



BOARD OF TRUSTEES MEETING

Thursday, November 09, 2023

Executive Session at 5 PM / Regular Meeting at 6 PM

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

MINUTES

Call to Order. Mayor Havenar called the meeting to order at 5:07 pm. Roll call taken – present: Mayor Glant Havenar; Trustees Jessica Farr, Kevin Dreher, Sam Padgett, Dennis Stern; excused: Trustees Nick Ehrhardt, Shana Ball.

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) – possible sale of public property; asbestos estimate claim; Town Administrator employment contract; and personnel matter under C.R.S. 24-6-402(4)(f) - Town Administrator evaluation. MOTION (Padgett, Stern) to convene to executive session. Roll call vote – aye 5; nay 0. Motion passed.

Reconvene to Open Session. MOTION (Padgett, Stern) to reconvene to open session at 5:51 pm. Roll call vote – aye 5; nay 0. Motion passed.

Mayor Havenar asked for a brief recess to open doors for the public.

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

Pledge of Allegiance. Trustee Farr led the pledge.

Presentations

1. Recognition of Citizen Volunteer, Jane Garrabrant. Mayor Havenar invited Ms Jane Garrabrant forward to accept a certificate of appreciation from Town Administration for her volunteer assistance in the office.
2. Presentation on Request to Install EV Charger at Palmer Lake - Rob Osborn, CORE. Mr. Rob Osborn, CORE, presented a request to install an EV charger in two parking spaces on the west side of Palmer Lake. He explained that CORE will fully support the fast charging, ADA compatible charger and the infrastructure to operate it. Discussion took place with members about the impact on the potential pedestrian walkway design, whether the town will own it after the lease, and the vendor support of the charger. CORE would like to finalize the lease in 2023 if the Board is interested in the service installed.

Consent Agenda

MOTION (Farr, Dreher) to approve the consent agenda including items 3) Minutes from October 26, 2023 Meeting; and 4) Checks over \$15,000 - Bradley Excavating (\$42,243.36); Krob Law (\$20,668.50). Roll call vote – aye 4; nay 1 (Padgett). Motion passed.

Staff/Department Reports

5) Water; 6) Public Works including Roads & Park Maintenance; 7) Police – Trustee Dreher inquired about a code enforcement summary and Chief Vanderpool referred to the summary attached with the PD report. The Board agreed to continue having a monthly summary.

8) Fire – Chief Vincent reported that two Firefighters returned this week from deployment.

9) Administration; 10) Attorney – none; 11) Administrator/Clerk – none.

Public Hearing

Mayor Havenar stated a clarification in the recent Mayor’s message about the sales tax revenue collected in 2023, noting that overall sales tax revenue was down from the budget forecast for 2023 not actual collections of past years.

12. Proposed 2024 Budget. Board discussion took place about overall revenue. Collins stated that the budgeted 2023 tax revenue from retail marijuana was forecasted to be higher than it should have been. Discussion noted a healthy water fund budget. For the general fund, three options were reviewed – option A includes no new hires and funds the roadway and drainage projects prioritized by the Board, and considering approximately \$118,000 from the fund balance of the general fund; option B includes a proposal from the Police Department to cut operating expenses within the department to increase police personnel wages and reducing the bottom line to approximately \$116,000; option C includes part time personnel cuts in the Police budget, adds a Deputy Clerk to Administration, an Equipment Operator to Public Works, and increased staff wages in all departments. Discussion took place with Sgt Lundy about police coverage with option C. It was stated that all town department managers are involved in daily department operations. It was noted that details for coverage could be forthcoming if needed in option C. Discussion took place about the recent BHCON grant award. Mayor Havenar opened the floor for public comment on the 2024 proposed budget.

Ms. Marty Brodzik provided a handout to the Board members with comments concerning the proposed 2024 budget some of which were addressed in the revised version. Mr. Jim Parco thanked the Board members for their service to the community and provided a handout to the Board explaining the background to the suggested forecast made in 2022 for projected marijuana tax revenue with the former Board, a high of \$800,000. He suggested that if the Board had followed the Manitou model and spread the word about the new ordinance allowing retail stores, it would have assisted getting the word out and the tax revenue may have been higher. Mr. Parco stated the Board and staff can still make a difference by letting it be known that Palmer Lake stores are open for business. Mr. Roger Moseley made a statement about non-emergency calls being referred to County dispatch for PD. He suggested that 2022 payments to Bradley Excavating and GMS were inaccurate from the general fund and should be from the water fund. Attorney Krob stated that this public hearing is for the 2024 proposed budget and asked Mr. Moseley if he had comments about the proposed budget. Mr. Moseley provided a packet to the Board members.

Trustee Stern inquired about the difference needed in the general fund budget and asked if that percentage amount could be removed across all departments. Mayor Havenar closed the hearing.

Business Items

13. Resolution 73-2023 to Authorize Rate Study to Consider Stormwater Enterprise Fund. Mr. Roger Moseley commented that the High Street area is not the only issue for drainage; that code should be enforced relating to clearing private culverts to help with drainage issues; and suggested that GMS do a rate study for all issues in town. Ms. Marty Brodzik provided a handout to the Board with a proposal to fund stormwater infrastructure. She spoke about maintenance of current infrastructure. Discussion took place about enforcement of clearing private culverts. Discussion ensued further about waiting to consider creating a stormwater enterprise fund. Ms. Brodzik told the Board to wait until 2025. Discussion took place about the potential increase in future revenue for the town. MOTION (Farr, Stern) to table this item until the end of first quarter of 2024. Roll call vote – aye 4; nay 1 (Dreher). Motion passed.

14. Resolution 74-2023 to Set Hearing for Petition of Annexation (UCC). Attorney Krob stated this resolution sets the hearing date and explained the effective date due to the limited meetings in November and December due to holidays. MOTION (Dreher, Stern) to approve Resolution 74-2023 to set the hearing for January. Roll call vote – aye 5; nay 0. Motion passed.

15. Resolution 75-2023 to Authorize Fire Protection Services in Unincorporated EPSO. It was noted that this resolution assists with fire protection for unincorporated County parcels. MOTION (Padgett, Dreher) to approve Resolution 75-2023 to authorize fire protection services. Roll call vote – aye 5; nay 0. Motion passed.

16. Resolution 76-2023 to Consider Final Water Rate Study Report. Collins noted that this item was not finalized for the meeting. MOTION (Padgett, Stern) to table Resolution 76-2023 until the next meeting. Roll call vote – aye 5; nay 0. Motion passed.

17. Resolution 77-2023 to Authorize Installation of Lighting on Pedestrian Bridge. Discussion took place about other quotes. Collins explained this was a higher quote, however, the vendor was recommended by staff for their quality work and timeliness to complete it. Trustee Stern suggested bringing back quotes. MOTION (Padgett, Dreher) to table this item to consider all quotes. Roll call vote – aye 5; nay 0. Motion passed.

18. Ordinance 23-2023 to Amend Section 12.08.020 Relating to Minimum Standards of Streets. Mayor Havenar and Attorney Krob explained amending the language about required paving. MOTION (Stern, Padgett) to adopt Ordinance 23-2023 to amend language relating to minimum standards. Roll call vote – aye 5; nay 0. Motion passed.

19. Direction to Consider a Lease Agreement for Placement of EV Charger at Palmer Lake (CORE). Discussion took place about the fast-charging EV charger lease with CORE. Mr. Roger Moseley commented about the parking space from the roadway. Trustee Padgett inquired if a shorter lease term of 2-3 years vs 5 years could be considered. Discussion took place about other municipal agreements. Attorney Krob offered to ask about a shorter lease option and check into the success of the Bennett charger. Board consensus was to bring the lease agreement back under Resolution.

20. Direction on Ordinance Relating to Motor Vehicles on Undeveloped Right of Ways. Discussion ensued about the past conversations about undeveloped right of ways in town and the liability to the town. Attorney Krob reviewed the process to consider development of a roadway, the flexibility on

staff to allow for the slope, grade and width, and the appeal process to the Board. Mr. Roger Moseley commented about other landowners paying toward the development. Attorney Krob spoke about the legal non-conforming parcels with private agreements. Board members agreed that staff bring an ordinance back to the Board.

21. Direction for the Proposed 2024 Budget. The Board members reviewed the new positions in the proposed budget for 2024. Discussion took place about code enforcement and the number of hours needed. Board members suggested an option that adds a part-time code enforcement position to Administration and cuts a percentage in all departments to balance the general fund. It was agreed to have a special budget workshop on November 29 to review and on December 6 if needed.

Public Comment

Mayor Havenar asked Mr. Matt Stephen if he had comments. Mr. Stephen inquired about the past TLCA conditional use application for mixed use to include a residential dwelling. Attorney Krob responded that the application was withdrawn.

Board Reports. None.

Next Meeting (12/6 workshop; 12/14) and Future Items. Mayor reiterated workshop dates of 11/29 and 12/6 for the budget as needed and one meeting in December on 12/14 to consider adoption of the 2024 budget.

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) – possible sale of public property; asbestos estimate claim; Town Administrator employment contract; and personnel matter under C.R.S. 24-6-402(4)(f) - Town Administrator evaluation. MOTION (Padgett, Dreher) to convene to executive session at 9:36 pm to finish discussion of items. Roll call vote – aye 5; nay 0. Motion passed.

Reconvene to Open Session. MOTION (Padgett, Farr) to reconvene at 10:10 pm. Roll call vote – aye 5; nay 0. Motion passed.

Adjourn. MOTION (Padgett, Dreher) to adjourn at 10:11 pm. Roll call vote – aye 5; nay 0. Motion passed.

Mayor Glant Havenar

ATTEST: Dawn A. Collins, Town Clerk