted to each Board member.

**Trustee Liaison LoCascio, Parks:** No report.

**Trustee Liaison Price, Marshal's Department:** Trustee Price reported on a meeting he had with the Undersheriff and on information received from the DA's office. They will be the lead agency on the destruction of any evidence that may exist at the Marshal's Office building. They stated that there are no open cases with district. Price reported that two vehicles have been repaired. He reported on the County coverage and stated that he feels the Town and all the Ute Pass communities are currently better protected than they have ever been. He is extremely thankful to the Sheriff's Department for the coverage they provide on a daily basis.

**Trustee Liaison Peterson, Businesses/Ute Pass Triangle Chamber:** Peterson reported on the recent Bronc Day committee meeting and the upcoming Chamber meeting with an election of officers at the Mucky Duck on 1/29 at 6:30 p.m. Peterson confirmed that the Indian dancers have consented to return and take part in the 2014 Bronc Day event.

**Trustee Liaison Stevens, PPACG, PPRTA and CDAB:** Stevens reported on PPACG Annual Meeting the election of the PPACG officers.

**Town Attorney Matt Krob** reported that he is preparing a policy that will address a timeline for the distribution of Board packets. Krob will also draft a confidentiality policy for Board review.

**OTHER BUSINESS:** Town Manager, Rob McArthur will attend a COOP Training (Continuity of Operations Plan) on February 10<sup>th</sup> in Colorado Springs. The goal of the training is to establish a plan that outlines a clear and concise understanding of the roles and responsibilities needed to ensure an organization's ability to relocate their operations during unexpected events.

**CORRESPONDENCE:** **The Board** received an invitation to The Resource Exchange 50<sup>th</sup> Anniversary Kick-Off Celebration on 1/30/14 from 4:00 p.m. to 6:00 p.m. at The Warehouse in Colorado Springs. **CML announced** that the 2013 State of our Cities & Towns Report is online at the CML website. **Notifications were** sent out by CML that scholarships are available for CML's 2014 Annual Conference in Breckenridge from June 17-20<sup>th</sup>.

Mayor Worthey recessed the regular Board Meeting at 8:40 p.m. for the Board of Trustees to go into an Executive Session.

**M/S Peterson/Pitrone to authorize going into an Executive Session at 8:45 p.m. and to invite the Town Manager, Robert McArthur and the Town Clerk, Chris Frandina for the purpose to receive legal advice on specific legal questions for discussion of Agenda Item #6: Review and Discussion of an Intergovernmental Agreement between El Paso County Clerk and Recorder and the Town of Green Mountain Falls regarding the Conduct and Administration of the Recall Proceedings and Election involving the Town of Green Mountain Falls. All yea**

The Board members came out of Executive Session and the regular meeting was resumed at 9:15 p.m.

The Board members agreed to have the Town conduct a Poll Place at the Town Hall Office with the Clerk as the DEO. The Board will not be entering into an Intergovernmental Agreement with El Paso County Clerk and Recorder to administer the election. The Clerk was instructed to go forward with distribution of the Municipal Election Calendar.

**M/S Price/Peterson to appoint the Town Clerk as the Designated Election Official for the 2014 Municipal Election and to increase the current election budget to \$6,700 with Board consensus to increase the budget should the Clerk notify the Board of the need. All yea**

There being no further business, Mayor Worthey adjourned the meeting at 9:50 p.m.

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Mayor Lorrie Worthey

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