



## **BOARD OF TRUSTEES MEETING**

**Thursday, January 26, 2023 at 5:00 PM**

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

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### **MINUTES**

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**Call to Order.** Mayor Havenar called the meeting to order at 5 PM.

**Pledge of Allegiance.** Interim Fire Chief Vincent lead the Pledge of Allegiance.

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

#### **Consent Agenda**

MOTION (Farr, Ball) to approve the consent agenda including items 1) Minutes from January 12, 2023, Meeting; 2) Minutes from Special Meeting January 19, 2023; 3) Financials (Dec-2022). Roll call vote – 5 aye; 0 nay. Motion passed.

#### **Staff/Department Reports**

4. Attorney – none.

5. Administrator/Clerk. Collins provided background on the doorframe estimate provided by TN Parker for the library, requesting a timeframe from the Board to move forward if a second quote is not received. It was noted to allow two additional weeks. Collins also inquired about a citizen inquiry about exploring a quiet zone with the railroad. Trustee Dreher offered to assist in corresponding with the proper railroad representative to learn the process. Collins reported updates going into the new year, including employee training, the setup of accounting data, new hire onboarding, ongoing applicant screening for Parks maintenance and the posting of the Fire Chief position. Grant funds received were mentioned, including \$7500 from the state for the CRWA apprenticeship program for the water technician, and MMOF funds of \$150,000 (with no match) for design work of the downtown pedestrian safety and walkability. She noted an IGA with CDOT will come back to the Board. The state approved the D2 redrill for use. Water tap availability was clarified, estimated at 100, based on the GMS water accounting study of 2021. The Tri-lakes Chamber After Hours event will be held at Palmer Lake Town Hall on Tuesday, March 21 from 5-7p. A reminder to public members that applications are being accepted for appointment to the Board of Trustees with a deadline of 2/6 and interview with the Board on 2/9. The general format for the interview was discussed.

**Business Items**

6. Special Event - 2023 Winterfest Hosted by Parks Commission. The February broomball tournament is open and accepting teams – watch for details of the event scheduled for Sunday, February 26, 2023, from 2:00--4:30pm at Palmer Lake.
7. Ordinance 2-2023 to Adopt Official Zoning Map for the Town. Mayor Havenar noted messages received about possible errors on the zoning map. Discussion took place about correction and confirming zoning. MOTION (Farr, Ball) to table to the next meeting. Roll call vote – 5 aye; 0 nay. Motion passed.
8. Resolution 14-2023 to Authorize a Driveway Agreement (Commercial Ln). Mayor Havenar reviewed the background of Commercial Lane being a platted, undeveloped town right-of-way that will be utilized for access to the recently licensed marijuana store and that, for liability purpose, the town should have a private driveway agreement with the property owner. Collins also mentioned that there is possible additional retail activity for another business in the adjacent building. Staff recommendation remains that Commercial Lane be developed to the adopted roadway standards. MOTION (Stern, Farr) to approve Resolution 14-2023 to authorize the driveway agreement for Commercial Lane. Roll call vote – 5 aye; 0 nay. Motion passed.
9. Resolution 15-2023 to Authorize a Residential Well Agreement (816 Meadow). Collins provided the background that a land use application to build a single family residence at 816 Meadow Lane, including a residential well application to the state. Discussion took place about the multiple drillings the Board gave consent to drill. Collins noted that excavation may take place but the permit for the state must include approval by the local authority. This agreement provides for that. MOTION (Farr, Ball) to approve Resolution 15-2023 to authorize the residential well agreement for 816 Meadow. Roll call vote – 5 aye; 0 nay. Motion passed.
10. Resolution 16-2023 to Approve Revised Employee Handbook. Mayor Havenar reviewed the past discussion of the revisions of the handbook. MOTION (Ball, Dreher) to approve Resolution 16-2023 for the revisions. Roll call vote – 4 aye; 1 nay (Farr). Motion passed.
11. Resolution 17-2023 to Authorize Services for Water Fund Analysis. Mayor Havenar reviewed the prior direction for the water rate analysis. MOTION (Stern, Farr) to approve Resolution 17-2023 to authorize services with Mr. Brandewie to complete the analysis. Roll call vote – 5 aye; 0 nay. Motion passed. Mr. Roger Moseley inquired about the terms and Collins highlighted the terms of Exhibit A to the agreement with a cost not to exceed \$6,000 and completion within 4 months.
12. Consideration of Ordinance 3-2023 to Amend Sec 2.20 Parks Commission. Mayor Havenar explained the revision of the code to add authority over trails with parkland. MOTION (Farr, Ball) to adopt Ordinance 3 to amend the Parks Commission authority to include trails. Roll call vote – 5 aye; 0 nay. Motion passed.
13. Consider Designating a Board Member to Awake Palmer Lake. Following discussion about Trustee's Farr involvement with Parks, it was suggested that she attend Awake Palmer Lake meetings. MOTON (Ball, Dreher) to nominate and approve Trustee Farr as designated Board member to Awake Palmer Lake. Roll call vote – 5 aye; 0 nay. Motion passed.

14. Consideration of Parks Commission Recommendation - Parkland / Trails at Elephant Rock Property. Mr. Kent Hutson addressed the Board, as new President to PLEDG, and relayed his concern of how the Carter Payne team was treated. He stated that the parks plan derailed a multi-million plan at elephant rock property. He also relayed that following discussions with PLEDG, Carter Payne is willing to come back to the table for discussion. Mr. Hutson suggested that representatives from the Town Board, Parks, and Planning Commission negotiate with parties. Discussion took place about the course of events that took place with parties and the upcoming process to review the use of the property. Ms. Rebecca Duke stated she is a big fan of the Carter Payne proposal and wants to see all parties work together and that the Community Master Plan is considered for the property. She encouraged Board members to take the time to do it well. Mr. Richard and Lindsay Willan restated plans for the eco-spa and reminded members that the original plan proposed was for the town to retain about 51% of the property. Board members provided their understanding of the course of events and discussion took place about preparation to hear changes for use of the property. Members engaged in discussion about maintaining/sustaining additional public buildings as well as consideration of selling any portion or not. It was agreed to have an executive session following the February 23 Board meeting to review parameters for the property considering there are new board members in the discussion. Mr. Roger Moseley inquired about deed restrictions that could be considered. Attorney Scott Krob confirmed that restrictions may be an option and assured the Board that they have full authority over town property and whatever they decide can be drafted into appropriate documents. Ms. Cyndee Henson expressed her sadness in learning that Carter Payne withdrew; noted that it seems impossible to keep buildings and spoke to the gift that this property is to the future of the community. She encouraged the Board to take their time and communicate well. It was confirmed that the Parks Commission will be considering a final plan to recommend to the Board on February 23. It was further confirmed by Mr/Mrs. Willan that they will present on March 9. It was directed to invite Carter Payne to also present, if desired, their desired portion(s) of the property and planned use on either of those dates.

#### **Public Comment**

Mr. Roger Moseley congratulated the Board on the decision to move forward with the water analysis. He also noted questions pertaining to the December financials – specifically what looked like \$170,000 short of revenue in the water fund and questioned the difference of \$163,000 for ARPA. He informed the Board that he is a recognized expert witness for fraud. Staff is directed to review the questions that Mr. Moseley will present via email.

Ms. Cyndee Henson thanked Rebecca Duke for her eloquent speaking about elephant rock and inquired about the revenue that restaurants bring to the town. Trustee Ball responded with an explanation of the negative effects of covid impacting all retail. Ms. Henson continued with her concerns – that Carter Payne felt right for the community; what about water; will Monument take over the town. Mayor Havenar assured her that the town has plenty of water rights (under the ground) but needs a plan for infrastructure to get it out and supplied and that Monument will not take over the town.

Mr. Kent Hutson spoke to the 2023 goals of PLEDG, including 1) quarterly workshops – the first of these scheduled on 2/9 for business-to-business contact; 2) improve communications business to town and visitors; and 3) develop new business. Mayor Havenar encouraged the assistance and promotion of existing businesses in town.

Mr. Richard Willan thanked the Board members and public safety departments for service.

**Next Meeting (2/9) and Future Items - Any workshops****Board Reports**

Trustee Farr stated that she has been attending the Parks workshop and workgroup activity. Mayor Havenar reported that she is grateful that two Board members will join her for the CML legislative workshop in February. Trustee Ball reflected on the legislation we can anticipate impacting our public safety departments. Collins inquired about scheduling any workshops in February. It was agreed to bring GMS back to complete the review of the water system improvements report. The date of February 3 beginning at noon to be confirmed.

**Adjourn** MOTION (Farr, Stern) to adjourn at 7:03 pm. Motion passed.

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Glant Havenar, Mayor

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ATTEST: Dawn A. Collins, Town Clerk