



BOARD OF TRUSTEES MEETING

Thursday, June 22, 2023 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 5:02 pm.

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

Convene to Executive Session for the purpose of receiving legal advice from the Town Attorney on specific legal questions under C.R.S. 24-6-402(4)(b) - Pikes property; PD complaint; Senior Grant; and 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) – ER lease agreement. MOTION (Farr, Ball) to convene to executive session at 5:03pm. Roll call vote – aye 6; nay 0. Motion passed.

Reconvene to Open Session. MOTION (Farr, Stern) to reconvene to open session at 5:46pm. Roll call vote – aye 6; nay 0. Motion passed.

Mayor called a short recess to open doors to the public.

Roll Call at 6:01 pm with all members present.

Pledge of Allegiance. Mayor Havenar again extended the offer to any elementary or junior high school student to join the Board and to lead the pledge. Please contact her or the Town office.

Consent Agenda. Before the motion, the Board took a public comment from Mr. Roger Mosley. He stated that we are five months into the 2023 budget, and he is concerned about the Water Dept salary projections being high. Deputy Clerk Julia Stambaugh explained that the budgets are created a year and half in advance. She stated that prior to the past two years, salaries and benefits were not established and the last two budget cycles, the Town began creating tiers and refining them within the departments for salaries and benefits. The budgeted Water Dept salaries are higher to accommodate the possible retirement of the Water Supervisor and the cost to replace him. However, if at the end of the year, those funds are not needed in salaries, they would be moved to operating, as needed. MOTION (Farr, Ball) to approve the consent agenda including 1) Minutes from May 25, 2023, Meeting and 2) May Financials. Roll call vote – aye 6; nay 0. Motion passed.

Mayor Havenar asked that Mayor Pro Tem Stern facilitate the balance of the Board meeting as his grandsons are in the audience. There were no objections, and all Trustees were in favor.

Staff/Department Reports

3. Attorney. No report
4. Administration. Deputy Clerk Stambaugh reported on behalf of Town Administrator/Clerk Collins. The 2022 financial audit is being completed and staff expects the report to be presented in July. Staff completed the CIRSA insurance audit, and a comparison of past years will be forthcoming in July. The audit has improved substantially every year. Kudos to the departments for their hard work. Also, a special thank you to Christi for her extra efforts keeping all departments on track! Review of “tax revenue” of General Fund – over \$1m to date – fairly on track compared to 2022 (May financials). Fromm Accounting has limited availability for additional financial functions; thus, we will seek an interim accounting service to assist. Staff would like to see the Great Plains accounting program properly set up in-house for a new hire. A discussion with Water Supervisor, Steve Orcutt, took place with GMS and subsequently, there will be an addendum assembled to re-prioritize some of the projects identified in the PER priorities in the study - no changes are anticipated to the study but clarification and slight reprioritizing projects, expected in July. Due to this addendum, staff will communicate the reprioritization to Chris Brandewie to incorporate in the rate analysis, also expected in July. Beginning Friday, June 30, the town office will close to the public on Fridays. Staff and the Mayor will be available by email and appointment only through the end of August. This is a trial through summer months. A draft of the 2024 budget schedule will also be forthcoming in July. Trustee Dreher asked if Fire and Police had anything to report. Chief Vanderpool had nothing to report. Chief Vincent reported the plant growth, due to the rains, would soon begin to dry out. He stated the fire danger will be high come fall. He spoke to the need for fire mitigation year-round. He is seeking a controlled slash pile for citizen drop-offs and the pile then used for fire training. His goal is to make the Town a Fire Wise community. He then explained the types of fuel in the area and the time it takes for them to burn.

Public Hearing

5. Application for Conditional Use - Mixed Use in CC Zone (Primrose-Columbine). The property owner Curtis Claar is requesting to use the property at Primrose/Columbine as mixed use of commercial and residential, and to set up a charging stations for electric vehicles in the parking lot. He decided it would be more beneficial to the community to approach the plan as a CC zoned concept. He wants to be flexible with the concept. He received valuable feedback from the Planning Commission and the public, which will help develop the plan for what the community wants. Mayor Havenar asked about the Planning Commission’s opinion of the concept, and she reminded the Trustees this hearing was for conditional use only. There was a question about how Conditional Use (CU) worked. Attorney Krob explained what happens when there is a CU in place. Planning Commissioner Amy Hutson explained why there was an objection to the CU among the Commissioners. She stated the Commission members had concerns that the plan would not work in that small space, along with commercial use of the property. She stated that Mr. Claar was willing to work with them on the plan. They focused on the CU and will work on the details later. No public comment was made. The hearing was closed.
6. Application to Vacate El Moro ROW (Powell and Duran Walton Venture). Mayor Havenar disclosed that she was involved in the sale of the property described in this application. However, the sale closed a year ago and she is no longer involved. Applicant Cindy Powell described the use of the road as a driveway to the residence that she bought. The road was previously vacated and is now dead-end. She is looking to vacate to the abutting properties with a 20 ft easement. She is looking to keep

the area (~10,000sq ft) in its natural state. Mr. Drew Walton also wants to vacate the right of way to keep the area density low. Attorney Krob pointed out that there will be a retention of a 10 ft trail easement on the east side of the property, with the Town retaining the right to develop a trail through the area, up to the 10 ft easement. Since the applicants were unable to obtain permission from one landowner, this is a way to vacate the right of way without their participation. The Town will retain the permanent trail easement for future use. No public comment made. The hearing was closed.

Trustee Farr left the meeting at approximately 5:35 pm.

7. Application to Vacate Bijou ROW (Duran Walton Venture). This is a similar request to vacate Bijou Rd for Ms. Powell and Mr. Duran. This right of way runs between the two properties. The vacation will allow the applicant to create larger lots. It will not prevent access to the area. The desire is to have large buffers between the homes. Mr. Mike Richards asked for the size of the lots. They are going from 5,000 sq ft to about 13,000 sq ft. No other public comments were made. The hearing was closed.

8. Application to Replat Lots (Glen Park) - Duran Walton Ventures. Mr. Duran requested this replat of the 13 parcels to 5 parcels contingent upon the approval of the right of way vacations. This is to ensure open space and buffer between homes. No public comments were made. The hearing was closed.

Business Items

9. Special Event Application - PPLD Concert Series (08/11, 08/18, 08/25). Deputy Clerk Stambaugh presented the concert series on the Library District's behalf. PPLD is putting on three concerts in the Village Green from 6—7 pm on Friday in August. There is no charge to attend. PPLD invites everyone to come and enjoy an evening of music. Bring your blanket or lawn chair. PPLD is requesting the application fee to be waived. MOTION (Ball, Ehrhardt) to approve the PPLD Concert Series and waive the application fee. Roll call vote – aye 5, nay 0. Motion passed.

10. Resolution 45-2023 to Approve the Conditional Use of Mixed Residential and Commercial in CC Zone (Primrose/Columbine). MOTION (Ball, Havenar) to approve the application as presented with the site plan review by Planning Commission. Roll call vote – aye 5, nay 0. Motion passed.

11. Ordinance 16-2023 to Approve Vacation of El Moro ROW. MOTION (Ball, Ehrhardt) to approve the application as presented including the permanent easement. Roll call vote – aye 5, nay 0. Motion passed.

12. Ordinance 17-2023 to Approve the Vacation of Bijou ROW. MOTION (Ball, Dreher) to approve the application as presented including the relocation of the water line paid for by the applicant. Roll call vote – aye 5, nay 0. Motion passed.

13. Resolution 46-2023 to Approve Replat to Five Lots - Duran Walton Venture. MOTION (Ball, Dreher) to approve the application as presented. Roll call vote – aye 5, nay 0. Motion passed.

14. Update on Senior Grant - Pickleball Courts. Awake the Lake (ATL) representative, Tim Caves and Parks Commissioner Mike Pietsch, informed the Board that the PPACG Senior grant for the Pickleball courts was awarded \$250,000. Mr. Caves stated the two of them will be overseeing the project. He will be meeting with staff to begin the process of accepting the grant and planning the project. However, an issue was discovered concerning a waterline running under the proposed court site. A meeting involving Tim Caves, Mike Pietsch, Reid Wiecks, Water Supervisor Orcutt, Mayor Havenar and Deputy Clerk Stambaugh was held to discuss relocating the water line. Mr. Orcutt objects to the move as a

waste of money and time; however, there is no barrier to its movement. Mayor Havenar explained the way the grant works and how the bathroom site must be centrally located to serve the sports fields and the courts. They were unable to locate an alternative site that would serve that purpose without moving the water line. Discussion revolved around the possibility of changes to the grant and the ramifications of that action. Mayor discussed entering into an MOU with ATL to sort out the details of accepting the grant and the responsibilities of each party. Trustee Dreher questioned the dimensions of the courts. He expressed concerns about cost overruns that could be far more than the award. Mayor stated there is no match and that ATL is to pay for all expenses. Mr. Pietsch informed the Board that ATL has pledged \$100,000 to the project. Mr. Caves does not want to move forward with accepting the grant until they are sure the Town is willing to partner with them. Trustee Dreher is in support of the project; however, he is concerned about the Town's obligations. Mr. Mike Richards asked if the project could be reduced. The grant must be accepted as presented and awarded. The courts will be open to the public. The monetary focus will be on the leagues and tournaments. The revenue will be used to maintain the courts, the area around them, and bathrooms. The next steps are for ATL and staff to meet early next week to work out the details of an agreement before accepting the grant. Attorney Krob reiterated that the Town has authorized ATL to accept the grant upon the signing of the agreement. The audience applauded.

Public Comment

Ms. Debbie Evans asked if one pickleball court would be free to the public. She asked Ms. Powell and Mr. Duran for a possible commitment to xeriscape. She commented that the history of a lot in Palmer Lake was that the Chautauquas "sold" lots for two weeks in the summer to put a tent on it. The lots were never meant for a house. She also commented on the 4,999 gallons of water per household. She stated that it's too high as an average. Mr. Roger Mosely brought up the stormwater drainage enterprise to the Board. He drove around town looking at other streets besides High Street with the heavy rains in recent days, and he looked at the hillside ordinance. He referenced Ordinance Chapter 17.68.060 (b)(6) and stated that if the landowner does not clear out their culverts, the Town has the authority to charge people for the clearing of their culverts. He understands drainage is a big problem and that it will be difficult to solve, but he appreciates everyone thinking about it.

Board Reports

Trustee Shana Ball gave Public Works Supervisor Jason Dosch praise for the new asphalt road work done on Mystic, Vale and Spring Streets, noting that the new asphalt looks great. She stated the work crews were courteous and didn't hold up traffic long. She appreciated Jason's oversight of the project. Mayor Havenar will be attending the CML conference next week to meet with other mayors and officials from around the state.

Next Meeting (7/13) and Future Items - Note: 7/5 workshop cancelled due to the Holiday week

Convene to Executive Session for any unfinished discussion. MOTION (Ball, Dreher) to adjourn to executive session at 7:19 pm for same purposes above. Roll call vote – aye 5, nay 0. Motion passed.

Adjourn. MOTION (Ball, Dreher) to adjourn at 8:13 pm. Motion passed.