



BOARD OF TRUSTEES MEETING

Thursday, September 28, 2023

Executive Session at 5:00 PM / Regular Meeting at 6:00 PM

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

MINUTES

Call to Order. Mayor Havenar called the meeting to order at 5:01 pm.

Roll Call. Present: Mayor Glant Havenar; Trustees Nick Ehrhardt, Shana Ball, Kevin Dreher, Sam Padgett, Jessica Farr, Dennis Stern.

Convene to Executive Session. For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. 24-6-402(4)(e) – Town Administrator Employment Agreement; ER property lease; and for personnel matter under C.R.S. 24-6-402(4)(f) - Town Administrator evaluation. MOTION (Padgett, Dreher) to convene to executive session. Roll call vote – aye 7; nay 0. Motion passed.

Reconvene to Open Session. MOTION (Ball, Ehrhardt) to reconvene to open at 5:50 pm. Roll call vote – aye 7; nay 0. Motion passed.

Mayor took a short recess to open doors to start the regular meeting.

Roll Call. All members present.

Pledge of Allegiance. Trustee Dreher led the pledge.

Consent Agenda. MOTION (Ball, Farr) to approve the consent agenda including items 1) Minutes from September 14, 2023, Meeting; 2) Checks over \$15,000 to Meyer & Sams dba GMS; Bradley Excavating; CIRSA; 3) Financials for August. Roll call vote – aye 7; nay 0. Motion passed.

Staff/Department Reports. Mayor Havenar inquired with Chief Vincent about the recent burning taking place. Chief Vincent explained the Rampart range burning to take place over the next week.

4. Attorney – none.

5. Administrator/Clerk. Collins offered sympathy to the Hoyhtya family; stated the new water billing effective this cycle; mentioned the Board will receive the draft budget electronically; provided an update on new hires; inquired about other meeting minutes being incorporated to the Board meeting packet; announced the Yule Log annual dinner on December 13 and hunt on December 17.

Public Hearing.

6. Application for Conditional Use for Residential Dwelling in C1 Zone. Ms. Ruiz requested a conditional use to build a single-family home on a C1 zone parcel. No person spoke for or against the request. Mayor closed the hearing.

7. Consider Revised Application to Vacate El Moro Town Right of Way. Collins explained the revised application with all abutting property owners included, which is a change from the original request of the vacation that was not filed. Collins requested that application fees be waived due to the amount of work with exhibits. No person spoke for or against the request. Mayor closed the hearing.

Business Items

8. Resolution 68-2023 to Approve Conditional Use for a Residential Dwelling in C1 Zone, Vale St. It was stated that the bulk of the area is single or multi-family residential. MOTION (Padgett, Farr) to approve Resolution 68-2023 granting the conditional use for a single-family dwelling in a C1 zone. Roll call vote – aye 7; nay 0. Motion passed.

9. Ordinance 21-2023 to Vacate Portion of El Moro Right of Way. MOTION (Dreher, Ball) to approve Ordinance 21-2023 to vacate the El Moro right of way in the traditional manner and waive the application fee as requested. Roll call vote – aye 7; nay 0. Motion passed.

10. Resolution 61-2023 to Appoint Board Member to the Community Development Advisory Board (CDAB). Mayor Havenar thanked Trustee Padgett for considering the appointment. MOTION (Ball, Stern) to approve Resolution 61-2023 authorizing the appointment of Trustee Padgett to the CDAB. Roll call vote – aye 7; nay 0. Motion passed.

11. Resolution 66-2023 to Authorize Professional Service Agreement for Accounting Service (Kelly Books). Collins explained the process of the accounting work that Maria Kelly is doing including assisting with training an accounting clerk once hired. MOTION (Stern, Farr) to approve Resolution 66-2023 to authorize an agreement with Kelly Books LLC as presented. Roll call vote – aye 7; nay 0. Motion passed.

12. Resolution 67-2023 to Authorize a Professional Service to Rewrite Land Use Critical Issues (CMI). Collins explained the agreement with CMI to revise the land use critical issues with the Planning Commission. MOTION (Ball, Padgett) to approve Resolution 67-2023. Roll call vote – aye 6; nay 1 (Farr). Motion passed.

13. Resolution 55-2023 to Authorize Lease Agreement for 2.8 Acres at Elephant Rock Property. Attorney Krob reviewed the slight modification to the agreement language where termination was addressed, and further explained that the lease is the first step to providing Willans a right to plan to amend the PUD. Mayor Havenar opened the floor to the public. Ms. Amy Hutson inquired about the option to purchase and to sell. Attorney Krob explained that regardless of who owns the 2.8 acres, the authority of the use lies with the Planning Commission and Board of Trustees, being zoned Planned Unit Development (PUD). He further explained the process to amend the use of the property. Discussion took place about possible deed restrictions on the property, which could come at the time of the sale. MOTION (Ball, Padgett) to approve Resolution 55-2023 authorizing the lease agreement for 2.8 acres with Willans. Roll call vote – aye 7; nay 0. Motion passed.

14. Ordinance 22-2023 to Regulate RV Storage and Use on Private Property. Discussion ensued about storing RVs on vacant property and using undeveloped right of way to access. Questions were raised about using a waiver or a temporary build of the roadway and limiting use. Discussion also took place about considering the roadway standards. Attorney Krob suggested checking with Town insurance (CIRSA) about using undeveloped right of ways. Trustee Ball inquired with Chief Vincent about fire access. MOTION (Stern, Ball) to table the item for the next meeting with more information. Roll call vote – aye 6; nay 1 (Farr). Motion passed.

15. Consider Letter of Support for CPW Non-motorized Grant for Parks Commission. Trustee Ehrhardt explained the program and funding to design and build bridges for the trail. Board consensus was to create a letter to support the grant.

16. Consideration to Support a Board Appointment to a Wildfire Resiliency Code Board (Division of Fire Prevention & Control) - Trustee Ball. Discussion took place about a possible appointment to the Board. MOTION (Dreher, Stern) to support both Trustee Ball and Farr to be considered for the appointment. Roll call vote – aye 7; nay 0. Motion passed.

Public Comment – none.

Board Reports. Trustee Ehrhardt invited anyone to join the Creek Week – Service Day on Sat., 9/30. Trustee Stern noted that he was unable to attend the recent PPRBD meeting. Mayor Havenar reported on the Board of Health meeting, noting that another spike is anticipated for cold/flu this season.

Next Meeting (10/4 workshop; 10/12 meeting) and Future Items. It was inquired and agreed that the October 4 workshop be virtual to review sign code and Trustee Dreher asked about the potholes on Hwy 105 at Vale – CDOT is scheduled to replace the French drain in the next week.

Convene to Executive Session. For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. 24-6-402(4)(e) – Town Administrator Employment Agreement; ER property lease; and for personnel matter under C.R.S. 24-6-402(4)(f) - Town Administrator evaluation. MOTION (Padgett, Dreher) to move to executive session to complete discussions at 7:06 pm. Roll call vote – aye 7; nay 0. Motion passed.

Reconvene to Open Session. MOTION (Dreher, Ball) to reconvene to open session at 8:02 pm. Roll call vote – aye 7; nay 0. Motion passed.

17. Consideration of Employment Agreement for Town Administrator/Clerk. MOTION (Padgett, Dreher) to table this item for a special meeting on October 4 or when available. Roll call vote – aye 7; nay 0. Motion passed.

Adjourn. MOTION (Padgett, Farr) to adjourn at 8:03 pm. Motion passed.

Mayor Glant Havenar

ATTEST: Dawn A. Collins, Town Clerk