

The Minutes are Provisional until approved by the Board at the next meeting on 4/15/14.

The Board Meeting is live streamed: [youtube.com/user/GreenMountainFallsCO](https://www.youtube.com/user/GreenMountainFallsCO)

**BOARD OF TRUSTEES  
TOWN OF GREEN MOUNTAIN FALLS  
MINUTES OF REGULAR MEETING – 7:00 P.M. - TUESDAY, MARCH 18, 2014**

The Board of Trustees meeting was called to order by Mayor Worthey at 7:05 p.m.

**ATTENDANCE:** Newberry - present Pitrone - present LoCascio - present (left 8:13 p.m.)  
Price - absent Stevens - present Peterson - present

**ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA –** No additions, deletions or corrections to the agenda were presented.

**CONSENT AGENDA –** Mayor Worthey requested that the Bills Due and Payable be pulled from the Consent Agenda for clarification.

**APPROVE BOARD OF TRUSTEES MINUTES FOR 3/4/14** M/S Pitrone/Newberry to approve the minutes as presented. Pitrone, Newberry, Worthey, LoCascio, Peterson in favor; Stevens opposed.

**APPROVE BILLS RUN 2/28/14 THROUGH 3/13/14: \$25,027.97** Mayor Worthey did not have the current data printout for the 2/28 through 3/13 bills run for the amount posted on the agenda. It was clarified that the printout the trustees had at the meeting matched the bills due printout for the amount listed on the agenda. **M/S Newberry/Pitrone to approve the bills as submitted. Newberry, Pitrone, LoCascio, Peterson in favor; Stevens, Worthey opposed. Motion passes**

**LIQUOR LICENSE RENEWAL HEARING FOR BLUE MOOSE TAVERN – ZuCrew LLC, Karla Penner Business Owner** The Board of Trustees proceeded in their role of Local Liquor Licensing Authority for the renewal hearing. Penner was present and stated that it had been a good first year for the business. Penner explained to the Board that she is under suspension after receiving a liquor violation from the Department of Revenue Liquor Enforcement Division in October. Her license was suspended for 13 days. The State allowed Penner to pay a fine in lieu of serving 4 of those as active days, and the remaining 9 days are in probation for one year. She is still on probation. The violation was the re-filling of bottles. The State did not believe Penner was substituting anything but stated even the same product cannot be moved from one bottle to another. Penner stated that she has since fired the employee that was involved in the violation. Trustee Pitrone asked if Penner had security during the larger live music events. She stated that she employs a bartender to do security as well as bartend. Pitrone did not think that was adequate protection for both her business and the town during larger live music events and that a bartender gets involved with serving and can't always watch the condition of customers. He requested that the Clerk contact CIRSA, the town's insurance provider, to receive clarification if having a bartender with an additional job description as security is adequate. Pitrone requested that Penner comply with the Municipal Sign Ordinance that prohibits banners and pennants except for special community sponsored events. **M/S Stevens/Peterson to approval the renewal of the Tavern Liquor License for The Blue Moose Tavern. All yea**

Mayor Worthey called a Public Hearing to order at 7:25 p.m.

**PUBLIC HEARING: SPECIAL USE REQUEST TO OPERATE PROPERTY AS A (VRBO) VACATION RENTAL BY OWNER – 10980 FALLS AVENUE, JOHN HELLEBERG, ESTATE REPRESENTATIVE, PROPERTY MANAGER, KIM WEST, RED DOOR VACATION RENTALS**

The Town Clerk reported that a Public Notice sign was posted. Nine informational packets were sent to neighbors within 100' of the petitioner's property line. To date, six responses in favor of the granting of a Special Use have been received. The house rules were included in the application submittal and approved by the Planning Commission. There being no further comments from staff, audience or Board members, the Public Hearing was closed at 7:27 p.m. by Mayor Worthey. The Board members reviewed and concurred with the following Planning Commission findings from the Public Hearing held on 3/11/14:

- the petition conforms to the requirements of the zoning ordinances.
- the use is consistent with the goals and objectives of the Comprehensive Master Plan.
- neighboring land uses are compatible with the contemplated use.
- the use will not result in an over-sensitive use of the land.
- the use will not result in undue traffic congestion or traffic hazards.
- the use will not be unreasonably detrimental to the public health, safety and welfare.
- the town will receive an increase in lodging and sales tax revenue.

**M/S Pitrone/Newberry to approve the Special Use request to operate a VRBO at 10980 Falls Avenue. All yea**

**RESOLUTION 2014-02 A RESOLUTION SETTING THE SPECIAL ELECTION FOR A RECALL AND REFERENDUM ELECTION FOR TUESDAY, MAY 20, 2014**

**M/S Newberry/Stevens to approve Resolution 2014-02. All yea**

**PUBLIC INPUT** - Items Not Listed on Agenda \* Three individuals signed in to speak.

**Katharine Guthrie** of Mountain Avenue had two questions of Mayor Worthey. She asked that in the interest of transparency could the Mayor explain what she discussed with the town attorney after the 3/4/14 board meeting had ended. Worthey replied that this was not the appropriate time and reiterated the statement at the bottom of the Public Input signup sheet and on the bottom of the agenda that the board is under no duty to respond to public comment. Guthrie asked why the Mayor consistently votes "no" at each meeting for approval of the Bills Due and Payable. Worthey called a point of order and repeated the statement addressing Public Input. Trustee Pitrone requested that the Mayor read the rest of that statement which says that the Board could address public statements if agreed upon by a majority vote. Pitrone felt if the Mayor took a vote there would be a majority consensus. Mayor requested a five minute recess which did not take place. **Resident Rich Bowman**, El Paso Trail stated that he had given a letter to the Board members at the end of the 3/04/14 meeting. The letter was responded to by Interim Town Manager Rob McArthur but Bowman stated that the response did not address all of his concerns. He would like a review of the letter and his concerns and a further response. **Jane Newberry** signed in as a citizen for a question about a statement on Facebook, a copy of which was presented to the board and audience members. Trustee candidate, Chris Quinn was introducing himself on Facebook and his running for office. Quinn was asked by Judy Lofland Wiedner, Registered Agent for the Recall, Referendum and Initiative Issue Committees "if you get onto the board will you vote to get rid of two employees". There were several likes below Quinn's introduction statement. Mayor Worthey was one. Worthey stated that she was responding to the introduction and not what followed with Wiedner's questions. Newberry stated that she is not familiar with Facebook but felt that Worthey should have defended the town employees or at the least made a statement that the question was not appropriate. A conversation ensued between the audience and board members about where and when a like appears on Facebook and that it was possible Worthey never saw Wiedner's comment. The Mayor requested that the Board move on to the other agenda items.

**REPORTS: - Mayor's Report** – Worthey stated that she had no report but had been given a letter by Susan Barnes to read publically. Worthey requested that Barnes go ahead and read her letter. Barnes began reading the letter which resulted in some confusion for Board members. None of the trustees, the town clerk or the town attorney had received a copy of Barnes' letter. Trustee Peterson felt that this was not appropriate as the Board was to receive all information/letters prior to the meeting for board and the attorneys' review. At the start of the reading, the members perceived it to be a grievance letter because board members and a staff member were mentioned. Peterson's concerns were affirmed by Trustees Pitrone, LoCascio and Newberry. As Barnes proceeded to read the letter, there was continued board member confusion as what type of letter it was based on what was being read. Trustee Peterson commented to the town attorney that she felt that the Board needed legal advice on this letter prior to Barnes' continuing. She requested an Executive Session. **M/S Peterson/Newberry to go into an Executive Session. Peterson, Newberry, LoCascio, Pitrone in favor; Stevens, Worthey opposed. Motion passes.**

Mayor Worthey moved to go into an Executive Session for the purpose of receiving legal advice under C.R.S. Section 24-6-402(4)(b) at 8:15 p.m. Present at the Executive Session: Mayor Worthey, Trustees Newberry, Pitrone, Peterson and Stevens. Trustee LoCascio left after the vote to go into an Executive Session; Town Attorney, Matt Krob, Susan Barnes and Interim Town Manager, Robert McArthur.

The Executive Session ended at 8:38 p.m. and Mayor Worthey reconvened the regular meeting to allow Barnes and McArthur to leave the Executive Session. The Board members agreed to continue on in Executive Session. **M/S Peterson/Newberry to go back into the Executive Session at the recommendation of the attorney. All ye**

Mayor Worthey moved to go into an Executive Session at 8:41 p.m.; Worthey, Newberry, Stevens, Peterson, Pitrone and the town attorney were present.

The Executive Session ended at 9:31 p.m. and the regular meeting was continued by Mayor Worthey.

Worthey announced that Susan Barnes has tendered her resignation. Worthey thanked Barnes for her service and stated that the resignation letter with the allegations is Barnes' personal opinion and speaks for itself.

**REPORTS - Continued**

**Trustee Stevens** reported on the recent PPACG meeting and the changes approved for the Cimarron/I-25 interchange widening. Larry McKnight asked Stevens if Green Mountain Falls could be added to the signage at the new interchange. Stevens will research the request. Stevens was elected to the Regional Building Board of Directors as the representative for smaller communities.

**Trustee Pitrone** reported on a conversation with a Belvedere resident who had spoken with El Paso County deputies while they were on patrol and commented that they are doing a great job. Trustee Peterson reported that resident Shawn Ives, El Paso County Sheriff's Department Mounted Patrol stated that the patrol unit will extend their services upon request from the Town.

**Town Manager's / Staff Reports** – Interim Town Manager, Robert McArthur submitted two reports; one for Public Works and the other for town manager. McArthur had been requested to provide an overall inventory and maintenance status on the 331 town signs. He submitted an analysis and cost estimate in a memo to the Board dated 3/13/14.

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McArthur confirmed that El Paso County Sheriff's Department will staff the annual car show event with 4-6 reserve and/or special ops personnel. McArthur reported that the RFP closing for the contractor's bids for the new town hall was Friday, March 21, 2014.

**Town Attorney, Matt Krob** – No report.

**OTHER BUSINESS:** **Susan Barnes** asked to address the Board to state that she did not want any comments or an investigation; she just wanted to submit her letter of resignation. **Pastor** McKnight apologized to Trustee Newberry and Sean Newberry for a remark he had made to them earlier in the meeting. Mayor Worthey wished everyone good luck in the future. No new business was presented.

**CORRESPONDENCE:** No municipal correspondence that required Board discussion or action was presented.

There being no further business, Mayor Worthey adjourned the meeting at 9:45 p.m.

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Mayor Lorrie Worthey

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