

**BOARD OF TRUSTEES  
TOWN OF GREEN MOUNTAIN FALLS  
MINUTES OF REGULAR MEETING – TUESDAY, FEBRUARY 5, 2013**

The Board of Trustees meeting was called to order by Mayor Worthey at 6:09 p.m. Worthey requested that Agenda item #1 “Swearing in of Margaret Peterson” be moved and action taken prior to roll call so that Peterson could officially attend the Executive Session. Board consensus was to accept the Mayor’s recommendation. The Town Clerk was present to witness the Oath of Office and swear in the new Trustee.

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

Town Attorney, Dan Stuart was present.

**M/S Newberry/Pitrone to go into an Executive Session pursuant to the Colorado Open Meetings Act for the purpose of receiving legal advice on specific legal questions under C.R.S. section 24-6-402(4)(b) and for discussion of specialized details of security arrangements or investigations under C.R.S. section 24-6-02(4)(d). All yea**

The Board of Trustees came out of the Executive Session at 7:04 p.m. Mayor Worthey reconvened the regular Board of Trustees meeting at 7:11 p.m.

**ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA** – There were no additions, deletions or corrections requested to be added to the agenda.

**CONSENT AGENDA**

Trustee Price requested that the Consent Agenda items be called out separately.

**APPROVE BOARD OF TRUSTEES MINUTES FROM 1/15/13**

**M/S Price/Newberry to approve the minutes of 1/15/13. Price, Newberry, Worthey, Peterson, Pitrone in favor; Stevens opposed. Motion passes. Stevens stated that he did not feel the minutes were accurate.**

**ACCEPT BILLS PAID 1/17/13 - 1/29/13 FOR \$8,843.43**

**M/S Price/Pitrone to accept bills paid as presented. Price, Pitrone, Worthey, Peterson, Newberry in favor; Stevens opposed. Motion passes.**

**ACCEPT PLANNING COMMISSION MINUTES OF 1/22/13 INTO THE RECORD**

**M/S Pitrone/Newberry to accept the Planning Commission minutes of 1/22/13 into the record. All yea**

**Mayor Worthey called the Public Hearing to order at 7:20 p.m.**

**PUBLIC HEARING: THE BOARD OF TRUSTEES ACTING AS THE LOCAL LIQUOR LICENSING AUTHORITY TO CONSIDER A JANUARY 14, 2013 APPLICATION FROM ZU CREW, LLC FOR A TRANSFER OF OWNERSHIP TAVERN LICENSE AND A REQUEST FOR A TEMPORARY LIQUOR LICENSE FOR THE BLUE MOOSE, 10530 UTE PASS AVENUE; KARLA KAY PENNER, LLC, MEMBER AND 100% OWNER** - Mayor Worthey requested the staff to report on the application. Town Clerk reported that all documents were submitted; fingerprint cards have been sent to CBI; a Public Hearing Notice was published and posted at the business location. Clerk stated that Penner has received pertinent agreements regarding the revocable permit agreement for the patio operation and the minutes from prior license renewals for the establishment. To date, the Clerk has not received any comments written or verbal addressing this transfer request. Marshal Bradley stated that he has interviewed the applicant and sees no reason why a transfer of ownership should not be granted.

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The applicant, Karla Kay Penner, introduced herself and spoke of her goals and objectives for the Blue Moose establishment. Penner stated that she has managed several bars but has not been an owner and the Silver Tongue Devil Saloon and Green Mountain Falls offered her this unique opportunity. Current Tavern License holder, Scott Hunt, PG Enterprises spoke in favor of Penner and strongly encouraged the Board to work with her to insure a positive community business relationship. There were no questions or comments from the audience or Board members.

Mayor Worthey closed the Public Hearing at 7:37 p.m. and the following findings were agreed upon:

- Marshal Bradley found no reason not to approve a transfer of ownership to Karla Penner.
- The applicant had experience in operating liquor establishments.
- No opposition to the transfer of ownership had been received.

**APPROVE AN APPLICATION FOR A TRANSFER OF OWNERSHIP FOR A TAVERN LIQUOR LICENSE AT 10530 UTE PASS AVENUE FROM PG ENTERPRISES, SCOTT HUNT TO ZU CREW, LLC, KARLA KAY PENNER - M/S Price/Pitrone to approve the Transfer of Ownership for a Tavern Liquor License at 10530 Ute Pass Avenue based on the Public Hearing findings. All yea**

**GRANT A NINETY DAY TEMPORARY TAVERN LIQUOR LICENSE FOR THE BLUE MOOSE, ZU CREW, LLC: KARLA KAY PENNER, 10530 UTE PASS AVENUE** - The Department of Revenue gives a local liquor licensing authority discretionary authority under 12-47-303(2) to issue a temporary permit to a transferee of any retail class of alcohol beverage licensed under the local authority. A temporary permit authorizes a transferee to continue selling alcohol beverages during the period an application to transfer the ownership of the license is pending. Penner filled out the temporary liquor permit application.

**M/S Pitrone/Newberry to grant a ninety day temporary permit for 10530 Ute Pass Avenue, The Blue Moose. All yea**

**PUBLIC INPUT** - Items Not Listed on Agenda \*- **Joyland Falls Church** Pastor Larry McKnight stated that with Valentine's Day approaching we all should look for ways to express love. McKnight feels that love works in building community.

**REQUEST FOR THE BOARD OF TRUSTEES TO MAKE APPOINTMENTS TO THE GREEN MOUNTAIN FALLS TRAILS COMMITTEE – Dick Bratton, Trails Committee Chairman M/S Pitrone/Newberry to approve recommendations from Chairman Dick Bratton dated 1/16/13 for appointments and reappointments to the Green Mountain Falls Trails Committee. All yea**

**RESOLUTION 2013-03 - A RESOLUTION ADOPTING A POLICY CONCERNING PUBLIC RECORDING AT TOWN MEETINGS – Review and Discussion** Trustee Newberry introduced a draft of a policy from Pagosa Springs concerning public recording, public and participation at meetings that had been supplied by the Town Attorney, Dan Stuart in August 2012. The draft version before the Trustees was revised by Stuart on 2/5. Trustee Newberry stated that this policy addresses public recording only and would serve as an informational tool for individuals interested in recording town meetings. Trustee Price wanted to insure that the live streaming remained free, not subject to editing or to being referred to as an official Town record.

Trustee Stevens stated that he has not seen a problem so far and thought a policy might not be necessary. Trustee Peterson stated that the Board should look at wording in the last paragraph on how the Board would grant prior approval. Mayor Worthey requested that the Board members continue to review the draft for discussion at a future meeting.

**REPORTS: Mayor's Report:** Mayor Worthey reported that CML Director Sam Mamet has volunteered to facilitate a training session for the Board on Tuesday, February 19<sup>th</sup> starting at 5:00 p.m. Trustee Price will be gone for that meeting; it was suggested to move the session to the March 5<sup>th</sup> meeting after confirming Mamet's schedule. **Worthey** suggested inviting Carol Ekarius, Executive Director for CUSP and Patricia Baxter, El Paso County Emergency Services Manager to the 2/19 meeting. Both individuals have expressed interest in addressing the Board.

**Marshal's Department:** Marshal Bradley presented a written report; submitted into the record by Marshal's Liaison Mayor Worthey. Bradley reported that there have been unlocked car break-ins in Town and the surrounding communities and encouraged residents to lock both cars and houses. He also reported that the extensive in service trainings the deputies participate in served the department well in a recent agency assist. The officer was commended on the decisive and quick action taken.

**Trustee Liaison Pitrone**, Advisory Committee Regional Building Department: Pitrone was elected Vice Chair of the Advisory Board.

**Public Works:** Robert McArthur's report was submitted into the record by Trustee Pitrone.

**Trustee Liaison Newberry**, Administration: Newberry stated that the Town's registration of the domain name greenmountainfallsco.gov is complete and active. Admin is working with Cuchiario & Associates on reconciling 2012 accounts in preparation for the March audit. Admin continues to research new accounting software packets; research involves virtual presentations of applicable software packages based on input received from CML and Colorado municipal clerk's list serve.

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

**Trustee Liaison Stevens**, PPRTA, PPACG, CDAB: Stevens reported an email from Crystal LaTier, Community Development Project Coordinator, El Paso County, stating that the Board of County Commissioners approved the 2013 CDBG Project Recommendations from the CDAB and awarded the Sallie Bush Community Center- ADA Improvements \$169,847.00.

**Trustee Liaison Price**, Businesses, Chamber: Price was encouraged with the new business opening and encouraged continued support to the local Chamber.

**OTHER BUSINESS** - No business requiring Board action or discussion was presented.

**CORRESPONDENCE – The Town** received a letter from, Crystal LaTier Community Development Project Coordinator that the town did not receive the \$42,000 grant submitted In August 2012 for the 2013 Block Grant Development Program for ADA updates to the municipal pool. **The Town** was requested by the El Paso County Commissioners to submit a letter of support to the Colorado Department of Agriculture for a Noxious Weed Management Fund Grant the County is submitting. If awarded, El Paso County would survey, map, detect and treat noxious weeds in the List A and List B species. The Board members supported the request. **No other correspondence** required action or discussion by the Board.

There being no further business, Mayor Worthey adjourned the meeting at 8:38 p.m.

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Mayor Lorrie Worthey

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