



BOARD OF TRUSTEES MEETING

Thursday, October 12, 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 & Roll Call. Mayor Havenar called the meeting to order at 5 pm. Present: Mayor Glant Havenar; Trustees Shana Ball, Jessica Farr, Sam Padgett, and Kevin Dreher. Excused: Trustees Nick Ehrhardt, Dennis Stern.

Convene to Executive Session. MOTION (Padgett, Farr) to convene to executive session at 5:02 pm 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) – potential sale of public property; and for the purpose of conference with Town Attorney(s) for the local body to receive legal advice on specific legal questions under C.R.S. 24-6-402(4)(b) - PD complaint; HR complaint. Roll call vote – aye 5; nay 0. Motion passed.

Reconvene to Open Session. MOTION (Ball, Farr) to reconvene to open session at 5:49 pm and open doors for the regular meeting. Roll call vote – aye 5; nay 0. Motion passed.

A short recess was taken.

Roll Call. Present: Mayor Glant Havenar; Trustees Shana Ball, Jessica Farr, Sam Padgett, and Kevin Dreher.

Pledge of Allegiance

Consent Agenda. MOTION (Farr, Ball) to approve the consent agenda including 1) Minutes from September 28, 2023, Meeting; 2) Minutes from October 4, 2023, Special Meeting; 3) Checks over \$15,000 - Meyer & Sams (\$24,480.90); Trojan Technologies (\$29,816.19). Roll call vote – aye 5; nay 0. Motion passed.

Staff/Department Reports

4) Water; 5) Public Works including Roads & Park Maintenance; 6) Police; 7) Fire; 8) Administration; 9) Attorney

10. Administrator/Clerk – Collins reported on status of new hires – Equipment Operator, Firefighter, Accounting Clerk and the hold on other new hires. She provided an update on the finance activity and thanked staff and volunteer assistance. The CDOT work to replace the French drain on Hwy 105 was noted and that CDOT will return to complete a larger overlay. A sewer line repair will take place for about a month at the end of Vale to the creek. Collins inquired about the bridge design and construction expected by the Parks Commission and will request a recommendation from Parks.

Business Items

11. Special Event Application - 2nd Annual Town Christmas Tree Lighting (12/2). Mayor recused herself from the Board table to present the tree lighting event on December 2 including music, kids craft, ugly sweater contest inside town hall for the tree lighting at dusk. MOTION (Farr, Padgett) to approve the event and waive the special event fee. Roll call vote – aye 4; nay 0; abstain 1 (Havenar). Motion passed.

12. Special Event Application - Christmas Musical Review, Arts Council (12/15-16). Collins presented the musical review the weekend of December 15-16 in Town Hall by the Arts Council. MOTION (Padgett, Dreher) to approve the event and waive the event fee. Roll call vote – aye 5; nay 0. Motion passed.

Attorney Krob suggested taking item 14 prior to item 13.

14. Discussion/Direction on Ordinance Relating to Motor Vehicles on Undeveloped Right of Ways. Attorney Krob explained the legal concerns of liability relating to general use of an undeveloped right of way (ROW) being a different matter than an accepted developed roadway under different or old roadway standards. Discussion ensued about some ROW being in better condition than some older dedicated roadways. Attorney Krob explained the duty that each Trustee has for safety (noted in ordinance language). The minimum standards for undeveloped ROW were discussed specifically for residential access. Discussion took place about considering modification to lessen the standards. The Board directed staff to investigate the modification with Engineering (GMS). Mayor Havenar opened the floor for comment.

Mr. Dan Berkenkotter and Brenda Woodward approached the Board about driveway agreements which place the liability on the landowner. Attorney Krob explained the liability and that the town insurance legal counsel is not in favor of driveway agreements. Discussion took place about other mountain town roadway standards. Attorney Krob provided a few comments from other municipal codes. Chief Vincent addressed fire code requirements relative to the topic. It was agreed that upon additional information from GMS to bring the item back to the Board.

13. Discussion/Direction on Ordinance Relating to RV Storage and Use on Private Property. This item was not addressed and will follow item 14 when it returns to the Board.

15. Discussion/Direction Relating to Board Questions/Concerns of the Final Draft Sign Code. Attorney Krob reviewed various categories of signs – new sign regulations and exceptions, as well as confusion on what to do about old/current non-conforming signs, both legal and illegal. He reviewed options for amortization – accept and leave anything historic or upon the end of a useful life (up to 20 years), be compliant to sign code. Discussion took place about political sign regulations and temporary signs. The direction provided to staff was to pare down the code. The Board members expressed comments that they are generally good with the signs that exist in town. Discussion ensued about signs allowed in residential zoning and inquired about other neighboring municipalities. It was directed that signs in residential zones should be limited to quantity and size.

Ms Brenda Woodward inquired about getting a sign permit. Discussion took place and members directed staff to limit the exception procedure, so that there are few, and require a hardship. Discussion took place about possible wayfinding signs to assist businesses located off Hwy 105.

Mr. Creighton Smith inquired about getting his signs reviewed and approved prior to a planned opening in December.

16. Direction on Request to Waive Fees for Pickleball Court Meetings in Town Hall (APL). Board member consensus was to include the request in the draft Memo of Understanding (MOU) between the town and Awake Palmer Lake for the pickleball court project. Staff will incorporate town hall use. Mayor Havenar announced that Dino will host a car show and barbeque at Dead Flowers on Sunday, 10/15 with proceeds donated to the Fire Department.

17. Distribute the Draft 2024 Budget, Review Schedule, & Set Hearing Date. Collins reviewed the proposed dates for budget meetings, hearings, and scheduled adoption. MOTION (Ball, Padgett) to set the budget hearing date for November 9, 2023.

Public Comment. Ms. Jina Brenneman asked the Board if all members received and reviewed the petition with 290 signatures submitted requesting that a legitimate master plan for the Elephant Rock property be completed. She inquired how the Board will proceed responding to the petition.

Board Reports. Trustee Shana Ball stated that she attended the 17th annual Town hall relating to disabilities in the State. Trustee Sam Padgett stated she will begin attending the CDAB in January. Mayor Havenar reported her attendance to PPACG in Park County.

Chief Vincent asked to address the Board about his department report. He explained the photo showing the amount of soot being washed off the firehouse walls. He also provided an extensive report of the Fire Department accomplishments since his hire as Fire Chief.

Next Meeting (10/26) and Future Items

Convene to Executive Session. MOTION (Farr, Padgett) to convene to executive session at 8:11 pm to complete the discussion 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) – potential sale of public property; and for the purpose of conference with Town Attorney(s) for the local body to receive legal advice on specific legal questions under C.R.S. 24-6-402(4)(b) - PD complaint; HR complaint. Roll call vote – aye 5; nay 0. Motion passed.

Reconvene to Open Session. MOTION (Padgett, Ball) to reconvene to open at 8:37 pm. Roll call vote – aye 5; nay 0. Motion passed.

Adjourn. MOTION (Ball, Padgett) to adjourn. Motion passed.

Mayor Glant Havenar

ATTEST: Dawn A. Collins, Town Clerk