

The Minutes are Provisional until approved by the Board at the next meeting on 4/16/13.

**BOARD OF TRUSTEES  
TOWN OF GREEN MOUNTAIN FALLS  
MINUTES OF REGULAR MEETING – TUESDAY, APRIL 2, 2013**

The Board of Trustees meeting was called to order by Mayor Worthey at 7:03 p.m.

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

**ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA – M/S Newberry/Pitrone to add an item to the agenda: #7A Discussion and Review of Personnel Policy Employee Grievance Procedures. All yea**

**CONSENT AGENDA**

- APPROVE BOARD OF TRUSTEES MINUTES FOR 3/5/13
- BILLS RUN 2/28/13 THROUGH 3/14/13 FOR \$35,856.75 AND 3/15/13 THROUGH 3/28/13 FOR \$10,611.89
- APPROVE MINUTES OF JOINT SESSION WITH PLANNING COMMISSION AND BOARD OF TRUSTEES MEETING MARCH 12, 2013 AND PLANNING COMMISSION MINUTES FROM 3/26/13 INTO THE RECORD

**M/S Price/Newberry to approve the Consent Agenda as presented. All yea**

**A Public Hearing was called to order at 7:10 p.m. by Mayor Worthey.**

**PUBLIC HEARING – REQUEST A 7’ SETBACK VARIANCE TO THE FRONT PROPERTY LINE: 11070 BELVEDERE AVENUE, PROPERTY OWNERS, STEVE AND BRENDA TABOR; CONTRACTOR, JOEL ADCOCK, FIVE ELEPHANTS DECKING**

Four informational packets were sent to property owners within 100’ of the petitioner’s property lines. A public notice sign was posted at the site. Four responses in favor of the front property line setback were received. Public Works Director Robert McArthur stated there would not be any road obstruction created with granting the variance. There are two existing stone retaining walls in front of the proposed deck posts. There being no further comments from the petitioner’s representative, Joel Adcock, board or audience members, the public hearing was closed at 7:12 p.m. The Board reviewed the following findings from the Planning Commission Public Hearing on 3/26/13:

- all the neighbors contacted about the variance were in favor
- granting the variance is in harmony with the purpose and intent of the zoning regulations and will not be injurious to the neighborhood or detrimental to the public
- the deck addition will increase the property value and enhance the use of the residence by the property owners
- there will be no encroachment or visual obstructions to the Belvedere Avenue right of way

**M/S Pitrone/Newberry to concur with the findings and grant a 7’ front property line setback for 11070 Belvedere Avenue as submitted. All yea.**

**PUBLIC INPUT - Items Not Listed on Agenda \*** Dick Bratton reported on the progress of the Ute Pass Chamber of Commerce and the events planned. Bratton requested that the Board members review an updated Calendar of Events he drafted. Bratton reported on the progress of the Bronc Day Committee, chaired by Vickie McKnight. The website is [www.broncdayco.org](http://www.broncdayco.org). Bratton requested information about the development of the Town’s new website presented to the Board by Cameron Thorne and the website that the Economic Sustainability Committee was going to develop and pass onto the Chamber. Thorne will be contacted for an update.

**REQUEST FOR SPECIAL EVENTS PERMIT:** Annual Ute Pass Pony Run Fundraiser – Ute Pass Elementary School: Joanna Bartko, Event Representative reported that the run was the only fundraiser the school holds that is not in-house and that the proceeds will go directly towards the school playground equipment destroyed by the flooding. Bartko hopes for an increase of runners from 40 to 200. Trustee Price volunteered to pay the permit fee of \$250.00. **M/S Price/Pitrone to approve the Special Event Permit, and the \$250 payment from Price, for Saturday, 5/11/13 beginning at 9:00 a.m. All yea**

**REVIEW OF COMMUNICATION PROCEDURES AND THE ROLE OF MAYOR AND BOARD OF TRUSTEES** Attorney Lisa Tormoen Hickey outlined methods for the board members to incorporate in their communication with each other and staff. Hickey reviewed the legal aspects and requirements of Open Meetings Open Records Act as the law addresses email correspondence. Hickey stated that the best rule of thumb was to consider all email as public information. She urged board members to communicate agenda items to the Mayor and Town Clerk earlier in the week prior to a meeting and not wait until Friday for agenda submissions. She encouraged that written agreements with other agencies be a normal practice especially if the receipt of money is involved. The recommendation that the minutes be addressed as provisional until official approval by the board at the next meeting was agreed upon. Hickey encouraged that the internal review process be the first practice prior to seeking assistance from outside agencies. Several board members wanted it reiterated that the Mayor must receive authorization from the Board before signing any agreements or before making commitments involving the Town. The attorney had received several personnel policies from other municipalities for comparison as well as a template policy from CIRSA, the Town's insurance provider, to be used in reviewing the Town's personnel policy. Hickey will make chapter review of the policy a priority and welcomed board member involvement. There was discussion about having two trustee liaisons for each department. Board member consensus was that having a backup for certain situations was favorable.

**Mayor Worthey requested a five minute recess at 8:15 p.m. The meeting was reconvened at 8:20 p.m.**

**DISCUSSION AND REVIEW OF PERSONNEL POLICY EMPLOYEE GRIEVANCE PROCEDURES** After discussion with the Town Attorney, the Board agreed to table this agenda item and proceed with the remaining agenda business items in consideration of the audience members who may be present to solicit input on those agenda items.

**M/S Peterson/Newberry to table this agenda item to the end of the meeting after Correspondence. All yea**

**PAYMENT OF ENVIRONMENTAL ASSESSMENT, APPRAISAL AND INCIDENTAL EXPENDITURES FOR NEW TOWN HALL SITE FROM THE PPCF FIRE RESTORATION FUND** – Trustee Pitrone as Fund Advisor for this PPCF fund requested approval from the Board to pay for the new Town Hall site environmental assessment and appraisal from this fund. At the 3/5/13 Board meeting, the expenditure up to \$5,000 was approved but the funding mechanism was not discussed. **M/S Pitrone/Newberry to approve the expenditures from the PPCF Fire Restoration Fund. All yea**

**EMERGENCY PLANNING FOR POST FIRE RISK FROM THE WALDO CANYON FIRE -** Mayor Worthey requested that the Board return to the review of the Town's Emergency Disaster Plan and that a workshop be set for this project. Newberry suggested that the plan be converted to an electronic version and sent to the members. Trustees Stevens stated that the State's Elected Official's Policy Guide for Disasters and Emergencies be the template for the plan revision. Trustee LoCascio cautioned incorporating sections of a State guide that

would not be applicable to Green Mountain Falls. Stevens suggested that the first workshop should be with Emergency Services Program Manager, Patricia Baxter.

**REPORTS:**

**Mayor's Report:** Mayor Worthey, Trustee Stevens, Marshal Bradley and Fire Chief Murphy along with emergency responders from El Paso County, City of Colorado Springs, Manitou Springs, and other federal, state, regional, local and non-governmental organizations participated in a one-day facilitated, discussion-based exercise to prepare for floods following the Waldo Canyon Fire last summer. The Waldo Canyon Fire significantly changed the landscape, presenting risk of debris flow and flash flooding. Hillsides once protected by vegetation have been compromised and precipitation could have significant impacts on the landscape, causing concerns of flooding in the burned area and areas downstream. The exercise was based on a fictional yet realistic scenario that gave area agencies the ability to exchange ideas, coordinate processes and procedures, as well as share lessons learned prior to a real flood. **The Town** is being asked to support the reopening Rampart Range Road by the City of Woodland Park. Sample letters to the State Forest Service were presented to the Board by Worthey. Due to Waldo Canyon Fire, the southern terminus of the Rampart Range Road near Colorado Springs has remained closed. Woodland Park is recommending that the road be opened and be used as an emergency access road in case of flooding in the Ute Pass Corridor. The Board members did not take action in authorizing a letter of support at this time. **Worthey reminded** everyone of the dates for scheduled town hall meetings providing flooding/fire information from a variety of speakers and one-on-ones with the citizens reviewing various maps and how they might be affected during a fire/flood.

**Monday, April 8, 2013**, 6:30-8:30 pm. focus on the Green Mountain Falls area; Ute Pass Elementary School: 9230 Chipita Park Road, Chipita Park, CO 80809.

**Tuesday April 9, 2013**, 6:30-8:30 pm. focus on the Cascade area; Ute Pass Elementary School.

**Monday, April 15, 2013**, 6:30-8:30 pm. focus on the Manitou Springs area; at the Manitou Springs City Hall, 606 Manitou Ave., Manitou Springs, CO 80829

**Wednesday, April 24, 2013**, 6:30-8:30 pm. focus on the Manitou Springs area; at the Manitou Springs City Hall.

**Trustee Liaison Pitrone**, Advisory Committee Regional Building Department: Pitrone reported that the Town is the recipient of a Youth Work Program grant from the Regional Building Department for \$27,500. The program is to address fire and flood mitigation. Town Forestry technician Jinnie Grigsby will be assisting Public Works Director Robert McArthur with the press release and scope of work

**Public Works:** Robert McArthur's report was submitted into the record by Trustee Pitrone. Trustee Price commended the department on the thorough attention to snow removal especially as compared with neighboring communities.

**Trustee Liaison Newberry**, Administration: Newberry reported on the schedule for the annual audit, download and training for the new accounting software, accounting reconciliations, the preparation for the pool opening on June 7<sup>th</sup>, and Newberry's project to correct the Town's population numbers with the US Census

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

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

**Trustee Liaison Peterson**, Businesses, Triangle Chamber Commerce – No report.

**Trustee Liaison Price**, Marshal's Department: Marshal's written report entered into the record by Trustee Price. Price reported that he had asked Trustee Newberry to be his backup liaison for the department when he is out of town.

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

**CORRESPONDENCE** – **Larry McKnight** submitted a letter to the Board stating that he will not be able to serve as the Town’s representative on the PPACG Small Area Forecast Task Force.

**DISCUSSION AND REVIEW OF PERSONNEL POLICY EMPLOYEE GRIEVANCE**

**PROCEDURES** This item was brought back to the table at 8:55 p.m. The Town Attorney advised that an Executive Session would be the appropriate course for the Board for Agenda item 7A in order to receive legal advice on addressing a grievance procedure.

**M/S Peterson/Pitrone to go into Executive Session for a conference with the Town Attorney, Lisa Tormoen Hickey for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) and to invite the Town Attorney, Town Clerk, and the Director of Public Works to attend. Peterson, Pitrone, Price, Newberry, LoCascio, Stevens in favor; Worthey opposed. Motion passes.**

**M/S Newberry/LoCascio to come out of the Executive Session at 10:41 p.m. All yea**

**M/S Pitrone/Price authorize the Town Attorney to move forward with legal review and advisement of the Town’s Personnel Policy addressing grievance procedures and related matters. All yea**

**M/S Stevens/Newberry to request that in lieu of a Intergovernmental Agreement with El Paso County that a Memo for the Record be prepared by the Mayor and Mayor Protem by Tuesday, April 30, 2013. All yea**

**There being no further business, Mayor Worthey adjourned the meeting at 11:04 p.m.**

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Mayor Lorrie Worthey

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