

**TOWN OF GREEN MOUNTAIN FALLS
BOARD OF TRUSTEES REGULAR MEETING
SEPTEMBER 06, 2016 – 7:00 P.M.**

MEETING MINUTES

Board Members Present

Mayor Jane Newberry
Trustee Dave Cook
Trustee David Pearlman
Trustee Chris Quinn
Trustee Cameron Thorne
Trustee Tyler Stevens
Trustee Michael Butts

Board Members Absent

Town Attorney

Not in Attendance

Public Works

Not in Attendance

Interim Town Clerk

Renee Price

1. Call to Order/Roll Call/Pledge of Allegiance

Newberry called the meeting to order at 7:00 P.M. The Pledge of Allegiance led by Trustee Thorne.

2. Additions, Deletions, or Corrections to the Agenda

No additions, deletions, or corrections to the Agenda.

Trustee Butts: Added Item I. Budget Calendar

Mayor Newberry: Moved ACLU Correspondence as Item J.

M/S Newberry/Butts Approved Agenda as amended All aye

3. Consent Agenda

Approve Board of Trustee Meeting Minutes for August 16, 2016

Bring into Record Approved PC Minutes- June 28, 2016 (July 12, 26 & Aug. 09 No Meeting)

Approve Bills Payable Run From August 23, 2016 – Sept.6, 2016 = \$5,994.00

M/S Newberry/Cook approved as submitted. All aye

4. New Business

a. Maggie Reed – Senior Coalition Transportation- She asked the Board if they felt there would be an interest from GMF to participate in a fixed bus route. No cost to the town. The bus route would be open to the General Public, Senior Citizens with a suggested bus stop in front of The Green Mountain Fall Lodge. The Bus Route is in a preliminary stage and at this time would only run on Wednesdays. Mayor Newberry supported the idea and asked that Maggie come back at the next meeting on October 4, 2016 with a more fixed schedule and times for the bus run. To be on the October 4th Agenda.

b. Ballot Language Approval – 2% Lodging Tax Increase

Resolution No.'s 2016-9-6A & 2016-9-6B – Resolutions appointing a Designated DEO and authorizing the Mayor of GMF to Execute the IGA between El Paso Co. & Teller County was presented. A motion was made to accept the IGA's as submitted by both counties and officially brought into record. **M/S Newberry/Thorne**

Two Emergency Ordinances with Ballot Language – Ordinance No. 9-6-2016A An Ordinance increasing the Town of Green Mountain Falls Lodging Tax Rate from 2% to 4% and Ordinance No. 9-6-2016B- Providing the submission of a vote to the Registered Electors for the purpose of opting out of Senate Bill 152; were presented to the Board. Both Ordinances were read in their entirety by Mayor Newberry. After much discussion below is the ballot language for the Lodging Tax Increase proposal:

AUTHORIZING THE TOWN TO INCREASE THE LODGING TAX RATE FROM 2% TO 4% FOR THE PURPOSE OF FUNDING PARKS AND BEAUTIFICATION OF THE TOWN.

SHALL TOWN OF GREEN MOUNTAIN FALLS TAXES BE INCREASED \$19,000.00 IN 2017 AND THEN ANNUALLY BY WHATEVER AMOUNTS ARE RAISED THEREAFTER BY THE IMPOSITION OF AN ADDITIONAL LODGING TAX AT THE RATE OF 2% PERCENT SUBJECT TO THE FOLLOWING:

ALL OR ANY PORTION OF THE NET PROCEEDS OF THE ADDITIONAL 2% LODGING TAX, AS DETERMINED BY THE BOARD OF TRUSTEES, MAY BE COLLECTED, RETAINED AND SPENT TO FUND PARK IMPROVEMENTS OR TOWN BEAUTIFICATION OR TO PAY THE COSTS OF OPERATING OR MAINTAINING IMPROVEMENTS;

SUCH TAX INCREASE SHALL COMMENCE JANUARY 1, 2017 AND BE COLLECTED IN THE SAME TRANSACTIONS AS THE TOWN'S LODGING TAX; AND

SHALL ORDINANCE NO. 9-6-2016A PROVIDING FOR SUCH TAX INCREASE BE APPROVED; AND SHALL THE REVENUES GENERATED BY SUCH TAX INCREASE AND PROCEEDS MAY BE COLLECTED AND SPENT BY THE TOWN AS A VOTER-APPROVED REVENUE CHANGE, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW? **M/S Newberry/Butts made a motion to approve the Ballot Language as amended All aye!**

Ordinance No. **9-6-2016A** wording was discussed and after a short discussion, a motion was made to approve Ordinance No. **9-6-2016A**. **M/S Newberry/Butts All Aye!**

C. SB-152 Opt Out Ballot Language- Was read in its entirety by Mayor Newberry. The meeting was recessed momentarily for pg. 3 of the Ordinance to be retrieved. The BoT meeting reconvened at 8:12 p.m. After additional discussion by the BoT this item was postponed until after Item J as Trustee Butts and Trustee Stevens left on an emergency fire call at 8:14 p.m. and a 3/4 vote was needed to approve the language. **M/S Thorne/Newberry All aye!**

d. Employee Phone Stipend – Mayor Newberry suggested that for the Public Works Supervisor, the Marshal and the Town Manager/Clerk a flat stipend of between \$60-\$100 per month (amounts yet to be determined); to offset the cost for the employees personal cell phone, select their own provider, choose their own plan, easier to budget and stating it would be less work on the Admin side for tracking; starting, stopping service etc. This would be a matter of policy and put the responsibility on the employee to pay their own bill. This item was put forth to the Budget Committee moving forward as a benefit to the employees and easier to budget. No additional action was taken at this time.

e. & f. Auditor Bid 2017 and Attorney Bid 2017 – Mayor Newberry stated she had started creating the RFP's (Request for Proposals). She asked the Board if this was something the new Town Manager should do? It was determined that this could not wait for the new Town Manager to do coming into the position. Mayor Newberry continued by stating the proposals would include but not limited to: Statement of Purpose, Background Information, Scope of Work, Outcome and Performance standards, Term of Contract, Payments and Incentives, Penalties, Contractual Terms and Conditions, Evaluations and Awards, Process, Schedule and Points of Contact for Correspondence. Mayor Newberry stated that these bids would coincide with the Procurement Policy procedures and asked the Board if they would like her to finish them with a deadline of Sept. 20th so they can be reviewed at the next BoT meeting. All board members present agreed she should finish the documents.

g. Donation for Fountain Creek Watershed – Mr. Larry Smalls had asked the BoT at the last meeting for a suggested donation of \$162.00. A motion was made at this meeting to authorize a donation of \$162.00 for the Fountain Creek Watershed. **M/S Newberry/Cook All aye!** Trustee Thorne finished by stating that they had been very helpful with clean-up efforts around the town.

h. CIP – The CIP is a function of the PC Board and part of the Comprehensive Plan. It was given to the Board for feedback as a courtesy to have input to the planning document when looking at the 2017 Budget. Trustee Thorne stated he and Trustee Butts have and will continue to use this document when looking at projects that would be paid out of the general fund. They want these CIP items captured in the 2017 budget process. Renee was asked to put this on the Town Website so the public can way in.

i. Budget Calendar- In Trustee Butts absence, Trustee Thorne introduced the budget calendar:

- Oct. 4 – Reg. BoT Meeting Present 2017 Draft Budget
- 5 – Notice for Public Hearing sent to Courier for the Oct.12 edition
- Oct. 18- Formal Public Hearing
- Nov. 1 – BoT to incorporate Workshop and Public Hearing Feedback; Finalize Budget
- Nov. 15- Reg BoT Meeting- Adopt the 2017 Budget, Certify Mill Levies, Appropriate Funds, and make any final amendments to the 2016 Budget if necessary.

j. ACLU Correspondence- ACLU sent a letter questioning an old Ordinance on the Books: 10-201(b)(1) which states GMF prohibits loitering for the purpose of begging. The ACLU feels begging is a first amendment right, it is a freedom of speech and this has been fought by other small towns and they all tend to take this off their books. Cirsa has stepped up because several of their clients have been contacted regarding this same matter and is willing to assist us and/or the Town Atty. contacting the ACLU and letting them know they are representing GMF in this matter. Mayor Newberry made a motion to allow Cirsa's attorney; Josh Marks to provide assistance to us and/or our Town Atty., assessing the Ordinance with us and provisions or revisions regarding this Ordinance if warranted. **M/S Newberry/Thorne All aye!** There is no additional cost to the town for up to 5 hrs. worth of work by Mr. Mark's firm but after that it will be a cost to the Town. With the Ordinance being so small, it was believed his help would not extend the 5 hr. limit.

**A motion was made to move Item C after Public Input to await Trustee Butt's and Trustee Stevens return.
M/S Newberry/Thorne All aye!**

5. Old Business

a. Town Manager Clerk- Trustee Thorne reported that 15 applications had been submitted. He stated that an Admin Committee meeting would be held on Wed. at 5:00 p.m. at Town Hall and would be held in Executive Session pursuant to section C.R.S. Sec. 2406-402(4)(e) Deliberations and negotiations of finalists for the position of Town Manager. An anticipated time line for hiring this position is yet to be determined.

b. Public Works Supervisor Update- Trustee Thorne stated that a Committee would be formed for hiring this position. If interested, please fill out a Volunteer Application Form to be on this committee. The posting has gone out to several organizations. A few applications have been received.

The BoT Regular Meeting was recessed and a Workshop was entered into at 8:51p.m.; regarding Ordinance 03-2016 Black Hills Energy Franchise Agreement.

(Please go to [youtube.com](https://www.youtube.com), Green Mountain Falls BoT Meetings for Workshop information)

Trustee Butts and Trustee Stevens returned to the meeting at 8:52 p.m.

The BoT Regular Meeting reconvened at 8:57 p.m.

A motion was made to change the percentage in the BHE Franchise Agreement from 4% to 5% and for Matt Krob to make the change. This cost is passed on to the consumers. A Public Hearing will be held Tuesday, Sept. 20, 2016 **M/S Butts/Newberry All aye except Trustee Quinn who voted No.**

6. Public Input – Items Not Listed on the Agenda

Mac Pitrone-10840 Myrtle Street – Stated that the Ordinances that were read were wordy, probably costly to the town to compose and felt they were too lengthy. He requested that the Resolutions/Ordinances be available in the foyer for the Public to read.

Margaret Peterson- 10795 Belvidere – stated that the potholes on the streets were getting very bad and asked that they be worked on asap.

Dick Bratton-11190 Hondo, stated that a gentleman in town would like to donate money to fix the potholes. He also stated that the Town Website was in need of updating and should be updated as soon as possible.

Item 4C Re-Addressed- Ordinance No. 9-6-2016B Mayor Newberry after a short discussion regarding the Ballot Language contained in the Ordinance; made a motion to approve the Ballot Language as written in the Ordinance. **M/S Newberry/Cook All Aye!**

The Ordinance Language was then discussed. After a brief discussion, Mayor Newberry made a motion to approve Ordinance 9-6-2016B as amended.

M/S Newberry/Butts All aye except Trustee Thorne who voted No.

7. Correspondence-PC Draft Minutes from Aug. 23, 2016 were brought into record.

8. Reports

Mayor Newberry: Marshal's Dept. Update: The Marshal's candidate is in town. He is undergoing all testing requirements this week and results should be in by next Tuesday at the latest. The tests include a psychological test as well as a physical as recommended by the El Paso Co. Sheriff's Dept. More information will be forthcoming.

CML District 4 Meeting – Sept. 12 – 4:00-8:00 p.m., Dinner at the Mucky Duck with a Social Hour prior to Dinner.

Cities & Towns Week Potluck to be held at the Sallie Bush Community Center on Sept. 22, 2016 at 6:30 p.m. This is an opportunity to thank the Town's volunteers for all they have done and to show our appreciation. Anyone who has participated on a committee or staff members/employees including the Lifeguards, are welcome to attend. A sign-up sheet will be here at Town Hall as well as on the website with more information to follow.

Terry Carver is having a Town Hall meeting here at Town Hall on Monday, Sept. 26 at 7:00 p.m.

Trustee Pearlman-No Report

Trustee Thorne- Fountain intermittently is not working. The electrician is coming back on Wednesday to determine the issue since the problem did not start until after the ground fault was put into place by them.

Trustee Butts- Requested that once the Budget comes out for all Board members to look at it since the Town is not fully staffed.

Trustee Cook – No Report

Trustee Stevens- No Report

Trustee Quinn- Made mention that he was under the impression that the Town Manager/Clerk position would be put to a vote of the public of GMF on the Nov. Ballot. Trustee Stevens stated putting it on the Ballot would be pre-mature since the position is an Interim position for six months.

Renee Price- Stated the mill levy valuations were in from both counties. The amount did go up but would only bring about \$800.00 in additional revenue to the town.

The Non Perpetual Easement Deed and Agreement between Historic Green Mountain Falls Foundation, LLC and the Town of Green Mountain Falls, now has both signatures required.

Willis Towers Watson (Formerly CEBT) has sent the Colorado Employer Benefit Trust Information for the 2016-2017 Plan Year and should be distributed to any new employees that are hired.

Cirsa has sent in their Current Cost for Property/Casualty Insurance. The cost for 2017 will be \$3318.00 per quarter, totaling \$13,274.00 for a year.

The Computer in the Clerk's Office is having hardware issues. Scott Sanders has provided a quote for a new computer of a little over \$900.00.

8. Adjourned

Meeting adjourned at 9:18 P.M.

Jane Newberry - Mayor

Renee Price – Interim Town Clerk

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