

**BOARD OF TRUSTEES  
TOWN OF GREEN MOUNTAIN FALLS  
MINUTES OF REGULAR MEETING – TUESDAY, FEBRUARY 19, 2013**

The Board of Trustees meeting was called to order by Mayor Worthey at 6:04 p.m.

**ATTENDANCE:** Newberry - present Pitrone - present LoCascio - present (left 7:52 p.m.)  
Price - present Stevens - present Peterson - present  
(left 7:51 p.m.)

**REQUEST FOR AUTHORITY TO PROCEED WITH THE NEW TOWN HALL LOCATION NEGOTIATIONS**

**M/S Worthey/Newberry to go into an Executive Session pursuant to the Colorado Open Meetings Act for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e) and to discuss the purchase, acquisition, lease, transfer, or sale of real, personal or other property interest under C.R.S. Section 24-6-402(4)(a). All yea**

**M/S Newberry/Pitrone to request that the Town Attorney, Lisa Toerman Hickey, Planning Commission Chairman Dave Kosley, Commissioners John Lowndes, Cameron Thorne, Public Works Director, Robert McArthur and the Town Clerk be present at the Executive Session. All yea**

The Board of Trustees came out of the Executive Session at 7:14 p.m. and Mayor Worthey reconvened the regular Board meeting.

**REQUEST FOR AUTHORITY TO PROCEED WITH THE NEW TOWN HALL LOCATION NEGOTIATIONS**

**M/S Pitrone/Price to authorize the Planning Commission and Town Attorney to negotiate property for a new town hall. All yea**

**M/S Pitrone/Newberry to authorize Keystone Associates, Inc. to prepare concept drawings as outlined in 1/23/13 proposal and paid for by the town's insurance provider, CIRSA. All yea**

**M/S Pitrone/Newberry to allocate up to \$5,000 for potential expenditures that may include an appraisal, an environmental assessment, a survey and other incidental costs. All yea**

**M/S Pitrone/Price to authorize Public Works Director, Robert McArthur as project manager to work with Town Attorney, Planning Commissioners Kosley and Lowndes, and Trustees Newberry, Pitrone and LoCascio and other contacts as essential for the project process to include preparations necessary for the DOLA grant application. All yea**

**ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA – Trustee Pitrone requested that there be an addition to the agenda. M/S Pitrone/Newberry to add Liaison Appointment and Re-appointment to the Agenda as Item 4A. Pitrone, Newberry, Peterson, LoCascio, Price in favor. Stevens and Worthey opposed. Motion passes.**

**LIAISON APPOINTMENT OF HOWARD PRICE TO MARSHAL'S DEPARTMENT AND APPOINTMENT OF MARGARET PETERSON TO BUSINESS DISTRICT REPRESENTATIVE AND UTE PASS TRIANGLE CHAMBER OF COMMERCE**

Trustee Pitrone stated that being there is a full 7 member board; he would recommend appointing Trustee Price as liaison to the Marshal and Trustee Peterson taking on the liaison role of representative for the business district and Chamber. Pitrone noted that when the Marshal's liaison, Scott Useman, resigned on 7/28/12, Mayor Worthey volunteered to cover during the transition of filling the vacancy and appointing a new member. Pitrone stated that he opposes a mayor being a department liaison which eliminates a bias to a certain department and makes it easier for a mayor to settle disputes particularly at budget sessions. Worthey stated that she would like to talk Tim Bradley before a change is made and would be glad to continue as liaison suggesting that Price and Peterson share the business district and Chamber responsibilities. Stevens felt it was in poor judgment to make the change before talking with Marshal Bradley. Pitrone felt that Price would do a great job.

**M/S Pitrone/LoCascio to appoint Trustee Price as Marshal's Liaison and Trustee Peterson as the Liaison to the Ute Pass Triangle Chamber and Business District. Pitrone, LoCascio, Newberry, Peterson, Price in favor; Worthey and Stevens opposed. Motion passes.**

**CONSENT AGENDA** - Trustee Newberry requested that the Approval of the Board Minutes of 2/5/13 be called out separately because there is a correction to be made.

**APPROVE BOARD OF TRUSTEES MINUTES FOR 2/5/13** – Trustee Newberry noted that on page 3, under Reports: Administration - a motion was not recorded. Newberry presented the Administration report and requested permission from the Board to pursue filling out the FEMA grant agreement if the doors were still open with FEMA. This would facilitate repaying El Paso County the \$14,046.00 they gave the Town on 8/1/13 to cover Waldo Canyon evacuation costs. On 2/5, a motion was made by Pitrone, seconded by Price; all were in favor, none opposed. This motion was not written into the minutes. Newberry requested that the clerk review her notes for the 2/5/13 meeting. It was found that the motion was in the clerk's written notes. Newberry has contacted the FEMA officials and the grant agreement deadline has been extended until March 30, 2013. Newberry is going forward with the reporting and request for reimbursement with assistance from FEMA and State Emergency Services staff. **M/S Price/Pitrone to approve the minutes of 2/5/13 with the correction that the motion made by Trustee Newberry under the Administration report be added. Price, Pitrone, Newberry, Peterson, LoCascio in favor; Worthey and Stevens opposed. Motion passes.**

**BILLS RUN 2/8/13 THROUGH 2/14/13: \$5,539.00**

**M/S Price/Pitrone to accept the bills paid and run through 2/14/13. Price, Pitrone, Newberry, LoCascio, Peterson in favor; Worthey and Stevens opposed. Motion passes.**

**ACCEPT PLANNING COMMISSION MINUTES OF 2/12/13 INTO THE RECORD**

**M/S Newberry/Stevens to accept the Planning Commission Minutes into the record. All yea**

**Mayor Worthey called the Public Hearing to order at 7:35 p.m.**

**PUBLIC HEARING – REQUEST FOR SPECIAL USE TO OPERATE A VACATION RENTAL BY OWNER – 6816 COLORADO STREET; PROPERTY OWNERS, SHAWN AND ROBIN MEYERS; REPRESENTATIVE, JANET MIKITA** Mayor Worthey summarized the application for 6816 Colorado Street and introduced the petitioner's representative, Janet Mikita. The List of House Rules as requested by the Planning Commission was received. The Meyers' recently purchased this three bedroom, two bathroom 104 year old cabin near two other properties that they own; one that they operate as a VRBO. They proposed to rent to approximately six guests. The Town Clerk reported that the site had been posted with the

Public Hearing Notice. Six informational packets were sent to property owners within 100' of the petitioner's property. To date, six letters of response have been received; five in favor of granting the special use and one opposed, Jo Lester year round resident at 6820 Colorado Street. Mikita stated that the Meyers' plan to contact Jo Lester and discuss some of her concerns with the special use. There being no further comments from the petitioner's representative, Board or audience members, the public hearing was closed at 7:38 p.m.

**The following findings were accepted from the Planning Commission's Public Hearing of 2/12/13:**

- five letters received in favor of granting the special use; one opposed.
- there have been no complaints received showing bad management or non-compliance for the Special use operated by the Meyers' in 2012.
- increased revenues through sales and lodging taxes will be received.
- the petition conforms to the requirements of the zoning ordinances.

**M/S Pitrone/Newberry to grant a Special Use to operate a VRBO for 6816 Colorado Street. All yea**

**LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION – MIDLAND RAILS LIQUOR,** 10550 Ute Pass Avenue; Owner, Kimberly R. Wart The Marshal's letter recommending renewal was entered into the record. There were no members of the audience or board members that expressed complaints or opposition. No verbal or written comments have been received by the Town Clerk. **M/S Pitrone/Newberry to approve the renewal application for Midland Rails Liquor. All yea**

**PUBLIC INPUT** - Items Not Listed on Agenda \* - Denver Street resident, Marshal Worthey commented that he thought the board members made a poor choice in the appointment of Howard Price as liaison to the Marshal's Department.

**RESOLUTION 2013-03 – A RESOLUTION ADOPTING A POLICY CONCERNING PUBLIC RECORDING AT TOWN MEETINGS** Trustee Price reported that he is working with Commissioner Thorne and Robert McArthur to adapt a camera at the temporary facilities to live stream meetings.

**M/S Peterson/Pitrono to adopt as presented at the 2/5/13 Board meeting with the town attorney's recommendation, additions and corrections. All yea**

**UPDATE ON THE SUBMITTAL OF THE GRANT AGREEMENT BETWEEN THE STATE OF COLORADO DEPARTMENT OF PUBLIC SAFETY DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT AND THE TOWN OF GREEN MOUNTAIN FALLS**

Trustee Jane Newberry reported that she is working with Marilyn Gally and Deanna Butterbaugh of the Colorado Department of Public Safety Division of Homeland Security and Emergency Management Office on submitting the grant agreement. The deadline is 3/30/13. Newberry will contact Commissioner Clark and Nicola Sapp to get a copy of the original IGA.

**Address Post Waldo Canyon Fire Risks and Management for the Ute Pass Area - Commissioner Sallie Clark, Patty Baxter and Carol Ekarius**

Carol Ekarius is the Executive Director of the Upper South Platte Watershed which consists of 2600 square miles of mountains, streams, forest, cities and towns. It supplies nearly 75% of Colorado's drinking water. CUSP works with partners to provide essential services such as project planning, implementation, and monitoring within the watershed. Ekarius presented drainage basin maps and maps showing the high risk flooding areas along Highway 24. She

summarized the studies being done on the drainage areas and efforts to implement current and future flooding mitigation plans.

Patricia Baxter, Emergency Services Program Manager for El Paso County spoke to individual preparedness for fire threat and flooding due to burn scar areas. Though all of the town limits are out of the burn scar, Highway 24 could be closed for days due to flooding. She stressed having a plan in place and communicating to family members in case this happens. Storing extra food items and consider alternate means of resources possibly a generator, as utilities will be affected. Baxter strongly recommended that to best stay informed before, during and after a disaster one should monitor a number of information sources, including systems such as local emergency services websites, warning sirens, sms/txt alert systems, local/national media outlets, and local government sources. Noting that fire is the primary threat to the Town, property owners are encouraged to mitigate, document your property and have knowledge of insurance coverage. She provided the link for [uphelp.org](http://uphelp.org), a non-profit organization that advocates for consumers' rights relating to insurance coverage concerns. Baxter stated that it may be likely that the Ute Pass residents would be evacuated to the north if Highway 24 is closed. Residents should be prepared to relocate for up to several hours to several days. Baxter encouraged a wildfire and flooding preparedness meeting in April and again when residents summer return.

Commissioner Clark represents the Ute Pass communities and discussed her efforts to obtain grants through the Emergency Watershed Protection (EWP) program, the U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) can help communities address watershed impairments that pose imminent threats to lives and property. Most EWP work is for the protection of threatened infrastructure from continued stream erosion. Through EWP, the NRCS may pay up to 75 percent of the construction costs of emergency measures. Clark encouraged all residents to register their land lines and cell phones with the E 9-1-1 Authority. She noted that an emergency text can be delivered instantaneously and reach a multitude of residents. Link: [www.elpasoteller911.org](http://www.elpasoteller911.org).

**REPORTS: Mayor's Report:** No report. **Marshal's Department:** Marshal Bradley's written report submitted into the record by Mayor Worthey.

**Trustee Liaison Pitrone**, Advisory Committee Regional Building Department: No Regional Building report. Pitrone informed the members that Rob McArthur had been requested by Colorado LTAP to audit a two day workshop held in Denver on 2/12 and 2/13 to solicit his input. Colorado LTAP is considering adding the course to their future classes.

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

**Trustee Liaison Newberry**, Administration: Newberry stated that an accounting package by Asyst has been selected after cost and product research, virtual presentations and discussions with other Colorado town clerks. The cost, training and annual maintenance fee is within the 2013 budgeted figures. Training and input scheduled for April. The 2012 audit is scheduled in March. Independent accountant Pat Cuchiario is working on reconciling the accounts as an audit preparation that is being reimbursed by CIRSA. Green Box Arts Festival is proposing a non-alcohol street dance/block party on Lake Street on Wednesday, June 26, 2013. The group has requested a Special Event Permit. A band has been hired, The Haunted Windchimes from Pueblo.

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

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

**Trustee Liaison Price**, Businesses, Chamber: No report.

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

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

**CORRESPONDENCE** – Mayor Worthey and the trustees received a letter dated 2/15/13 from Daniel A. Masias of Hondo Avenue. **An update** on the Ute Pass Regional Trail was received from Jason Meyer, Park Planner for El Paso County. **CML Annual** Conference letter and scholarship application form was given to each of the trustees. **No other correspondence** required action or discussion by the Board.

There being no further business, Mayor Worthey adjourned the meeting at 8:50 p.m.

---

Mayor Lorrie Worthey

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