

The Minutes are Provisional until approved by the Board at the next meeting on 11/19/13.

**BOARD OF TRUSTEES
TOWN OF GREEN MOUNTAIN FALLS
MINUTES OF REGULAR MEETING – TUESDAY, NOVEMBER 5, 2013**

The Board of Trustees meeting was called to order by Mayor Worthey at 7:04 p.m.

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

ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA – Mayor Worthey addressed the two proposed items to be added to the agenda and a request to hold an Executive Session at the end of the meeting after Municipal Correspondence.

- A. **BOARD DISCUSSION ADDRESSING THE TOWN OF GREEN MOUNTAIN FALLS ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE EL PASO COUNTY SHERIFF’S OFFICE TO PROVIDE AN OFFICE IN TOWN HALL FOR SHERIFF’S DEPUTIES TO OPERATE FROM** **M/S/Worthey/Newberry to approve adding this item as 5A. All yea**

- B. **PRESENTATION AND DISCUSSION OF DRAFT ORDINANCE 03-2013 AN ORDINANCE ESTABLISHING AN APPOINTMENT AND THE ROLES AND RESPONSIBILITIES FOR A TOWN MANAGER FOR THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO** **M/S Worthey/Newberry to approve adding this item as 5B. All yea**

REQUEST FOR EXECUTIVE SESSION **M/S Price/Pitrone to hold an Executive Session in accordance with C.R.S. Section 24-6-402(4)(f) for the purpose of discussing a personnel matter not involving any specific employees who have requested discussion of the matter in an open session. All yea**

CONSENT AGENDA

- A. APPROVE BOARD OF TRUSTEES MINUTES FOR 10/15/13
- B. **BILLS RUN 10/16/13 THROUGH 10/31/13: \$13,556.44**
M/S Newberry/Peterson to approve the Consent Agenda as submitted. Pitrone, Newberry, LoCascio, Price, Peterson in favor; Stevens and Worthey opposed; motion passes.

BOARD DISCUSSION OF THE REQUEST FOR TOWN OF GREEN MOUNTAIN FALLS CONTRIBUTION FOR \$1,200 TO THE FOUNTAIN CREEK WATERSHED FLOOD CONTROL AND GREENWAY DISTRICT – Director Larry Small was not present. At the 10/15/13 meeting, Small explained to the trustees that the Watershed Board of Directors were requesting a 2014 contribution from the nine represented public bodies. The Green Mountain Falls contribution would be \$1,200. The funds collected, totaling \$50,000, would be attached to the operations of the district which has a \$44,000 budget. In the future, the district is planning to present a mill levy election to support the district’s mission. If approved, the agencies contributions would end. Trustee Stevens stated that the \$1,200 contribution request from the Town was the same as for Manitou Springs and Monument. He suggested a contribution of \$150 would be more in line with the Town’s smaller population and in line with the billing method used by PPACG and CML. This was felt to be too low a contribution. The trustees requested that the Clerk contact Director Small and discuss a smaller contribution in the range of \$300-\$400 and to ask the specifics of where the contributions would be used for district operations. Pitrone pointed out that Fountain Creek begins north of the Town and a good portion runs through Town. The recent flooding and property damage brought home the need for repairs and alignment adjustments and Pitrone feels if the mill levy passes, there would be funds for that project. Resident Doug Fuller stated it was a small investment considering the damages sustained during the recent Fountain Creek flooding.

M/S Stevens/Price to contribute \$150.00 to the Fountain Creek Watershed District. Worthey, Newberry, Pitrone, Peterson and LoCascio not in favor.

APPROVAL OF LEASE AGREEMENT WITH AGAPE FELLOWSHIP INC. AND THE TOWN OF GREEN MOUNTAIN FALLS FOR A TEMPORARY MARSHAL'S DEPARTMENT OFFICE AT 10605 GREEN MOUNTAIN FALLS ROAD Pastor Larry McKnight explained that he had been contacted by Mayor Worthey about the need for space for the Marshal's office due to water leaks. He quickly met with his board and received approval. McKnight is requesting a change to the proposed lease on page 1, C, third line to change the word "desires" to "has" the right to discontinue the space access with a 30 day written notice. McKnight noted that he wanted to be clear on the specifics that this lease was for the Town Marshal's Office only; any changes would have to be directed to McKnight. The trustees thanked McKnight and his Board for the reduction in the lease payment and in volunteering the space. **M/S Price/Stevens to approve the lease agreement as amended. All yea**

BOARD DISCUSSION ADDRESSING THE TOWN OF GREEN MOUNTAIN FALLS ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE EL PASO COUNTY SHERIFF'S OFFICE Trustee Price summarized a meeting he and Trustee Newberry had with Sheriff Terry Maketa. Maketa is interested in bringing the Sheriff's Department presence back into the Ute Pass communities. They discussed the possibility of having a space at the new town hall facility in the Marshal's office. They discussed the Sheriff's office providing patrolling, investigation and prosecution of criminal activities thereby allowing the Town to restructure the Marshal's Office as it relates to providing these services with limited resources. This could reduce the financial burden on the Town and expand opportunities for code enforcement and community services. Price discussed that the Sheriff is proposing these services based on the department's ability to hire more officers since the passage of 1A. He did install a substation on the west side so calls in the Pass area should be responded to in less time. Maketa feels it is necessary to have coverage in the Pass due to potential Highway 24 closures due to flooding over the next few years. Price said that a percentage of GMF property taxes go to the Sheriff's Department and the Town should take the benefit of those funds. He foresees more local protection, more collaboration and the ability to use Town funds effectively. Dick Bratton stated that an IGA would have to be very detailed with terms, duties and responsibilities clearly defined. It was suggested by Rich Bowman that an IGA should be discussed with Teller County as well being there are town residents paying Teller County taxes. Resident Ken Flanagan expressed his opinion that he did not think this was a good fit with the Town. Bratton requested clarification on what agency would do what and if tickets would be written to Municipal Court or County Court and what specific code enforcement the Marshal's department would be performing. Larry McKnight reaffirmed that it should not be perceived that the Sheriff's office would move to the Joyland facility until the new Town Hall is operational. Trustee Stevens stated that the draft IGA would give the Board the opportunity to bring up several points for discussion and alter and change it to satisfy the needs of the Town and the Sheriff's office. Price stated that if the collaboration did not prove a benefit to the Town, it could be terminated. Price will request Town Attorney, Lisa Tormoen Hickey, to work with the Sheriff's Department on a draft. Price hopes to have a draft agreement for Board review at the December 3, 2013 meeting.

M/S Price/Pitrone to authorize the Town Attorney to engage in the preparation of an intergovernmental agreement between the Town and El Paso County. All yea

Trustee Price stated that he will contact the Teller County Sheriff's Office to set up a meeting to discuss a similar collaboration.

**PRESENTATION AND DISCUSSION OF DRAFT ORDINANCE 03-2013
AN ORDINANCE ESTABLISHING AN APPOINTMENT AND THE ROLES AND
RESPONSIBILITIES FOR A TOWN MANAGER FOR THE TOWN OF GREEN
MOUNTAIN FALLS, COLORADO**

Trustee Newberry stated that the presentation of the draft ordinance and request for public hearing starts the public process moving forward. She stated that the Board has had several discussions addressing the need for a town manager with financial constraints usually being the block. The Board recently held a workshop with professionals in the management field to discuss the pros and cons. The proposal being presented is without a salary increase. Mayor Worthey noted that the Board has received many letters supporting the manager position and Robert McArthur's appointment as town manager. She submitted copies of a letter she had written outlining her concerns to audience and Board members and to the press. Worthey favors a town manager position but wants more research on the subject. Trustee Stevens stated while he is very interested in the town manager position, the proposal to adopt and appoint was too fast. Trustee Pitrone stated that this proposal was a means to elevate or re-task an employee who has already been doing the work of a town manager and doing it well. Pitrone felt that 30 days before the public hearing was ample time for research and input. Several audience members welcomed the public hearing process. Resident Dick Bratton commended Newberry for drafting the ordinance so that residents have something to review and suggested it be placed on the Town website. **M/S Newberry/Pitrone request the Town Clerk to set a Public Hearing for Tuesday, December 3, 2013. Newberry, Pitrone, Peterson, LoCascio, Price in favor; Stevens and Worthey opposed.**

PUBLIC INPUT - Items Not Listed on Agenda * Pastor McKnight asked for a timeline for the construction start date and completion of the new Town Hall if the grant is awarded. Trustee Pitrone noted it could be completed in July/August 2014. Once the grant is awarded, RFP's will be published in order to select the contractor.

REPORTS: Mayor's Report: Mayor Worthey reported on the meetings she had attended. Worthey requested a copy of the DOLA notice for the committee to present the grant application for the Town Hall on Thursday, November 14, 2013 in Trinidad, Colorado. She would like to attend. The Town will receive notice within 30 days of the presentation if the grant was awarded with the amount.

Trustee Liaison Pitrone, RBD/Public Works: Regional Building Department – No report from Regional Building Department. Robert McArthur's report was entered into the record. McArthur reported that the DOLA Emergency Services grant was signed by the Mayor and work would begin shortly on the Hotel Street bridge. He announced that the emergency funds received were for 100% of the funds requested. DOLA did not request the \$15,000 TABOR match. No TABOR funds will be used.

Trustee Liaison Newberry, Administration: Clerk set up two board interviews with firms bidding on replacing Town Attorney, Dan Stuart. One auditor proposal has been received from Haynie & Company of Littleton. Newberry reported it is \$2,000 more than the bid received from the current town auditor, Hoelting and Company. The Board's general consensus was to stay with Hoelting & Company who has served the town efficiently, professionally and cost-effectively for several years. Trustee Peterson requested that the clerk summarize the noxious weed mitigation program that the Board supported in February 2013 for a grant award received by the County from the State for identifying, inventorying and the eradication of noxious weeds, Species A and B.

Trustee Liaison LoCascio, Parks: No report.

Trustee Liaison Stevens, PPRTA, PPACG, and CDAB: The Boards that Stevens' serves on will meet next week.

Trustee Liaison Peterson, Businesses, Triangle Chamber Commerce – Peterson attended the El Paso County Municipalities dinner with Mayor Worthey and Trustee Stevens. She presented everyone with a copy of the minutes. She also attended the Town Hall meeting at the Antlers Hotel for Intellectual & Developmental Disabilities on 10/24. **Chamber Chair** Amily Beidelman Almy was present and reported on the very successful Harvest fund raiser held at Marcroft Hall. Almy briefly discussed the upcoming special event permit request that will be submitted at the next meeting for the Chamber's Winter Fest event.

Trustee Liaison Price, Marshal's Department: Price and Bradley presented the \$6,666.70 realignment of the department's 2013 budget to be allocated to shortfalls in fuel, clothing, office supplies, and vehicle maintenance. One of the changes allocated \$1,241 to building maintenance. Bradley stated that \$438 will cover the cost of the spore trap sampling completed by Empirical Environmental, LLC at the Marshal's Office. The water has been shut off at the building. **Marshal Bradley** report was submitted into the record. Pastor McKnight asked what the building could be used for into the future. Trustee Pitrone thought a museum would be a good use especially since the building was the original fire station in the early 50's.

2014 MUNICIPAL BUDGET – Three budget workshops have been held with the next workshop scheduled for Monday, November 18, 2013. Public Hearing and Budget Adoption scheduled to be held on December 3, 2013.

OTHER BUSINESS: **Trustee Price** and Michael Lohman presented a request to the Board that the driveway access to the new Town Hall have a sign installed naming the access "Bratton Way". Price wanted to recognize Bratton for all he has contributed to the Town as Mayor, board member and Trails Chair. The intent was well received. When the grant is awarded and construction planned, the Board could pass a proclamation supporting the sign. **It was** requested that the concept drawings depicting the new town hall that were submitted with the DOLA grant be brought back for display at the temporary town hall office. **No other** business was presented.

CORRESPONDENCE – Results of a spore trap sampling by Empirical Environmental of Peyton, Colorado were received. **Mayor Worthey** received a letter from Executive Director Reeves Brown offering a DOLA contract for \$236,691 for GMF Flood Protection Project. **Eighteen** letters were received supporting a town manager position and Robert McArthur's appointment to the position. **A notification** from CIRSA was received summarizing the Summons and Complaint filed by Dennis Sladek against six government entities including the Town for the banning of legal recreational dispensaries. **No other** correspondence was received that required Board action or discussion.

At 9:09 p.m., Mayor Worthey requested a short recess before going into closed session.

At 9:15 p.m., the Board of Trustees went into an Executive Session in accordance with C.R.S. Section 24-6-402(4)(f) for the purpose of discussion a personnel matter not involving any specific employees who have requested discussion of the matter in an open session. The Board members came out of Executive Session at 9:28 p.m. and the regular meeting convened. **M/S Price/Pitrone to accept Tim Bradley's resignation as of 11/17/13 and to offer a severance package of \$12,000 to Tim Bradley with the details to be worked out by the Town Attorney. All yea**

There being no further business, Mayor Worthey adjourned the meeting at 9:30 p.m.

ATTEST: _____
Chris Frandina, Town Clerk

Mayor Lorrie Worthey