

The Minutes are Provisional until approved by the Board at the next meeting on 6/18/13.

**BOARD OF TRUSTEES  
TOWN OF GREEN MOUNTAIN FALLS  
MINUTES OF REGULAR MEETING – TUESDAY, JUNE 4, 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** – No changes presented.

**CONSENT AGENDA - APPROVE BOARD OF TRUSTEES MINUTES FOR 5/21/13** with an addition from Trustee Peterson that she had contacted the Chamber regarding a community garage sale on Saturday July 13, 2013 at the Joyland Church parking lot. Trustee Stevens stated that his trustee liaison report was not correctly reflected in the minutes.

**M/S Peterson/Pitrone to accept the minutes with the additions and comments. All yeas**

**BILLS RUN 5/20/13 THROUGH 5/31/13 FOR \$8,510.89.** – Mayor Worthey called out the bills to inquire about the ICMA-RC contribution for \$578.88 (this is the monthly payroll employee/employer retirement contribution to ICMA, a non-profit company that handles public employees retirement funds. The Town began participation in 1994). It was also clarified that the check for \$410.33 to Felix Torres reflects his final paycheck from the Town.

**M/S Pitrone/Price to approve as presented. Pitrone, Price, Newberry, Peterson and LoCascio in favor; Worthey, Stevens opposed. Motion passes.**

**PUBLIC INPUT** - Items Not Listed on Agenda \* The following Town residents spoke in favor of Agenda Item # 9: Request of the Marshal's Department to utilize a service dog: Pamela Giraud, David Brittain, Ann Esch, Trajn Boughan, and Judy McCord. Ann Pinnell, Chipita Park and Larry McKnight, Joyland Church favored canine implementation. David Brittain supported having social media available as that is how he keeps up with Town information. He complimented Marshal Bradley for prompt notification of a break-in.

Mayor Worthey called the Public Hearing to order at 7:21 p.m.

**FIRST PUBLIC HEARING ORDINANCE 01-2013   AN ORDINANCE PROHIBITING THE OPERATION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANCE TESTING FACILITIES OR RETAIL MARIJUANA STORES WITHIN THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO**

The agenda item was corrected to "facilities or retail" and not "facilities for retail". Town Attorney, Lisa Tormoen Hickey has reviewed the ordinance. In 2011, the Town adopted Ordinance 02-2011 prohibiting medical marijuana centers, cultivation operations and medical marijuana infused products manufacturing. The Board has reviewed a current timeline from CML on procedures to address Amendment 64 and the local options available to municipalities. Over the past three months, the clerk has supplied Board members with copies of the minutes from the 2011 adoption meetings and the public hearing for Ordinance 02-2011, current information from CML on municipal actions, ordinances from other municipalities and counties that have adopted ordinances prohibiting the operation of marijuana cultivation facilities, marijuana product manufacturing facilities and testing facilities. Ordinance 01-2013 does not apply to the possession or use of marijuana and does not conflict with Amendment 64. There being no further input from the audience members or the Board of Trustees, the Public Hearing was closed at 7:28 p.m. The second Public Hearing and adoption will be held on Tuesday, 6/18/13 at 7:00 p.m.

**REQUEST FOR PROPOSAL (RFP) TASK FORCE RECOMMENDATION TO THE BOARD OF TRUSTEES FOR THE APPOINTMENT OF A/E DESIGN CONTRACT – Trustee Mac Pitrone – Action Item** The RFP Task Force, Jane Newberry, Mac Pitrone, and John Lowndes opened the sealed RFP submissions on 6/1/13 and the results were submitted to the Board on a Proposal Comparison spreadsheet. Eight packets were sent out with 5 returned. The range of proposals were from \$120,000 to \$21,000. The Task Force recommends that the Town contract with Keystone and Associates. On 6/4/13, a meeting was held with CIRSA representatives, Mike Wagner and Russ Clark who concur with the recommendation. **M/S Price/Peterson to approve the Task Force recommendation as submitted. All yea**

Robert Seevers, Keystone and Associates acknowledged that the timeline is tight: 8 weeks for site design, drainage and planning. Seevers will be evaluating the elevations for the first floor and basement discussions.

**RESOLUTION 2013-06 A RESOLUTION CONCERNING ELECTRONIC MEDIA POLICY - Mayor Protem Jane Newberry: Action Item** The Town Attorney had reviewed the resolution and her comments emailed to the Board members. The Board had reviewed and discussed three resolution drafts at prior Board meetings. Trustee Newberry explained that censure is not the same as censor. Trustee Price apologized for not having the town website up and running yet, but promised that would be the site to have all the accurate news and that would be the site for people to turn to for information. Some audience members wanted more time to review and have policy input. Mayor Worthey disagreed with the policy and believed she would become the most censured mayor in Colorado. **M/S Newberry/Price to approve Resolution 2013-06. Newberry, Price, LoCascio, Stevens, Peterson, Pitrone in favor; Worthey opposed. Motion passes.**

**REQUEST FROM MARSHAL BRADLEY TO CHANGE MARSHAL'S DEPARTMENT STANDARD OPERATING PROCEDURE #580 – Disposal of Used, Confiscated and Forfeited Property and Evidence - Board members concurred to delete the last paragraph of SOP Policy # 580 and submit new wording. M/S Price/Peterson to change final paragraph of #580 to read: In the event of property for sale the following avenues may be used: Auction, craigslist or any other feasible legal means. All items must be sold at a reasonable price. All sales actions must be documented appropriately. All proceeds shall be applied to the Marshal's Department. All property disposed of by means of sale must comply with local, state and federal laws and regulations.” All yea**

**REQUEST FROM MARSHAL BRADLEY TO UTILIZE A SERVICE DOG, STANDARD OPERATING PROCEDURE #590** Marshal Bradley submitted a four page memo to the Board on 5/7/13 requesting implementation of SOP# 590 - Police Service Dog Policy. Trustee Pitrone felt that the Town has not had a demonstrated need for a police dog in 150 years and does not need one now. Trustee Newberry felt that the policies were grossly outdated and required undue burden upon the Marshal to keep up with the dog training and back-up requirements. Additionally, she reported that police dogs have been attracting a lot of attention in lawsuits and she questioned if the Board we should be exposing the municipality to that. Mayor Worthey felt that this was a free gift/service being offered to the town and that the marshal can handle the extra work. Trustee Stevens suggested the Board review the policies and bring them up to date prior to having a dog, but felt that the police dog would benefit the town. Trustee Peterson wanted to see more of the certification/training brought before the Board and was not ready to vote to support Trustee Pitrone's motion until more information

was in place. **M/S Pitrone/Newberry to deny Marshal Bradley's request for a service dog and to delete Marsha's Department Standard Operating Procedure #590. Pitrone, Newberry, Price, LoCascio in favor; Worthey, Stevens, Peterson opposed. Motion passes.**

At 9:12 p.m. Mayor Worthey called a brief recess and the meeting reconvened at 9:20 p.m. at which time both Mayor Worthey and Trustee Pitrone apologized for some of their comments made during the prior agenda item discussion.

**REVIEW OF TIMELINE FOR RECEIPT OF CERTIFICATE OF LIABILITY INSURANCE CERTIFICATE FROM SPECIAL EVENT PERMIT APPLICANTS**

There had been a discussion to require the applicant to produce the Certificate of Liability Insurance to the Town at the same time the Special Event Permit request is being presented on agenda. Trustee Newberry clarified that CIRSA wants to assure that the insurance covers the event presented in the application and approved by the Board. There have been situations when an event has been modified or cancelled. Several of the applicants desire to secure insurance and pay the premium closer to the event date. The consensus was that the three week requirement to present the insurance certificate was adequate.

**REPORTS:**

**Mayor's Report:** Mayor Worthey has been invited to attend an Interagency Fire Meeting at Glen Eyrie on June 5, 2013 with Richard Bowman.

**Public Works:** Pitrone reported that the Regional Building Department is very pleased with the mitigation project that they are funding. Robert McArthur's report was submitted into the record by Trustee Pitrone.

**Trustee Liaison Newberry, Administration:** Phase I of the audit completed (3 day site visit by two auditors). Within two weeks, Clerk to receive the 2012 closing Journal Entries and opening entries for 2013. Concentration can then commence on inputting the 2013 data into the new Asyst system. Parks plantings coordinated within the Town: thank you to Karen Watson for planting the Gazebo pots; Cheri Potswald for the pool pots and the triangle across from the pool; Dean Heise for taking care of the triangle area and watering; Lana Fox for the pots at Town Hall. Anita Dewhurst will be planting at the Land Company Building area. Seven lifeguards (3 FT and 4 PT) have been hired and began the opening procedures today. They will work and train through to Friday when the pool opens. **Newberry summarized** the extensive full audit process, the first in eight years due to the Town's annual budget going over the State's exempt threshold of \$500,000 due to the Town Hall fire and Waldo Canyon Fire evacuation. CIRSA has agreed to pay any increase to the annual budgeted audit amount under Business Interruption coverage. **Newberry reported** that she submitted the official challenge to the 2010 census which significantly reduced the Town's year round population therefore having a negative impact on federal and state funding received by the Town. Newberry reported that the FEMA grant was accepted with a check expected within 2-3 weeks. These funds will be sent to El Paso County Finance to reimburse disaster funds that the Town received due to the Waldo Canyon Fire evacuation.

**Trustee Liaison LoCascio, Parks:** The new fountain at the lake has been installed; parks maintenance underway; sprinklers repaired and operational. Pool opens Friday.

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

**Trustee Liaison Peterson, Businesses, Triangle Chamber Commerce** – Peterson reported on the upcoming Chamber meeting and Bronc Day committee meeting on 6/6. The committee is compiling the names of prior town mayors. Businesses are looking forward to the Cloud City installation at Lakeview Terrace Hotel to increase the number of visitors to the community.

**Trustee Liaison Price**, Marshal's Department: The Marshal's report was submitted into the record by Trustee Price. New radios are operational and have been programmed at no charge. The second replacement vehicle due within a week; Price donated a computer and a cell booster that will allow Sprint calls to be made and received within 300 yards of the office. Joyland Church donated phones to the department. Plans are underway to staff car show and Bronc Day. Hiring process underway and will be presented to the Board.

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

**CORRESPONDENCE** – Letters were received from residents Mary and Bob Schlut and Trajn Boughan supporting a trained certified police dog. No correspondence received that required Board discussion or action.

**There being no further business, Mayor Worthey adjourned the meeting at 9:36 p.m. p.m.**

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Mayor Lorrie Worthey

**ATTEST:** \_\_\_\_\_  
Jane Newberry, Mayor Protem