

**BOARD OF TRUSTEES  
TOWN OF GREEN MOUNTAIN FALLS  
MINUTES OF REGULAR MEETING - TUESDAY, AUGUST 4, 2009**

The meeting was called to order at 7:00 p.m. by Mayor Tyler S. C. Stevens.

**ATTENDANCE:** Pitrone present Useman present King absent  
Bratton present Newberry present Worthey absent

**ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA** – No changes presented.

**CITIZEN’S INPUT** –No input at this meeting.

**CONSENT AGENDA**

- **APPROVE BOARD OF TRUSTEES MINUTES: 07/21/09**
- **APPROVE BILLS DUE AND PAYABLE: \$8,052.17**
- **ACCEPT PLANNING COMMISSION MINUTES OF 7/28/09**

**M/S Pitrone/Newberry to approve the Consent Agenda as submitted. All yea**

The Public Hearing was called to order at 7:02 p.m. Trustee Pitrone left the Board of Trustee table and joined the audience members. Pitrone represents the property owner in the next agenda item.

**PUBLIC HEARING: VARIANCE REQUEST FOR A ZERO FOOT SETBACK TO FRONT PROPERTY LINE SETBACK, 10730 MOUNTAIN AVENUE; PROPERTY OWNER, GARY FLORENCE; GENERAL CONTRACTOR, MAC PITRONE** was present to represent the property owner. Construction drawings for a 22’ x 27’ garage were submitted and approved by the Planning Commission at their July 14, 2009 meeting. A public hearing was held before the Commission to receive input for a front property line setback variance. The grade of the current driveway is severe and run-off from the Mountain Avenue right of way continually fills the garage floor with more than 3’ of gravel. The location of the new garage will alleviate the steep grade. Code requirement for front property line setback is 15’. If the 0’ variance is granted, the corner of the garage will be more than 12’ from the driven portion of Mountain Avenue. The site was posted and informational packets regarding the variance request and Planning Commission were sent to seven property owners within 100’ of the petitioner’s property. To date, five letters in favor of granting a variance have been received. There being no further comments from the Board members, audience members or the contractor, the Public Hearing was closed at 7:06 p.m.

**M/S Useman/Newberry to approve the front setback variance request for 10730 Mountain Avenue based on the findings of the Planning Commission. All yea**

Trustee Pitrone rejoined the Trustees at the Board table.

The Board assumed the role of the local Liquor Licensing Authority for the next agenda item at 7:07 p.m.

**REQUEST FOR HOTEL AND RESTAURANT LIQUOR LICENSE RENEWAL, BUFFALO CHEFS, INC, THE PANTRY RESTAURANT, 6980 LAKE STREET, OWNER/OPERATOR, BEN STEPHENS** The submittal was in order; all applicable fees paid. Marshal Ford submitted a department letter stating that there were no reports of violations by citizens or police response for an alcohol related matter during the year. Ford stated that the sole issue requiring police action have all been noise complaints between 6:00 a.m. and 6:50 a.m. and appear to have been generated by one or two employees. He reported that the department has taken dozens of complaints.

Trustee Pitrone stated that the business owner is responsible for educating employees of pertinent town ordinances and policies and ultimately for the behavior of employees while they are working on the premise.

The Board stated that clarification is needed from Stephens on whether there has been a change in the operation plan of the Pantry Gardens Backyard Dining from the operation plan submitted to the Board dated 8/28/08. The Board was informed that brunch may be being served on Saturday and/or Sunday resulting in the Gardens Restaurant opening up prior to 5:00 p.m. as listed in the 8/28/08 operation plan. Trustee Pitrone also requested information on whether or not the Pantry restaurant and the Pantry Gardens are open at the same time. He remembered Ben Stephens stating that the Gardens would be opened when the Pantry closed.

The Board had requested that Stephens attend the Board meeting. Stephens was not present. The Mayor will send a letter to Stephens requesting that he provide the Board with the information discussed at this meeting and request his presence.

**M/S Useman/Pitrone to table review of the renewal request until the Tuesday, August 18, 2009 Board meeting. All yea**

**At 7:48 pm., the Board of Trustees completed business as the local liquor licensing authority.**

**RESOLUTION 2009-07 - A RESOLUTION SUPPORTING THE AGREEMENT BETWEEN THE TOWN OF GREEN MOUNTAIN FALLS AND THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND FOR THE PARK ENHANCEMENTS GRANT**

**M/S Bratton/Useman to approve Resolution 2009-07. All yea**

**M/S Pitrone/Useman to authorize Mayor Stevens to sign the grant agreement with GOCO for the Parks Enhancements for the Town of Green Mountain Falls. All yea**

**RESOLUTION 2009-06 - A RESOLUTION ESTABLISHING PROCEDURES AND GUIDELINES FOR THE FORMATION OF ADVISORY COMMITTEES FOR THE TOWN OF GREEN MOUNTAIN FALLS**

For the July 21, 2009 Board meeting, Mayor Stevens provided a draft of guidelines that would allow the Trustees to utilize the expertise, dedication and focused attention of those willing to serve the Town. At that meeting, the Town Clerk was requested to formulate a resolution that would incorporate the guidelines. The Clerk researched criteria from other communities and also provided an application to serve on an advisory committee with the draft resolution. The Board will review these items for the next meeting. The Town Attorney was sent a copy for his comments.

**M/S Useman/Pitrone to table this item for review until August 18, 2009. All yea**

**REQUEST FOR PURCHASE AUTHORIZATION FOR A 2005 CATERPILLAR 420D - Public**

**Works Director, Robert McArthur** summarized his research in finding a replacement for the 1992 John Deere backhoe that is in need of extensive, expensive repairs. McArthur produced a memo for the Board to review outlining the four backhoes that were tested and the specifics on each. McArthur is requesting approval for the Wagner quote of \$34,700 for a 2005 420D Caterpillar backhoe loader. The loader has been in the rental fleet and has only 1700 operating hours.

**M/S Pitrone/Bratton approved the request for authorization to purchase the 2005 420D Caterpillar Loader for \$37,500.00. All yea**

McArthur was commended for the extensive research and the purchase plan he secured.

**REPORTS:** **Marshal Ford's** report was entered into the record. Ford presented Robert Bills, a candidate for part time deputy with the department. Bills was present and gave the Board a brief history of his extensive law enforcement career.

**M/S Useman/Pitrone to approve the request to hire Robert Bills as a part time deputy for the Marshal's Department. All yea**

**Mayor Stevens: PPACG/PPRTA:** No report.

**Trustee Pitrone: Regional Building/Public Works Department -** No report . **DPW Director** Robert McArthur's report was entered into the record.

**Trustee King: Pool / PPACG Alternate / TES Alternate Rep / Admin / Grant Research –** No report. **The Town** clerk submitted the July financial printouts for review.

**Trustee Useman: Manitou School District 14 –** No report.

**Trustee Worthey: GIS –** No report.

**Urban Forestry :** No report.

**Trustee Bratton:** Bratton reported that Bronc Day was very successful; though revenues were down and expenditures up, the committee will have a fund balance for 2010. The committee purchased and donated six barricades to the Public Works Department. Bratton will give a complete report at the next meeting.

**Trustee Newberry: Parks –** No report.

**Trustee Useman left the meeting at 8:30 p.m.**

**NEW BUSINESS:** No new business was brought before the Board of Trustees requiring discussion or action.

**CORRESPONDENCE:** No correspondence was received requiring Board of Trustee discussion or action.

**The meeting was adjourned at 8:37 p.m.**

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Mayor Tyler S. C. Stevens

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