TOWN OF ELIZABETH

WORKSHOP
AWARD PRESENTATION
Tuesday, April 12, 2022, at 6:00 PM
Town Hall, 151 S. Banner Street

TOWN OF ELIZABETH
BOARD OF TRUSTEES REGULAR MEETING
Tuesday, March 22, 2022, at 7:00 PM
Town Hall, 151 S. Banner Street

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

UNSCHEDULED PUBLIC COMMENT

AGENDA CHANGES

CONSENT AGENDA

1. Minutes of the Regular Meeting of March 22, 2022

PROCLAMATION

2. National Volunteer Week - Mayor Vasquez

NEW BUSINESS

3. Discussion and possible action on Resolution 22R17, a Resolution approving the License agreement between the Town and Don Means - Michelle Oeser

PUBLIC HEARING

4. Special Event License Application for Protectors of Elizabeth - Michelle Oeser
5. Special Event License Application for Farmers' Market - Michelle Oeser

NEW BUSINESS

6. Discussion and possible action on the approval of a Special Event License for the Protectors of Elizabeth Event - Michelle Oeser
7. Discussion and possible action on the approval of a Special Event License for the Farmers' Market Summer Series - Michelle Oeser

8. Discussion and possible action on Resolution 22R18, a Resolution approving the License Agreement between the Town and Scott Olmsted, Representative for Elephant Rock Bicycle Tour - Michelle Oeser
9. Discussion and possible action on Resolution 22R19, a Resolution establishing a potentially dangerous dog permit fee in accordance with Section 7-7-400 of the Town of Elizabeth Municipal Code - Michelle Oeser
10. Discussion and possible action on Resolution 22R20, a Resolution establishing a fee for use of Town electric power for food trucks using Town property pursuant to a valid license agreement - Michelle Oeser
11. Discussion and possible action Lift Station recommendation letter - Mike DeVol
12. Discussion and possible action on rental agreement with Pam Cherry - Patrick Davidson

MANAGEMENT MONITORING REPORTS

13. Management Monitoring Reports

BOARD OF TRUSTEES REPORTS

STUDENT LIAISON REPORT

14. April Student Liaison Report - Bella Valentine

MINUTES

15. Minutes of the Planning Commission Meeting of January 4, 2022

ADJOURNMENT

MEETING PROTOCOL AND STANDARDS OF CONDUCT

Public Participation

Public comment is encouraged and will be listed as an agenda item at every regular Board meeting.

Each individual wishing to be heard during the public comment period will be given up to three (3) minutes to make a comment.

The public comment period will not be used to make political endorsements or for political campaign purposes.

Questions from the Board will be for clarification purposes only. Public comment will not be used as a time for problem solving or reacting to comments made but, rather, for listening to the comments of citizens without taking any formal action.

The Board may direct the Town Administrator to provide information requested by a speaker during the public comment period.

Speakers are not allowed to make belligerent, accusatory, impertinent, slanderous, threatening, abusive, or disparaging comments.

The Mayor may elect to defer public comment on a specific issue that appears on the regular agenda until that specific item is addressed.

The Mayor may call for order when sidebar conversations occur in the audience. Those conversations are distracting from the Board addressing the topics at hand.

Members of the public who do not follow proper conduct after a warning in a public meeting may be barred from further participation at that meeting or removed from the Board Chambers pursuant to the Elizabeth Municipal Code and Colorado Revised Statutes.

Board of Trustees – Record of Proceedings
March 22, 2022

CALL TO ORDER
The Regular Meeting of the Board of Trustees of the Town of Elizabeth was called to order on Tuesday, March 22, 2022, at 7:06 pm by Mayor Megan Vasquez.

ROLL CALL
Present were Mayor Megan Vasquez, Mayor Pro Tem Angela Ternus, Trustees Tammy Payne, Loren Einspahr, Linda Secrist, Ron Weaver, and Daniel DiLoreto.

Also present were Town Administrator Patrick Davidson, Town Clerk Michelle Oeser, Chief of Police Melvin Berghahn, Community Development Director Pam Cherry, Planner/Project Manager Zach Higgins and Student Liaison Bella Valentine.

PLEDGE OF ALLEGIANCE
Mayor Vasquez led the Board in the Pledge of Allegiance.

UNSCHEDULED PUBLIC COMMENT
No comments

AGENDA CHANGES
No agenda changes from the Administration.

No agenda changes from the Board.

Agenda set.

CONSENT AGENDA
1. Minutes of the Regular Meeting of March 8, 2022

Motion by Trustee Einspahr, seconded by Trustee Weaver, to approve the Consent Agenda as presented.
The vote of those Trustees present was 7 in favor and 0 opposed. Motion passed unanimously.

NEW BUSINESS

2. Discussion and possible action on Resolution 22R13, a Resolution approving the license agreement between the Town and Tom Peterson

Motion by Trustee Weaver, seconded by Trustee Payne, to approve Resolution 22R13, a Resolution approving the license agreement between the Town and Tom Peterson, Representative for the Elbert County Republican Party.
The vote of those Trustees present was 7 in favor and 0 opposed. Motion passed unanimously.

3. Discussion and possible action on reappointment of Michael Hussey or appointment of Kurt D. Prinslow or Brandon Jeffress to the Main Street Board of Directors

Motion by Mayor Pro Tem Ternus, seconded by Trustee Einspahr, to reappoint Michael Hussey to the Main Street Board of Directors through March 31, 2025.
The vote of those Trustees present was 7 in favor and 0 opposed. Motion passed unanimously.

The Board tabled the decision regarding he other two candidates for a future meeting.

4. Discussion and possible action on Resolution 22R15 a Resolution approving the License Agreement between the Town and The Elizabeth Brewing Company

Motion by Trustee Payne, seconded by Trustee Secrist, to approve Resolution 22R15, a Resolution approving the License Agreement between the Town and The Elizabeth Brewing Company.
The vote of those Trustees present was 7 in favor and 0 opposed. Motion passed unanimously.

5. Discussion and possible action on Resolution 22R14, a Resolution approving the assignment of rights in and to the Site Development Plan, and the Site Development Agreement, as amended, for the Pine Ridge Crossing Site plan from Pine Ridge Crossing, LLC as owner and Turn 2 Construction, LLC as Developer to Neighborhood Carwash Aurora, LLC DBA Pine Ridge Apartments, LLC

Motion by Trustee Payne, seconded by Trustee Einspahr, to approve Resolution 22R14, a Resolution approving the assignment of rights in and to the Site Development Plan, and the Site Development Agreement, as amended, for the Pine Ridge Crossing Site plan from Pine Ridge Crossing, LLC as owner and Turn 2 Construction, LLC as Developer to Neighborhood Carwash Aurora, LLC DBA Pine Ridge Apartments, LLC.

The vote of those Trustees present was 4 in favor and 3 opposed. Mayor Pro Tem Ternus, Trustees Weaver and Secrist opposed. Motion passed.

6. <u>Discussion and possible action on Resolution 22R16, a Resolution establishing a pay Plan for the Town of Elizabeth including job descriptions and pay grades for positions within the Town</u>

Motion by Mayor Pro Tem Ternus, seconded by Trustee Einspahr, to approve Resolution 22R16, a Resolution establishing a pay Plan for the Town of Elizabeth including job descriptions and pay grades for positions within the Town.
The vote of those Trustees present was 7 in favor and 0 opposed. Motion passed unanimously.

MANAGEMENT MONITORING REPORTS

- Town Administrator Patrick Davidson introduced the new Community Development Director to the Board.
- Community Development Director Pam Cherry introduced herself to the Board and gave background on her previous experience.
- Town Clerk Oeser discussed donating an "Elizabeth" basket at CML Conference to be given away at a raffle.
- Ms. Oeser let the Board know that Trustee DiLoreto did not receive a CML scholarship.
- Police Chief Berghahn informed the Board that Radar Hurst, Frank Hurst's K-9 dog, passed away.
- Chief Berghahn is planning to implement an annual day of dog registration. This will be called "Get your Dog on the Radar".
- Chief Berghahn told the Board that the 1st Flock Camera has been installed in front of Elizabeth High School.
- Chief Berghahn informed the Board that officers have been fitted for new ballistics vests. Vests are being donated to the Police Department by Ben Lowman.

BOARD OF TRUSTEE REPORTS

- Trustee Einspahr asked about the telephone poles still down at Mobile and Pine.
- Trustee Payne discussed compensation to the advisory boards.
- Trustee Payne asked where the Town was at on the pocket park improvements and dedication in Bret Wade's Honor.
- Trustee Payne would like to have a discussion with all the Town Boards and Commissions on how the Comprehensive Plan is relied on.
- Planner / Project Manager Zach Higgins told the Board that Elbert County is doing a housing study and it will be completed by the end of the year.
- Mayor Vasquez attended the Elbert County Economic Council meeting and stated that it was good to see everyone working together.
- Mayor Vasquez discussed recognition of Advisory Boards.

- Mayor Vasquez attended the Elizabeth Chamber of Commerce awards banquet. The Chamber thanked the Town for their support.
- Mayor Vasquez stated that the Main Street meeting went well. She thanked Zach and Pat for their work on it.
- Discussion on purchasing a new podium for the meeting room.
- Mayor Pro Tem Ternus updated the Board on upcoming Elizabeth Parks and Recreation Open House meetings.

STUDENT LIAISON REPORT

- Student Liaison Valentine said that students are on Spring Break this week.
- Elizabeth High School hosted a College Fair which included business and military booths in addition to colleges.
- The Town Board had donated to the College Fair in the previous year. The event was cancelled due to COVID, so the money was used for this year's event.

MINUTES

8. Minutes of the Main Street Board of Directors Meeting of February 10, 2022
9. Minutes of the Historic Advisory Board Meeting of February 11, 2022

ADJOURNMENT

Motion by Trustee Einspahr, seconded by Trustee Secrist, to adjourn meeting at 9:42 pm. The vote of those Trustees present was unanimously in favor. Motion carried.

_____ _____

Town Clerk Michelle Oeser Mayor Megan Vasquez

Town of Elizabeth

PROCLAMATION

WHEREAS, National Volunteer Week is an opportunity to recognize and honor the countless individuals who selflessly invest in the lives of others; and

WHEREAS, every community member can effect positive change with a volunteer action no matter how big or small; and

WHEREAS, the Town is committed to encouraging volunteerism and national service among its employees, citizens, partners, businesses and organizations; and

WHEREAS, the Town of Elizabeth relies on volunteers for many programs that are a service and benefit to the community;

WHEREAS, each year a special week is designated in our nation for the dual purpose of recognizing those who give of themselves and of encouraging all citizens to become involved in volunteer work; and it is fitting at this time that we say "thank you" to all individuals, groups, and businesses who have given time, energy, and resources to their communities through volunteer service.

NOW, THEREFORE do I, Megan Vasquez, Mayor of the Town of Elizabeth, hereby proclaim April 12 through April 24, 2022, to be:

NATIONAL VOLUNTEER WEEK

in the Town of Elizabeth and encourage all citizens to observe this week by celebrating the important work that volunteers do every day throughout our community.

Signed this ____ day of April 2022.

_____

Megan Vasquez, Mayor

Planning Commission

Rob Porter

Jenny Case

Barbara McGinn

Nick Snively

Julie Uhernik

Ed Beard

Historic Advisory Board

John Quest

Cecilia Farin

Jerry Garland

Aimee Woodall

Brandi Wilson

Denny Boehler

Main Street Board of Directors

Tedd Lipka

Jeff Struthers

Michael Hussey

Linda Bulmer

TO: Honorable Mayor and Board of Trustees
FROM: Michelle Oeser Town Clerk
DATE: April 12, 2022
SUBJECT: Protectors of Elizabeth

SUMMARY

On March 13, 2022, the Elizabeth Firefighters Community Foundation applied for a Special Event Liquor Permit and a Special Event Permit for the Annual Protectors of Elizabeth Tribute event.

Special Event Liquor License Application and the request to use Running Creek Park are included together since the alcohol permit cannot be issued without the approval to use Town property.

All necessary paperwork and posting have been completed and turned in as required. The applicant was provided with new costs to use Running Creek Park.

All partner agencies and town departments have reviewed the application and have no concerns with the planned event.

The applicant has turned in paperwork required by the Elbert County Health Department. This will ensure safeguards are in place.

STAFF RECOMMENDATION

Staff recommends approval of the Elizabeth Firefighters Community Foundations Protectors of Elizabeth Tribute Special Event License application and the license for the use of Running Creek Park by Don Means.

ATTACHMENTS(S)

Special Event Application

Event Agreement

Resolution 22R17

License

Special Event Liquor Permit Application

P.O. Box 159, 151 S. Banner St.
Elizabeth, Colorado 80107

Phone: (303) 646-4166
Fax: (303) 646-9434
http://www.townofelizabeth.org

Received
MAR 13 2022
Town of Elizabeth

Town of Elizabeth

Application for Special Event, Parade or Race

This application along with a $10 application fee must be submitted to the Town Clerk At least Twenty (20) days prior to the Date of intended use and approved by the Town Board.

1. Event: PROTECTORS OF ELIZABETH

Date of Event: 8/17/22 Time of Actual Event: 4:00PM - 8:00 PM

Date(s) and Time(s) for which permission is requested including setup and cleanup:

Date: 8/17/22 From: 10:00 AM To: 9:00 PM

Date: _____ From: _____ To: _____

2. Applicant (Organization or Individual): MEANS AGENCY, INC

Address: 166 S MAIN ST, ELIZABETH, CO Telephone # 303-646-9701

ONLY ORGANIZATIONS FILL OUT THE REMAINDER OF ITEM #2:

The Organization is: Profit ☐ Non-Profit ☑, Attach Copy of Certificate of Incorporation with Non-Profit Status if same is not already on file with the Town Clerk.

INDIVIDUAL RESPONSIBLE FOR THE EVENT:

Name DON MEANS Telephone # 303-646-9701

Address 166 S MAIN ST, ELIZABETH, CO 80107

3. Please mark the route choice below.

Staging area:

Absolutely no parade routes will be considered other than the above mentioned based on the safety of the citizens and traffic concerns.

4. Estimated Number of Participants: 25 Estimated Number of Spectators: 500 +

5. Will there be animals or vehicles in the event? YE If yes, explain including how many: _____

FIRST RESPONDERS VEHICLES ON DISPLAY

6. Are you requesting reserved parking for the event? NO If yes, specify number and location: _____

7. How will the applicant provide trash and litter control for the event? ON SITE

8. Will Applicant provide portable Restrooms for the event? N Where will they be located? THEY ARE ON SITE

9. Will the applicant provide medical coverage for the event? NO
If yes, specify what level of medical expertise and where they will be located: _____

10. Will any organization or individual other than the applicant has any exhibit or sales booth in the area during the event? NO If yes, explain who and what: _____

11.11. Will there be any fees for your event? N If yes, explain: _____

12. Will your event be open to the Public? YES

13. Will there be any vehicles, trailers or tents for the event? YES
If yes, explain and include the dimensions of any tents: TENTS FOR FOOD VENDORS

14. Will you be applying for a special event liquor permit to have alcohol in the area? YES

EVIDENCE OF LIABILITY INSURANCE FOR THE EVENT MUST BE SUBMITTED TO THE TOWN PRIOR TO THE EVENT. THE TOWN OF ELIZABETH MUST BE NAMED AS ADDITIONAL INSURED ON THE CERTIFICATE OF INSURANCE.

I have read the attached policy for the use and understand the policy and agree to comply with all the provisions set forth therein.

Signature of Applicant: Daniel E Meers Date: 4/15/2022

GATE
Porta Potty
Sanatize Unit
GATE
500 E Kiowa Ave
Electrical Panel
EBC
Electrical Panel
GATE
Porta Potty
ADA Porta Potty
Sanitize Unit
STAGE
Electric Panel
Google Earth
200 ft
N

FOOD VENDOR APPLICATION

All vendors must complete and submit this form to ECPH for **EACH** event in Elbert County. If there are no menu or equipment changes from one event to another, the completed original may be copied and submitted, but the first page must be updated for every different event. Please attached a copy of your Retail Food License, Sales Tax License and Commissary Agreement.

EVENT NAME: PROTECTORS OF ELIZABETH DATE(s): AUGUST 17, 2022

PLEASE COMPLETE THE FOLLOWING INFORMATION	
Retail food establishment name: CATALINA'S	Legal owner's name: JAVIER LARIOS
Establishment address: 273 E KIOWA AVE,	
City: State: Zip Code: ELIZABETH, CO 80107	Phone number: 303-646-2700
Email: CATALINAS.DINER@YAHOO.COM	Contact name: JAVIER LARIOS
Contact phone number: 303-646-2700	County that issued your retail food license: ELBERT

All vendors shall have the original Colorado Retail Food Establishment license on premise at the event at all times or the facility may be required to cease operations

Checklist of paperwork to be submitted with this application:

- Commissary Agreement
- Copy of Sales Tax License
- Copy of Retail Food License

GENERAL GUIDELINES

- A hand washing station with a free-flow spout, catch bucket, soap, and paper towels, and water from an approved source shall be provided. Bare hand contact is not allowed with ready-to-eat foods.
- Hand sanitizers are NOT an acceptable substitute for required hand washing set-up.
- Extra sets of clean utensils must be provided so that they may be changed out when soiled or at least every four hours. Washing utensils on site is not permitted.

EVENT APPLICATION

Event name: PROTECTORS OF ELIZABETH

Event date(s): 08/17/2022 Event hours: 4:00 - 8:00

Event location: 500 E KIOWA AVE

Expected number of attendees: 500 +

Expected peak day(s) if event is more than 1 day: _____

Anticipated number of food vendors: 1 Date/time vendors are required to be set up: 3:00

Event Coordinator name: DONALD MEANS

Phone number: 3036469701 Email address: DEMEANS@MSN.COM

Mailing address: PO BOX 1947, ELIZABETH, CO 80107

Contact person during event (if different from above): DON MEANS

Contact phone number during event: 303-475-3920

SERVICES PROVIDED ON-SITE TO FOOD VENDORS:

(Check all that apply and provide detail if necessary)

Water Supply:

- [x] There is access to a potable water taps on site.
- [ ] Vendors must bring their own water supplies.
- [ ] Backflow prevention provided.
- [ ] Water supply from well(s): (Protect wellhead from contamination by maintaining adequate distance from wellhead, providing proper drainage, managing manure accumulation, keeping animal holding areas away from the well, etc.)

Wastewater:

- [x] There will be liquid waste collection tanks / receptacles on site.
- [ ] Vendors must arrange for their own wastewater disposal.

If animal exhibits on-site: Wastewater drainage from animal exhibit areas must be directed away from food booths

Electricity:

- [ ] There will be no electricity supplied on site.
- [x] There is access to electricity on site.
- [ ] Generators will be provided for vendor use.
- [ ] Vendors are allowed to use their own generators on site.

Trash/Refuse:

- [x] There will be trash receptacles throughout the event for the public.

☐ There will be dumpsters on site for vendors and public trash removal. How often will they be serviced? _____

Toilet facilities:

☐ Water carrying public restrooms. How many? _____

☑ Portable toilets. How many? 6

☐ How often will they be serviced? _____

Hand wash facilities:

☐ Water carrying public restrooms. How many? _____

☑ Portable hand wash stations. How many? 2

- Will they be located in: (please circle yes or no)
  - food booths ☐ YES ☑ NO
  - at restrooms ☑ YES ☐ NO
  - at petting zoos ☐ YES ☑ NO ☐ N/A

- Will soap and paper towels be provided? ☑ YES ☐ NO
- Will trash cans be provided for paper towels? ☑ YES ☐ NO

Other services:

- Refrigerated truck
- Ice

FOOD VENDORS (please provide the contact information for each food vendor you would like to have participate, ECPH will reach out to them directly to obtain the paperwork that we need from them)

Business name	Contact Name & Phone Number	Contact Email
CATALINA'S	303-646-2700	CATALINAS.DINER@YAHOO.COM

****Email completed event applications to publichealth@elbertcounty-co.gov****

HEALTH DEPARTMENT USE ONLY

☐ Fees paid ☐ Non-profit ☐ Vendor info provided

Approved: ☐ Yes ☐ No

Approval signature: _____ Date: _____

EVENT PERMIT AGREEMENT

The event permit for **Protectors of Elizabeth** (the "Event") on August 17, 2022, for the time period of 10:00 AM to 9:00 PM is granted to Don Means (the "Applicant") contingent upon the following requirements:

1) The Event within the Town of Elizabeth is limited to the property indicated on the route provided.

2) Permission is granted for times beginning at 10:00 AM and ending at 9:00 PM to include setup and cleanup.

3) All areas within the permit area shall be free of all debris generated from the Event, upon conclusion.

4) Applicant for the Event shall provide proof of comprehensive liability insurance acceptable to the Town for the Event, in the minimum amount of three hundred fifty thousand dollars ($350,000.00) per person, and nine hundred ninety thousand dollars ($990,000.00) per occurrence or such additional amount that may be determined by the Town based on the nature or scope of the Event. Town of Elizabeth shall be listed as additionally insured.

5) Applicant (Don Means) will submit a $1,000.00 deposit as security for cleanup of the permit area and hereby agrees that the Town may draw from that $1,000.00 deposit should the Applicant for the Protectors of Elizabeth fail to clean up or damage property in the permitted area.

6) Applicant accepts responsibility for any potential liability from the Event. More specifically, in consideration for the Town allowing Applicant to use Town property, the Applicant agrees to hold the Town, its officers, agents, consultants, and representatives (collectively, the "Town"), harmless for any loss, damage, property damage, injury, or death to Applicant or its invitees, including participants in the Event, and Applicant's agents as a result of Applicant participation in the Event, and the participation of Applicant's invitees in the Event. Applicant further agrees to release, waive and discharge, and covenant not to sue the Town for any claims, demands or actions whatsoever arising out of any loss, damage, property damage, or injury incurred on or to Applicant or Applicant's invitees or Applicant's agents as a result of participation in the Event. This release of liability applies equally to losses, damages or injuries caused or alleged to be caused in whole or in part by the negligence of the Town.

I on behalf of the Applicant have read the above waiver and release, understand that Applicant has given up substantial rights by signing it, and I sign this waiver and release below voluntarily and with full authorization on behalf of the Applicant.

By signing this agreement and the Waiver and Release, applicant represent they have authority to execute agreement on behalf of the Don Means and agrees to comply with the requested requirements for the Event. Failure to meet the requirements outlined may result in the revocation of Event Permit or penalties as provided in Section 11-4-120 of the Elizabeth Municipal Code.

DONALD E. MEANS
Printed Name

Donald E. Means
Signature

3/28/2022
Date

Town Representative

Date

RESOLUTION 22R17

A RESOLUTION APPROVING THE LICENSE AGREEMENT BETWEEN THE TOWN AND DON MEANS, REPRESENATIVE FOR MEANS AGENCY, INC.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

Section 1. The License Agreement between the Town and Don Means attached hereto is hereby approved by the Board of Trustees of the Town of Elizabeth, and the Mayor Pro Tem is authorized to execute same on behalf of the Town.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2022, by the Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of _____ for and _____ against.

_____
Angela Ternus, Mayor Pro Tem

ATTEST

_____
Michelle M. Oeser, Town Clerk

LICENSE

THIS LICENSE is made and entered into this 12th day of April 2022, by and between the TOWN OF ELIZABETH, Colorado whose address is 151 S. Banner Street, Box 159, Elizabeth, Colorado 80107 (the "Town") and Don Means/ Means Agency, INC, whose address is 166 S. Main Street, Elizabeth, Colorado 80107 ("Licensee").

1. PROPERTY LICENSED. The property that is licensed for the use and the term provided for in this license is described in Exhibit A, which is attached hereto and incorporated by this reference ("Property Licensed"). The Property Licensed for the use described herein is subject to all easements and rights-of-way of record.

2. INSURANCE. Licensee shall obtain for itself, its agents, successors, assigns, lessees, licensees and agents, necessary and adequate workman's compensation insurance, personal injury insurance, and property damage insurance, with limits commensurate with the hazards and risks associated with the use of the Property Licensed, but in no event less than the liability limits established by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as now in effect or as hereinafter amended, and a deductible of not less than one thousand dollars ($1,000.00). Neither Licensee nor its agents, successors and assigns shall commence any use of the Property Licensed until it has obtained all insurance required under this Section and shall have filed a certificate of insurance with the Town providing that the Town is an additional named insured thereunder.

3. USE FEE. Licensee covenants and agrees to pay Pare Use Fees, set by Resolution 22R09 (fee schedule is attached).

4. USE. Licensee covenants and agrees that it shall utilize the Property Licensed for the Means Agency/Don Means August 17, 2022, and for no other purpose and not to use the Property Licensed or permit it to be used for purposes prohibited by the laws of the applicable United States, State of Colorado, or any political subdivision thereof.

5. RE-ENTRY. Licensee covenants and agrees to permit the Town or its duly authorized representatives to enter upon the Property Licensed at any reasonable hour of the day to do such acts and things as it deems necessary for the protection of its interests therein.

6. NOTICE. Any notice required under this License shall be in writing and mailed by certified mail to the respective parties at the address hereinabove given. The Town Administrator shall be the representative of the Town to accept or give any approval, notice or the like provided hereunder. In the event Licensee should change the address hereinabove given during the term of this License, Licensee shall notify the Town in writing of such change of address:

The Town: Town of Elizabeth
Attn: Town Administrator
PO Box 159
Elizabeth, CO 80107

Licensee: Means Agency, INC. c/o
Don Means
66 S. main Street
Elizabeth, CO 80107

7. NO COVENANT OF TITLE OR QUIET POSSESSION. The rights granted herein are without covenant of title or warranty of quiet possession of the Property Licensed and no water or water rights are granted by this License.

8. SUCCESSORS AND ASSIGNS. This License shall insure to the benefit of, and be binding upon, the respective legal representatives, heirs, successors and assigns of the parties.

9. ASSIGNMENT OR SUB-LEASE. Licensee covenants and agrees not to assign this License or to sublet any part of the Property Licensed without first obtaining the written consent of the Town.

10. PROPERTY LICENSED TAKEN "AS IS." Licensee understands and agrees that the Property Licensed is licensed "as is." The Town makes no warranty, written or implied, that the Property Licensed is fit for any purpose or that it meets any federal, state, county or local law, ordinance or regulation applying to the Property Licensed.

11. LIABILITY AND INDEMNIFICATION. The Town shall not be liable for any loss, injury, death or damage to any person or personal property which may arise from the use or condition of the Property Licensed including, but not limited to, loss, injury, death, or damage resulting from ice, water, rain, snow, gas, electrical wires, fire, theft, burst pipes or plumbing failures during the term of the License or any renewal thereof. Licensee hereby expressly agrees, to the extent permitted by law, to defend, indemnify and hold harmless the Town, its officers, agents, employees and insurers against any liability, loss, damage, demand, action, cause of action or expense of whatever nature (including court costs and attorney fees) which may result from any loss, injury, death or damage allegedly sustained by any person, firm, corporation or other entity which arises out of or is caused by reason of Licensee's negligent use of the Property Licensed or Licensee's failure to fulfill the terms and conditions of the License.

12. RESERVATION FOR BOARD USE. This License is made under and conformable to the provisions of all Town of Elizabeth regulations insofar as applicable. Said provisions are incorporated herein and made part hereof by this reference and shall supersede any apparently conflicting provisions otherwise contained in the License. The Town reserves the right to make full use of the Property Licensed as may be necessary or convenient in the operation of the public infrastructure of the Town and the Town retains all rights to operate, maintain, install, repair, remove or relocate any of its facilities located within the Property Licensed at any time and in such a manner as it deems necessary.

13. TERMINATION.

a. This License Agreement may be terminated by the Town at any time upon ten (10) days' written notice to Licensee.

b. If default shall be made in any of the covenants or agreements herein contained to be kept by Licensee, it shall be lawful for the Town to enter into the said Property Licensed, or any part thereof, either with or without process of law, to terminate the interest of Licensee or of any person or persons occupying the same, and to expel, remove or put out such person or persons, using such force as may be necessary in so doing, without being liable to prosecution or to damages therefor, and the said Property Licensed again to repossess and enjoy as in the first and former estate of the Town. If at any time the License shall be terminated as aforesaid, or by any other means, Licensee agrees to surrender and deliver up said Property Licensed peaceably to the Town immediately upon the termination, and if Licensee shall remain in possession after termination, Licensee shall be deemed guilty of a forcible detainer on said property Licensed, and waiving all notice, shall be subject to eviction and removal, forcibly or otherwise, with or without process of law.

14. VENUE. For the resolution of any dispute arising hereunder, venue shall be in the courts of Elbert County, State of Colorado.

IN WITNESS WHEREOF, the parties hereto each herewith subscribe the same in triplicate.

TOWN OF ELIZABETH, COLORADO

By: _____
Angela Ternus, Mayor Pro Tem

ATTEST:

_____
Michelle M. Oeser, Town Clerk

LICENSEE

By: _____

_____
Title Date

ATTEST:

_____

_____
Title Date

DocuSign Envelope ID: C2D6FDC0-B81A-4509-BD6C-3113EBEE3668

DR 8439 (09/19/19)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
(303) 205-2300

Application for a Special Events Permit

Departmental Use Only

Received
MAR 13 2022
Town of Elizabeth

In order to qualify for a Special Events Permit, You **Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following** (See back for details.)

- [x] Social
- [ ] Fraternal
- [ ] Patriotic
- [ ] Political
- [ ] Athletic
- [ ] Chartered Branch, Lodge or Chapter
- [ ] National Organization or Society
- [ ] Religious Institution
- [ ] Philanthropic Institution
- [ ] Political Candidate
- [ ] Municipality Owned Arts Facilities

LIAB	Type of Special Event Applicant is Applying for:	
2110	[ ] Malt, Vinous And Spirituous Liquor	$25.00 Per Day
2170	[x] Fermented Malt Beverage	$10.00 Per Day

DO NOT WRITE IN THIS SPACE
Liquor Permit Number

1. Name of Applicant Organization or Political Candidate: ELIZABETH FIREFIGHTERS COMMMUNITY FOUNDATION
State Sales Tax Number (Required): 20-2861740

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP): PO BOX 441, ELIZAETH, CO 80107

3. Address of Place to Have Special Event (include street, city/town and ZIP): 500 E KIOWA AVE ELIZABETH, CO 80107

4. Authorized Representative of Qualifying Organization or Political Candidate: RUSTY BOOTH [redacted]

Authorized Representative's Mailing Address (if different than address provided in Question 2.) [redacted]

5. Event Manager: DON MEANS [redacted]
Phone Number [redacted]

Event Manager Home Address (Street, City, State, ZIP) [redacted]
Email Address of Event Manager: DMEANS@FARMERSAGENT.COM

6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year?
[x] No [ ] Yes How many days? _____

7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes?
[ ] No [ ] Yes License Number _____

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? [x] Yes [ ] No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date	Hours From	To	Date	Hours From	To	Date	Hours From	To	Date	Hours From	To	Date	Hours From	To
08/17/22	4:00 P.m.	8:00 P.m.		.m.	.m.		.m.	.m.		.m.	.m.		.m.	.m.
	.m.	.m.		.m.	.m.		.m.	.m.		.m.	.m.		.m.	.m.
	.m.	.m.		.m.	.m.		.m.	.m.		.m.	.m.		.m.	.m.

Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature: DocuSigned by: Rusty Booth 55ADF85C38444DE...
Title: BOARD PRESIDENT
Date: 3/15/2022

Report and Approval of Local Licensing Authority (City or County)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

Local Licensing Authority (City or County) [ ] City [ ] County
Telephone Number of City/County Clerk

Signature
Title
Date

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

Liability Information

License Account Number	Liability Date	State	Total
		-750 (999)	$.

(Instructions on Reverse Side)

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 03/15/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER

Don Means(0727B91)
166 S Main St

Elizabeth CO 80107-7565

CONTACT NAME:

PHONE (A/C, NO, EXT): 303-646-9701 FAX (A/C, NO): 303-646-9716

E-MAIL ADDRESS: dmeans@farmersagent.com

INSURED

MEANS AGENCY, INC
PO BOX 1947

ELIZABETH CO 80107

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A:	Truck Insurance Exchange	21709
INSURER B:	Farmers Insurance Exchange	21652
INSURER C:	Mid Century Insurance Company	21687
INSURER D:		
INSURER E:		
INSURER F:		

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAME ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDTL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
B	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PROJECT [ ] LOC OTHER:	Y	N	045889275	10/01/2021	10/01/2022	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea Occurrence)	$ 100,000
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 1,000,000
								$
B	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [ ] HIRED AUTOS ONLY [X] NON-OWNED AUTOS ONLY		N	045889275	10/01/2021	10/01/2022	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	[ ] UMBRELLA LIAB [ ] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/ EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N [ ] If yes, describe under DESCRIPTION OF OPERATIONS below	N/A						[ ] PER STATUTE [ ] OTHER	$
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
166 S MAIN ST, ELIZABETH, CO 80107

CERTIFICATE HOLDER

TOWN OF ELIZABETH
151 S BANNER ST

ELIZABETH CO 80107

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

©1988-2015 ACORD CORPORATION. All Righ
The ACORD name and logo are registered marks of ACORD

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Elizabeth Firefighters Community Foundation, Inc.

is a

Nonprofit Corporation

formed or registered on 04/08/2005 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20051147317 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 03/14/2022 that have been posted, and by documents delivered to this office electronically through 03/15/2022 @ 11:21:45 .

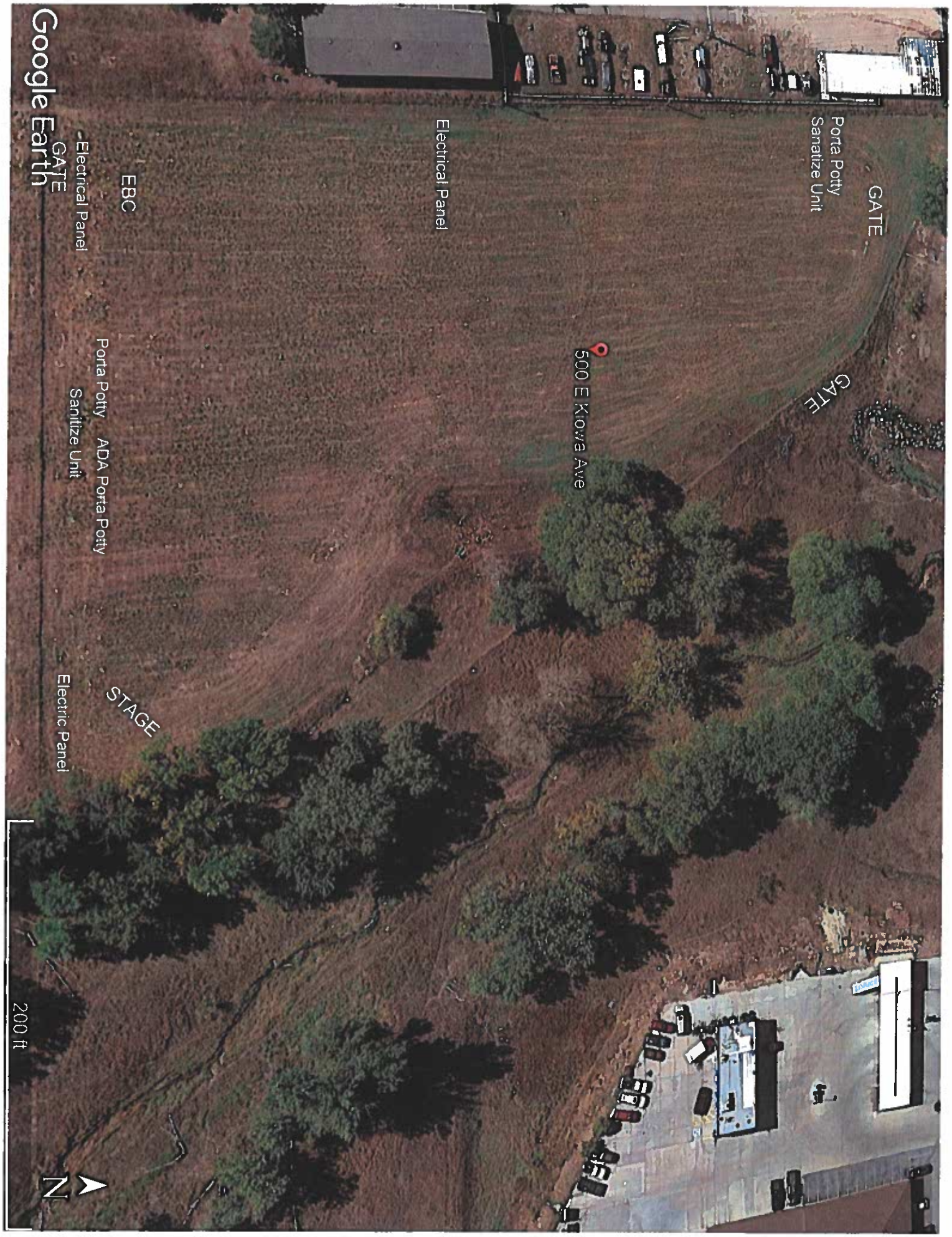
I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 03/15/2022 @ 11:21:45 in accordance with applicable law. This certificate is assigned Confirmation Number 13867928 .

Jena Griswold

Secretary of State of the State of Colorado

**********End of Certificate**********

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, http://www.sos.state.co.us/biz/CertificateSearchCriteria.do entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, http://www.sos.state.co.us/ click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."


GATE
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EBC
Porta Potty
ADA Porta Potty
Sanitize Unit
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Electrical Panel
GATE
Google Earth
200 ft
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TO: Honorable Mayor and Board of Trustees
FROM: Michelle M. Oeser, Town Clerk
DATE: April 12, 2022
SUBJECT: Town of Elizabeth Farmers Market Special Event License

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SUMMARY

On March 25, 2022, the Town of Elizabeth applied for a Special Event Liquor License for the Town's Summer Farmers' Market series.
Kiley Noaks will be the event manager for the Farmers' Market. Ms. Noaks will be present at the Board meeting to answer any questions the Board has.
The map that is included depicts where the stage, serving areas and check point gates will be located for the event.

The Elizabeth Police Department does not have any issues that would affect approval of this license application.

STAFF RECOMMENDATION

Staff recommends approval of the Town of Elizabeth's Farmers' Market Special Event License application.

ATTACHMENTS

Special Event Application

DR 8439 (09/19/19)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
(303) 205-2300

Application for a Special Events Permit

Departmental Use Only

Received
MAR 25 2022
Town of Elizabeth

In order to qualify for a Special Events Permit, You **Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following** (See back for details.)

- ☐ Social
- ☐ Fraternal
- ☐ Patriotic
- ☒ Political
- ☐ Athletic
- ☐ Chartered Branch, Lodge or Chapter
- ☐ National Organization or Society
- ☐ Religious Institution
- ☐ Philanthropic Institution
- ☐ Political Candidate
- ☐ Municipality Owned Arts Facilities

LIAB — **Type of Special Event Applicant is Applying for:**

- 2110 ☒ Malt, Vinous And Spirituous Liquor — $25.00 Per Day
- 2170 ☐ Fermented Malt Beverage — $10.00 Per Day

DO NOT WRITE IN THIS SPACE
Liquor Permit Number

1. Name of Applicant Organization or Political Candidate: Town of Elizabeth
State Sales Tax Number (Required):

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP)
PO Box 159
Elizabeth, CO. 80107

3. Address of Place to Have Special Event (include street, city/town and ZIP)
500 E. Kiowa Ave.
Elizabeth, CO. 80107

4. Authorized Representative of Qualifying Organization or Political Candidate: Patrick Davidson
Date of Birth: [redacted]
Phone Number: 303-646-4166

Authorized Representative's Mailing Address (if different than address provided in Question 2.)

5. Event Manager: Elizabeth Brewing Company -Kiley Noakes
Date of Birth: [redacted]
Phone Number: [redacted]

Event Manager Home Address (Street, City, State, ZIP): [redacted]
Email Address of Event Manager: [redacted]

6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year?
☒ No ☐ Yes How many days? _____

7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes?
☒ No ☐ Yes License Number _____

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? ☐ Yes ☐ No

List Below the Exact Date(s) for Which Application Is Being Made for Permit

Date	Hours From	To	Date	Hours From	To	Date	Hours From	To	Date	Hours From	To	Date	Hours From	To
06/10/22	3:00 p.m.	10:00 .m.	06/17/22	3:00 p.m.	10:00 p.m.	06/24/22	3:00 p.m.	10:00 p.m.	07/01/22	3:00 p.m.	10:00 p.m.	07/08/22	3:00 p.m.	10:00 p.m.
07/15/22	3:00 p.m.	10:00 p.m.	07/22/22	3:00 p.m.	10:00 p.m.	07/29/22	3:00 p.m.	10:00 p.m.	08/05/22	3:00 p.m.	10:00 p.m.	08/12/22	3:00 p.m.	10:00 p.m.
08/19/22	3:00 p.m.	10:00 p.m.		.m.	.m.		.m.	.m.		.m.	.m.		.m.	.m.

Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature: [signature] | Title: Town Administrator | Date: 03/25/22

Report and Approval of Local Licensing Authority (City or County)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

Local Licensing Authority (City or County) ☐ City ☐ County
Telephone Number of City/County Clerk

Signature | Title | Date

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

Liability Information

License Account Number	Liability Date	State	Total
		-750 (999)	$.

(Instructions on Reverse Side)

500 E Kiowa Ave.
Write a description for your map.
Legend
500 E Kiowa Ave
Grumpy's Coffee
Running Creek Auto Center
Untitled Placemark
Gate
Gate
500 E Kiowa Ave
EBC
Pie
Stage
Untitled Placemark
Gate
Untitled Placemark
200 ft
N
oogle Earth

TO: Honorable Mayor and Board of Trustees
FROM: Michelle Oeser Town Clerk
DATE: April 12, 2022
SUBJECT: Elephant Rock Bicycle Tour

SUMMARY

On February 14, 2022, the Scott Olmsted, representing Elephant Rock Bicycle Tour, applied for a Special Event Permit for the last Elephant Rock Bicycle Tour.
They have requested to use the Gesin Lot during a period of the event. They will have food, medical care, bicycle repairs, and restrooms located on the lot.
All necessary paperwork has been completed and turned in as required. The applicant was provided with new costs to use the Gesin Lot.
All partner agencies and town departments have reviewed the application and have no concerns with the planned event.
The applicant has turned in paperwork required by the Elbert County Health Department. This will ensure safeguards are in place.

STAFF RECOMMENDATION

Staff recommends approval of the Elephant Rock Bicycle Tour application for use of the Gesin Lot be approved.

ATTACHMENTS(S)

Special Event Application
Event Agreement
Resolution 22R18
License

P.O. Box 159, 151 S. Banner St.
Elizabeth, Colorado 80107

ELIZABETH
COLORADO

Phone: (303) 646-4166
Fax: (303) 646-9434
http://www.townofelizabeth.org

RECEIVED
FEB 14 2022
Town of Elizabeth

Town of Elizabeth

Application for Special Event, Parade or Race

All Executive and Public Health Orders Effective

At the Time of the Event Must Be Adhered to Throughout the Duration of the Event

This application along with a $10 application fee must be submitted to the Town Clerk At least Twenty (20) days prior to the Date of intended use and approved by the Town Board.

1. Event: Ma Elephant Rock Bicycle Tour Date of Event: 6/5/2022

Date(s) and Time(s) for which permission is requested including setup and cleanup: Time of Actual Event:

Date: 6/4/2022 From: 2-5 pm To: Deliver Toilets

Date: 6/5/2022 From: 5AM To: 1PM

2. Applicant (Organization or Individual): Elephant Rock / Scott Olmsted

Address: 1600 Pearl St Ste 300 Boulder CO 80302 Telephone # 720 339 8018

ONLY ORGANIZATIONS FILL OUT THE REMAINDER OF ITEM #2:

The Organization is: Profit X Non-Profit ____, Attach Copy of Certificate of Incorporation with Non-Profit Status if same is not already on file with the Town Clerk.

INDIVIDUAL RESPONSIBLE FOR THE EVENT:

Name Scott Olmsted Telephone # 720 339 8018

Address 1600 Pearl St - Ste 300 Boulder CO 80302

3. Please mark the route choice below.

Staging area:

Absolutely no parade routes will be considered other than the above mentioned based on the safety of the citizens and traffic concerns.

4. Estimated Number of Participants: 1500-2500 Estimated Number of Spectators: 100

5. Will there be animals or vehicles in the event? Yes If yes, explain including how many: 15-20 Support vehicales will be on course 10-15 Aid Station vehicles will be Parked

6. Are you requesting reserved parking for the event? Yes If yes, specify number and location: See above

7. How will the applicant provide trash and litter control for the event? Staff + Volunteers

8. Will Applicant provide portable Restrooms for the event? Yes Where will they be located? Proposey to use the Geesen Property Parking Lot / Town of Elizabeth

9. Will the applicant provide medical coverage for the event? Yes
If yes, specify what level of medical expertise and where they will be located: we will work w/ Rapid Response & Possibley w/ the Town will rove the course & monitor all Riders.

10. Will any organization or individual other than the applicant has any exhibit or sales booth in the area during the event? NO If yes, explain who and what:

11. Will there be any fees for your event? Yes If yes, explain: Registration fee's

12. Will your event be open to the Public? Yes

13. Will there be any vehicles, trailers or tents for the event? Yes
If yes, explain and include the dimensions of any tents: 2-10x10 tents for Shade @ the aid station & Sumal vehicales Parked by the Vol.

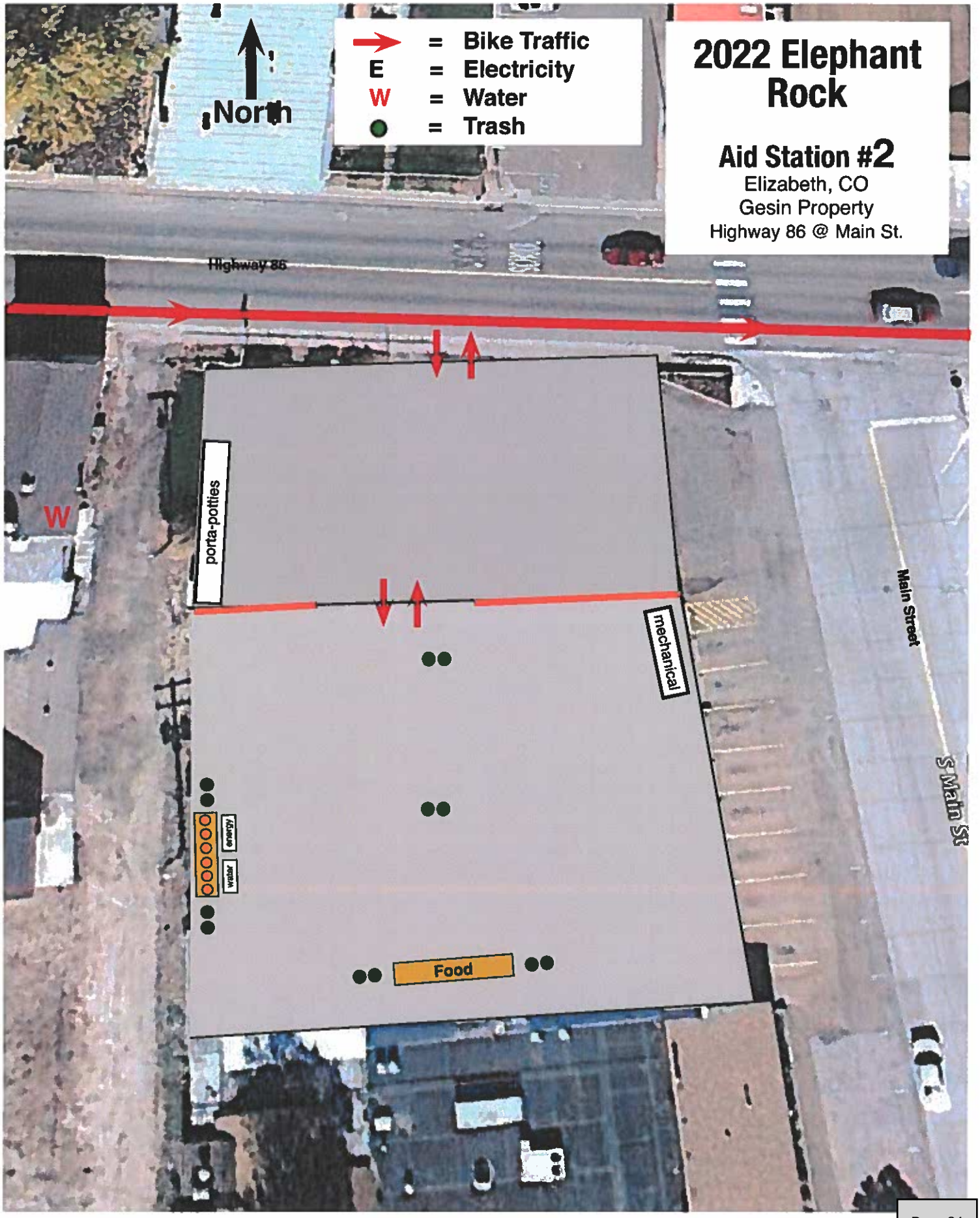
14. Will you be applying for a special event liquor permit to have alcohol in the area? NO

15. Will any food vendors be present at the event? NO

EVIDENCE OF LIABILITY INSURANCE FOR THE EVENT MUST BE SUBMITTED TO THE TOWN PRIOR TO THE EVENT. THE TOWN OF ELIZABETH MUST BE NAMED AS ADDITIONAL INSURED ON THE CERTIFICATE OF INSURANCE.

I have read the attached policy for the use and understand the policy and agree to comply with all the provisions set forth therein.

Signature of Applicant: [signature] Date: 2-10-22


= Bike Traffic
E = Electricity
W = Water
= Trash
North
2022 Elephant Rock
Aid Station #2
Elizabeth, CO
Gesin Property
Highway 86 @ Main St.
Highway 86
W
porta-potties
mechanical
Main Street
S Main St
water
energy
Food

EVENT PERMIT AGREEMENT

The event permit at 165 S. Main St. for Elephant Rock Bicycle Tour on Sunday June 5, 2022, for the time period of 5:00 am to 1:00 pm is granted to Scott Olmsted contingent upon the following requirements:

1) The Event within the Town of Elizabeth is limited to the property indicated on the route provided.

2) Permission is granted for times beginning at 5:00 AM and ending at 1:00 PM to include setup and cleanup.

3) All areas within the permit area shall be free of all debris generated from the Event, upon conclusion.

4) Applicant for the Event shall provide proof of comprehensive liability insurance acceptable to the Town for the Event, in the minimum amount of three hundred fifty thousand dollars ($350,000.00) per person, and nine hundred ninety thousand dollars ($990,000.00) per occurrence or such additional amount that may be determined by the Town based on the nature or scope of the Event. Town of Elizabeth shall be listed as additionally insured.

5) Applicant Scott Olmsted will submit a $1,000.00 deposit as security for cleanup of the permit area and hereby agrees that the Town may draw from that $1000.00 deposit should the Applicant for the Elephant Rock Bicycle Tour fail to clean up or damage property in the permitted area.

6) Applicant accepts responsibility for any potential liability from the Event. More specifically, in consideration for the Town allowing Applicant to use Town property, the Applicant agrees to hold the Town, its officers, agents, consultants, and representatives (collectively, the "Town"), harmless for any loss, damage, property damage, injury, or death to Applicant or its invitees, including participants in the Event, and Applicant's agents as a result of Applicant participation in the Event, and the participation of Applicant's invitees in the Event. Applicant further agrees to release, waive and discharge, and covenant not to sue the Town for any claims, demands or actions whatsoever arising out of any loss, damage, property damage, or injury incurred on or to Applicant or Applicant's invitees or Applicant's agents as a result of participation in the Event. This release of liability applies equally to losses, damages or injuries caused or alleged to be caused in whole or in part by the negligence of the Town.

I on behalf of the Applicant have read the above waiver and release, understand that Applicant has given up substantial rights by signing it, and I sign this waiver and release below voluntarily and with full authorization on behalf of the Applicant.

By signing this agreement and the Waiver and Release, applicant represent they have authority to execute agreement on behalf of the Scott Olmsted and agrees to comply with the requested requirements for the Event. Failure to meet the requirements outlined may result in the revocation of Event Permit or penalties as provided in Section 11-4-120 of the Elizabeth Municipal Code.

Scott Olmsted
Printed Name

Signature

4.4.22
Date

Town Representative

Date

RESOLUTION 22R09

A RESOLUTION ESTABLISHING PARK USE FEES IN THE TOWN OF ELIZABETH

WHEREAS, the Town of Elizabeth (the "Town") desires to set and adopt a fee schedule for the use of certain parks in the Town.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

Section1. The Board of Trustees hereby adopts the Park Fee Schedule attached hereto and incorporated herein by this reference as **Exhibit A**, to establish the necessary fees for use of parks in the Town.

PASSED, APPROVED, and ADOPTED this 22 day of February, 2022, by the Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of 7 for and Ø against.

Megan Vasquez, Mayor

ATTEST

Michelle M. Oeser, Town Clerk

TOWN OF ELIZABETH INCORPORATED SEAL SEPTEMBER 24 1890 ELBERT COUNTY COLORADO

EXHIBIT A

TABLE 1-A – PARK FEE SCHEDULE FOR GESIN LOT AND RUNNING CREEK PARK

1. **At a cost of $100 per 4 hours**
    - **8 am-12 pm**
    - **12 pm-4 pm**
    - **4 pm-8 pm**
    - **8pm-10 pm**

2. **At a cost of $300 for a full day**

RESOLUTION 22R18

A RESOLUTION APPROVING THE LICENSE AGREEMENT BETWEEN THE TOWN AND SCOTT OLMSTED, REPRESENATIVE FOR ELEPHANT ROCK BICYCLE TOUR

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

Section 1. The License Agreement between the Town and Scott Olmsted attached hereto is hereby approved by the Board of Trustees of the Town of Elizabeth, and the Mayor is authorized to execute same on behalf of the Town.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2022, by the Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of _____ for and _____ against.

_____
Megan Vasquez, Mayor

ATTEST

_____
Michelle M. Oeser, Town Clerk

LICENSE

THIS LICENSE is made and entered into this 12th day of April 2022, by and between the TOWN OF ELIZABETH, Colorado whose address is 151 S. Banner Street, Box 159, Elizabeth, Colorado 80107 (the "Town") and Scott Olmsted / Representative for Elephant Rock Bicycle Tour, whose address is c/o 1600 Pearl Street, Ste. 300, Boulder Colorado 80302".

1. PROPERTY LICENSED. The property that is licensed for the use and the term provided for in this license is described in Exhibit A, which is attached hereto and incorporated by this reference ("Property Licensed"). The Property Licensed for the use described herein is subject to all easements and rights-of-way of record.

2. INSURANCE. Licensee shall obtain for itself, its agents, successors, assigns, lessees, licensees and agents, necessary and adequate workman's compensation insurance, personal injury insurance, and property damage insurance, with limits commensurate with the hazards and risks associated with the use of the Property Licensed, but in no event less than the liability limits established by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as now in effect or as hereinafter amended, and a deductible of not less than one thousand dollars ($1,000.00). Neither Licensee nor its agents, successors and assigns shall commence any use of the Property Licensed until it has obtained all insurance required under this Section and shall have filed a certificate of insurance with the Town providing that the Town is an additional named insured thereunder.

3. USE FEE. Licensee covenants and agrees to pay Pare Use Fees, set by Resolution 22R09 (fee schedule is attached).

4. USE. Licensee covenants and agrees that it shall utilize the Property Licensed for the Elephant Rock Bicycle Tour, Scott Olmsted, June 5, 2022, and for no other purpose and not to use the Property Licensed or permit it to be used for purposes prohibited by the laws of the applicable United States, State of Colorado, or any political subdivision thereof.

5. RE-ENTRY. Licensee covenants and agrees to permit the Town or its duly authorized representatives to enter upon the Property Licensed at any reasonable hour of the day to do such acts and things as it deems necessary for the protection of its interests therein.

6. NOTICE. Any notice required under this License shall be in writing and mailed by certified mail to the respective parties at the address hereinabove given. The Town Administrator shall be the representative of the Town to accept or give any approval, notice or the like provided hereunder. In the event Licensee should change the address hereinabove given during the term of this License, Licensee shall notify the Town in writing of such change of address:

The Town: Town of Elizabeth
Attn: Town Administrator
PO Box 159
Elizabeth, CO 80107

Licensee: Elephant Rock Bicycle Tour
Scott Olmsted
1600 Pearl St. Ste. 300
Boulder, CO. 80302

7. NO COVENANT OF TITLE OR QUIET POSSESSION. The rights granted herein are without covenant of title or warranty of quiet possession of the Property Licensed and no water or water rights are granted by this License.

8. SUCCESSORS AND ASSIGNS. This License shall insure to the benefit of, and be binding upon, the respective legal representatives, heirs, successors and assigns of the parties.

9. ASSIGNMENT OR SUB-LEASE. Licensee covenants and agrees not to assign this License or to sublet any part of the Property Licensed without first obtaining the written consent of the Town.

10. PROPERTY LICENSED TAKEN "AS IS." Licensee understands and agrees that the Property Licensed is licensed "as is." The Town makes no warranty, written or implied, that the Property Licensed is fit for any purpose or that it meets any federal, state, county or local law, ordinance or regulation applying to the Property Licensed.

11. LIABILITY AND INDEMNIFICATION. The Town shall not be liable for any loss, injury, death or damage to any person or personal property which may arise from the use or condition of the Property Licensed including, but not limited to, loss, injury, death, or damage resulting from ice, water, rain, snow, gas, electrical wires, fire, theft, burst pipes or plumbing failures during the term of the License or any renewal thereof. Licensee hereby expressly agrees, to the extent permitted by law, to defend, indemnify and hold harmless the Town, its officers, agents, employees and insurers against any liability, loss, damage, demand, action, cause of action or expense of whatever nature (including court costs and attorney fees) which may result from any loss, injury, death or damage allegedly sustained by any person, firm, corporation or other entity which arises out of or is caused by reason of Licensee's negligent use of the Property Licensed or Licensee's failure to fulfill the terms and conditions of the License.

12. RESERVATION FOR BOARD USE. This License is made under and conformable to the provisions of all Town of Elizabeth regulations insofar as applicable. Said provisions are incorporated herein and made part hereof by this reference and shall supersede any apparently conflicting provisions otherwise contained in the License. The Town reserves the right to make full use of the Property Licensed as may be necessary or convenient in the operation of the public infrastructure of the Town and the Town retains all rights to operate, maintain, install, repair, remove or relocate any of its facilities located within the Property Licensed at any time and in such a manner as it deems necessary.

13. TERMINATION.

a. This License Agreement may be terminated by the Town at any time upon ten (10) days' written notice to Licensee.

b. If default shall be made in any of the covenants or agreements herein contained to be kept by Licensee, it shall be lawful for the Town to enter into the said Property Licensed, or any part thereof, either with or without process of law, to terminate the interest of Licensee or of any person or persons occupying the same, and to expel, remove or put out such person or persons, using such force as may be necessary in so doing, without being liable to prosecution or to damages therefor, and the said Property Licensed again to repossess and enjoy as in the first and former estate of the Town. If at any time the License shall be terminated as aforesaid, or by any other means, Licensee agrees to surrender and deliver up said Property Licensed peaceably to the Town immediately upon the termination, and if Licensee shall remain in possession after termination, Licensee shall be deemed guilty of a forcible detainer on said property Licensed, and waiving all notice, shall be subject to eviction and removal, forcibly or otherwise, with or without process of law.

14. VENUE. For the resolution of any dispute arising hereunder, venue shall be in the courts of Elbert County, State of Colorado.

IN WITNESS WHEREOF, the parties hereto each herewith subscribe the same in triplicate.

TOWN OF ELIZABETH, COLORADO

By: _____
Megan Vasquez, Mayor

ATTEST:

_____
Michelle M. Oeser, Town Clerk

LICENSEE

By: _____

_____
Title Date

ATTEST:

_____

_____
Title Date

TO: Honorable Mayor and Board of Trustees
FROM: Michelle Oeser Town Clerk
DATE: April 12, 2022
SUBJECT: Potentially Dangerous Dog Permit Fee

SUMMARY

On January 25, 2022, the Board updated Sec. 7-7-400 – Potentially dangerous dogs in the Elizabeth Municipal Code. Item 4 – (d) states:

(d) In addition to the license fees provided by this Article, the owner of a potentially dangerous dog shall pay an annual permit fee as set by the Town's fee schedule, to register and maintain registration of such owner or keeper as a potentially dangerous dog.

(g) (iii) If the dog has died or if ownership or possession of the potentially dangerous dog or the location of the potentially dangerous dog's primary habitat is changed to a person or location outside of the Town, the owner listed on the permit shall notify an animal control officer within twenty-four (24) hours of such change, including the name, address, and telephone number of the new owner, if relevant. If ownership or possession of the dog or the location of the dog's primary habitat is changed to a person or location at a different address within the Town, the owner listed on the permit shall notify an animal control officer within twenty-four (24) hours of the change, including the name, address and telephone number of the new owner, if relevant, and the new owner may be permitted to modify the permit to reflect the new owner's name in the discretion of an animal control officer, but such modification must be obtained within five (5) days of the change. The fee for a permit modification shall be as set by Town's fee schedule.

The attached Resolution address setting the permit fee schedule, and modification of permit for a potentially dangerous dog at $50 and $5. A discussion was held with the Town Administrator, Clerk, and Police Chief on establishing this fee. A consensus that $50 and $5 are reasonable cost to permit the dog. If a dog is judged to be potentially dangerous, the owner would have had to go through the court process and pay fines and fees previously. We are not looking to create hardships for citizens, but we are looking for accountability. There are additional requirements that go along with this type of conviction.

A copy of Ordinance 22-03 is included with this memo and has Sec. 7-7-400 highlighted for your review.

STAFF RECOMMENDATION
Staff is asking the Board to approve the $50 permit fee, as well as the $5 modification of permit fee to address potentially dangerous dog convictions.

ATTACHMENTS(S)
Ordinance 22-03
Resolution 22R19

ORDINANCE 22-03

AN ORDINANCE AMENDING VARIOUS SECTIONS OF ARTICLE VII OF CHAPTER 7 REGARDING THE REGULATION OF DOGS

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF ELIZABETH, COLORADO, THAT:

Section 1. Division 1 of Article VII of Chapter 7 of the Elizabeth Municipal Code is repealed in its entirety and reenacted to read as follows:

Division 1 – General Provisions

Sec. 7-7-10. General Provisions; Definitions.

(1) Purpose. The Town establishes this Article to protect the public health and safety of its citizens and to promote the general welfare of the citizens and dogs residing within the Town. Dog ownership is encouraged and welcomed within the Town; however, strong emphasis is placed on responsible ownership of dogs. Dog owners are encouraged to respect the rights of their fellow citizens and those of their animals. Primary responsibility is placed upon dog owners to properly train or secure their dogs to prevent them from causing injuries or creating nuisances.

(2) Interpretation.

(a) In interpreting and applying this Article, the requirements set forth herein are the minimum requirements for the protection of the public health, safety, and welfare. The provisions of this Article shall be liberally construed to accomplish its purposes.

(b) This Article shall not be deemed to interfere with, abrogate, annul, or otherwise affect in any manner whatsoever any ordinances, rules, regulations, permits or agreements between parties; provided, however, that where this Article imposes stricter requirements upon the care, maintenance and control of dogs than are imposed or required by other ordinances, rules, regulations, permits or agreements, the provisions of this Article shall prevail.

(3) Definitions. For all purposes under this Article, the following words and phrases shall be construed as follows:

Animal control officer means any person employed by the Town to enforce the provisions of this Article, and any and all police officers of the Town.

Control shall mean that the dog is on a leash, cord, or chain not more than ten (10) feet in length held by a person of sufficient age, size, and physical ability to restrain the dog. Electric leashes are specifically prohibited.

Dangerous dog means any dog, except a dog assisting a law enforcement officer, engaged in law enforcement duties that:

1. Causes serious bodily injury to any person or domesticated animal or behaves in a manner that would have resulted in such serious bodily injury except for the fact that there was intervention by a person to stop the behavior.

2. Has been previously adjudged as a potentially dangerous dog under this Article and the owner has failed to obtain and/or maintain the required potentially dangerous dog permit; or the dog has engaged in subsequent behavior that poses a threat to public safety or for which any of the potentially dangerous dog permit conditions set forth for the keeping of potentially dangerous dogs have been violated (unless the dog owner has been relieved of the obligation to maintain such permit as set forth in this Article).

3. Engages in or has been trained for dog fighting as described and prohibited in C.R.S. § 18-9-204.

Dog means any dog, whether male or female, regardless of age, except that for purposes of licensing, registration and vaccinations, "dog" shall mean a male or female dog that is at least four months old.

Harbor means to occupy any premises on which a dog is kept or to which a dog customarily returns for food and care.

Impound means to physically confine a dog at a licensed boarding facility or licensed kennel at the direction of an animal control officer.

Keeper means any person, or the parent, guardian or custodian of any minor, who is in possession of, or is keeping, harboring or caring for any dog

Owner means and includes any person or entity that owns, keeps, harbors, possesses, or has permanent control or custody of a dog, claims responsibility for a dog, or is declared by court decree to be the responsible party for a dog or the authorized agent of any such person. The parent or guardian of any minor claiming ownership of a dog shall be deemed to be the owner of the dog for purposes of this Article.

Persistent means continuously without substantial interruption for a period of thirty (30) minutes or longer.

Potentially dangerous dog means any dog, except a dog assisting a law enforcement officer engaged in law enforcement duties, that may be a threat to public safety as may be demonstrated by any of the following behaviors:

1. Acts in a highly aggressive manner within a fenced yard or

enclosure and appears to a reasonable person to be able to jump over or escape such fenced yard or enclosure.

2. Without provocation, approaches any person in a menacing or terrorizing manner, or in an apparent attitude of attack, whether such person is in motion or standing still, and whether such person is on foot or on or in a vehicle or device which allows such person to be in motion.

3. Any dog that without provocation menaces, chases, displays threatening or aggressive behavior, or otherwise threatens or endangers the safety of any person or domesticated animal.

4. Attacks any person or domesticated animal that is lawfully on the owner's property.

5. Without provocation causes any injury, less than serious bodily injury, to any person or domesticated animal at any place within the Town.

6. Any dog declared to be potentially dangerous, or potentially vicious, or a like definition, by any jurisdiction.

Serious bodily injury means bodily injury directly inflicted by the dog which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of permanent disfigurement, or a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or results in break, fractures, or burns of the second or third degree.

Sec. 7-7-20. Power and duties of animal control officer; Interference.

(1) Animal control officers shall have the power and duty to enforce all sections of this Article and any other ordinances or laws of the state pertaining to dogs. In the furtherance of such duties, such officers may issue, sign, and serve penalty assessments or summons and complaints to enforce the provisions of this Article.

(2) Animal control officers shall keep accurate and detailed records of the impoundment and disposition of all dogs coming into custody, and of all reports of any dog bites reported to such officers.

(3) It shall be lawful for any animal control officer to go upon private property to capture any dog to be impounded for, or to investigate any report of a violation of this Article, if:

(a) The officer has obtained consent of the person in possession of the property.

(b) The officer has obtained a search warrant pursuant to Rule 241 of

the Colorado Municipal Court Rules.

(c) The officer is in pursuit of a dog which is, or has been, running at large.

(d) The officer is in pursuit of a dog which the officer has probable cause to believe has bitten a person or other domesticated animal.

(e) The officer is attempting to abate a continuing violation when the owner of the property is not available.

(f) Nothing in subsections (3)(c), (3)(d), or (3)(e) of this section shall be deemed to authorize entry into any enclosed building on private property.

(4) If an affidavit has been submitted to the Municipal Court Judge which satisfies the Judge that a dog which is the subject of a violation of this Article, is located within the Town and that the dog either poses a clear and present danger to the health, general welfare or safety of other persons or animals or is suffering extreme neglect or cruelty, the Municipal Court Judge may order the dog seized by the animal control officer pursuant to Rule 241 of the Colorado Municipal Court Rules. The owner of the dog may request a hearing concerning any such order for seizure entered pursuant to this subsection by filing an appropriate motion pursuant to applicable rules in the Colorado Municipal Court Rules. Whenever a dog is seized by order of the Municipal Court or other court, the kennel shall not adopt out, donate, or euthanize the dog unless such action is permitted by a subsequent order of the same court which ordered the initial seizure.

(5) Notwithstanding paragraphs (3)(b) or (3)(f), above, if an animal control officer has reasonable cause to believe that the keeping or harboring of any dog is so hazardous, unsafe or dangerous as to require immediate inspection to safeguard the dog or the public health or safety, the animal control officer shall have the right to immediately enter and inspect the property or vehicle in or upon which the dog is kept, and may use any reasonable means required to effect such entry and make such inspection, whether the property or vehicle is occupied or unoccupied and whether permission to inspect has been obtained or not. If the property or vehicle is occupied, the animal control officer shall first present proper credentials to the owner or occupant of the property or vehicle and demand entry, explaining his or her reasons therefore and the purpose of the inspection. Such entry shall be solely for the purpose of abating the violation, and no evidence obtained during or as a result of such entry shall be admissible for purposes of prosecution.

(6) It is unlawful for any person to interfere with, molest, hinder, or prevent any police officer or animal control officer or his or her authorized representative in the discharge of their duties as prescribed herein, or to violate any of the provisions of this Article.

Sec. 7-7-30. Violations and penalties.

It is unlawful for any person to violate any of the provisions of this Article, and except as otherwise specifically provided elsewhere in this Article, any such violation shall be punished as provided below:

(1) In the discretion of the Municipal Court, every person convicted of, or who pleads guilty or no contest to, a violation of any provision of this Article, shall be punished by a fine of not less than twenty-five dollars ($25.00), but not exceeding one thousand dollars ($1,000.00) per violation or count, by imprisonment not exceeding ninety (90) days or by useful community service or any combination of the above. Each day of any violation of this Article shall constitute a separate offense.

(2) Authority is hereby expressly granted to the judges of the Municipal Court to enter any order enjoining an activity or authorizing its restraint, removal, termination or abatement by the owner, any agent, occupant, or other person who has caused the violation or allowed it to continue. If the owner, agent, occupant or other person fails to comply with the order of the Court, the Court may order abatement or removal of the violation and assess such costs incurred by the Town in removing or abating the violation against the person found by the Court to have caused, allowed to be caused, or allowed the violation to continue and such amount shall become a lien upon any real property on which abatement was performed if such amount is not paid to the Court within the time established by the Court for such amount to be paid.

(3) Restitution. The court shall order any owner who is convicted of, or enters into a deferred judgment for any violation that includes injury or death of another animal, regardless of the charge to which any owner is convicted of or pleads guilty, to make restitution as follows:

(a) If the owner's dog injures any animal, restitution shall be equal to any reasonable and necessary medical expenses in treating such animal and in rehabilitating such animal.

(b) If the owner's dog destroys any animal, restitution shall be the greater of the fair market value or the replacement value of such animal on the date, but before the time, the animal was destroyed, plus any reasonable and necessary medical expenses incurred in treating the animal and the expense to dispose of such animal.

Section 2. Section 7-7-160 of the Elizabeth Municipal Code is repealed and reenacted to read as follows:

Sec. 7-7-160. Rabies – Quarantine.

(1) The owner of any dog that bites any person or other animal shall deliver the dog to the Town and shall provide such information as may be requested by an animal control officer.

(2) Any dog which is found within the Town and which is suspected to be carrying rabies shall immediately be turned over to an animal control officer. An animal control officer shall, at the owner's expense, quarantine and impound such dog for a period of ten (10) days; and if during such period such dog displays symptoms of illness; its disposition, including without limitation, destruction, shall be determined by the Town in consultation with a licensed veterinarian.

(3) A dog which is known to have been exposed to an animal infected with rabies shall be quarantined and shall be closely confined by its owner in a sufficiently fenced, locked area, or a kennel, all at the expense of the owner for a period of ten (10) days and take such other steps as may be necessary to prevent the spread of rabies.

(4) If it is known who the owner or keeper of a dog that is quarantined or impounded pursuant to this section, the owner or keeper shall be held responsible for any costs incurred by the Town related to the impoundment, care, and disposition of said dog regardless of whether the owner or keeper reclaims the dog.

(5) No person shall kill any suspected or confirmed rabid dog except upon the written consent of an animal control officer. A person shall be authorized to kill any suspected or confirmed rabid dog in defense of a person or other animal or to prevent the escape of such suspected or confirmed rabid dog.

Section 3. Section 7-7-200 of the Elizabeth Municipal Code is amended to read as follows:

Sec. 7-7-200. Dog license required.

Any person having custody of any dog three (3) months of age or older for seven (7) days shall procure a dog license. License fees shall be paid every two years to the Town Clerk. License fees shall be five dollars ($5.00) for each neutered male or spayed female dog, and ten dollars ($10.00) for each unsterilized dog. All dog licenses issued hereunder shall be valid for two (2) calendar years. Upon collection of the dog license fee by the Town Clerk, a dated receipt shall be issued stating the name and address of the owner, dog tag number, description of dog, together with an Elizabeth dog license tag stamped with a serial number. The dog's license tag shall be affixed to its collar or chain.

Section 4. Division 6 of Article VII of Chapter 7 of the Elizabeth Municipal Code is repealed and reenacted to read as follows:

Division 6 – Wild or Vicious Animals

Sec. 7-7-400. Potentially dangerous dogs.

(1) It is unlawful to keep or maintain any potentially dangerous dog within the Town without compliance with this section.

(2) Whenever any dog engages in behavior that meets the definition of a potentially dangerous dog, the owner of such dog shall be charged with a violation of this section, and the dog may be seized and impounded as set forth in this Article. If the dog is impounded, such owner shall also be required to meet the financial bonding requirements set forth in this Article. If the identity of the owner of a dog, which the animal control officer reasonably believes to be potentially dangerous cannot be reasonably determined, the dog shall be immediately confiscated. If the owner or keeper then claims such dog, the dog may in the discretion of an animal control officer be released to its owner or keeper, together with a copy of the summons and complaint charging a violation of this section. Any dog impounded which is not claimed within a five-day period may be subject to orders from the Municipal Court for disposal by the kennel. Disposal may be by adoption, donation, or humane destruction at the sole discretion of the kennel.

(3) After any dog has been adjudged potentially dangerous through conviction or entry of a plea in the Municipal Court, the dog may be permitted to remain in the Town if and only if the owner applies for and receives a potentially dangerous dog permit from the Town, and the Municipal Court shall order any such owner of a potentially dangerous dog to apply for such permit within five (5) days of the date of conviction, and to maintain such permit for such dog at all times unless the dog is later determined by an animal control officer to no longer be potentially dangerous in accordance with subsection (7) of this Section 7-7-400. The owner or keeper of a potentially dangerous dog shall at all times comply with all conditions of such permit.

(4) Applications for potentially dangerous dog permits shall include:

(a) The name and address of the applicant and of the owner of the dog and the names and addresses of two (2) persons who may be contacted in the case of an emergency.

(b) An accurate description of the dog for which the permit is requested.

(c) The address or place where the dog will be located.

(d) In addition to the license fees provided by this Article, the owner of a potentially dangerous dog shall pay an annual permit fee as set by the Town's fee schedule, to register and maintain registration of such owner or

keeper as a potentially dangerous dog.

(e) The dog's microchip information, if applicable.

(f) Proof that the dog has a current rabies vaccination.

(g) Such other information as the Town may require.

(5) Conditions of a potentially dangerous dog permit may include:

(a) Any owner or keeper of a potentially dangerous dog shall be jointly and severally responsible with all other owners of such dog for compliance with the requirements of this subsection and the permit issued hereunder.

(b) The owner or keeper of any potentially dangerous dog shall be allowed only one (1) permitted potentially dangerous dog and no household within the Town shall be allowed to harbor more than one (1) permitted potentially dangerous dog at any time.

(c) The owner or keeper of a potentially dangerous dog shall be a responsible adult eighteen (18) years of age or older.

(d) The location where the potentially dangerous dog is possessed or maintained must be kept clean and sanitary and the dog must be provided proper and adequate food, water, ventilation, shelter, and care at all times.

(e) Animal control officers must be permitted at any reasonable time to inspect the dog and premises for compliance with this section.

(f) The owner of the potentially dangerous dog shall provide and pay for the implantation of a microchip within such dog, and shall provide proof of compliance with this requirement at the time of making the permit application.

(g) The owner of a potentially dangerous dog shall notify an animal control officer, in person or by telephone, of any of the following occurrences within the scheduled time frames as set forth in this subsection:

(i) Within eight (8) hours after the dog has escaped or has otherwise ceased to be in custody of the owner for any reason, unless the owner knows such dog to be physically secured, restrained, or confined and to be in the custody of another adult who is competent.

(ii) Within eight (8) hours after the dog has attacked a person or another domestic animal.

(iii) If the dog has died or if ownership or possession of the potentially dangerous dog or the location of the potentially dangerous dog's primary habitat is changed to a person or location outside of the Town, the owner listed on the permit shall notify an animal control officer within twenty-four (24) hours of such change, including the name, address, and telephone number of the new owner, if relevant. If ownership or possession of the dog or the location of the dog's primary habitat is changed to a person or location at a different address within the Town, the owner listed on the permit shall notify an animal control officer within twenty-four (24) hours of the change, including the name, address and telephone number of the new owner, if relevant, and the new owner may be permitted to modify the permit to reflect the new owner's name in the discretion of an animal control officer, but such modification must be obtained within five (5) days of the change. The fee for a permit modification shall be as set by Town's fee schedule.

(5) At the discretion of the Municipal Court a potentially dangerous dog permit may contain any or all of the following conditions:

(a) Spaying or neutering of potentially dangerous dog.

(b) Except under the circumstances otherwise specifically permitted by this section, a potentially dangerous dog shall at all times be maintained inside a proper enclosure.

(c) The potentially dangerous dog shall not be present, kept or maintained at any location other than as specified in the permit.

(d) A sign which is clearly visible to the general public shall be posted on the premises where a potentially dangerous dog is kept, warning that there is a dog on the premises which presents a potential danger to persons or other domestic animals. Such sign shall have the dimensions, colors, graphics, and lettering that comply with the standards as established by the Town Administrator or designee. Such sign shall also include a symbol sufficient to convey, without the use of words, the message that there is a dog on the premises which presents a potential danger to persons or other domestic animals.

(e) The potentially dangerous dog shall not be permitted to be outside a proper enclosure on the premises named in the permit except for the purpose of obtaining supervised and attended exercise, veterinary care, being sold or given away, or to comply with any provision of law or directive of an animal control officer. When outside the proper enclosure for such permitted purposes, the dog must be properly muzzled and restrained by a substantial chain or leash not to exceed ten (10) feet in length, under the control of a responsible adult at all times who has the physical ability to

restrain the movement of such dog. Notwithstanding, potentially dangerous dogs may be confined humanely within a vehicle, provided that the dog cannot escape or inflict injury upon any person or other domestic animal.

(6) Except as provided in Subsection (7) of this Section 7-7-400 below, the permit as provided in this section shall be renewed annually with the Town.

(7) In the discretion of the Municipal Court, upon written request from the owner, if there are no additional documented findings by an animal control officer of any behavior of the potentially dangerous dog which indicates that the dog remains a threat to the public safety for the (36) thirty-six-month period from the effective date of the initial potentially dangerous dog permit, the owner may be relieved of the obligation to continue to maintain a potentially dangerous dog permit.

(8) The Municipal Court shall consider the following affirmative defenses if evidence thereof is presented in determining whether a dog is dangerous or potentially dangerous:

(a) The underlying evidence leading to the charge against the dog as dangerous or potentially dangerous.

(b) Whether any injury or damage to a person by the dog was caused or contributed to by the actions of that person, including acts of physical abuse, tormenting, teasing, or assaulting the dog.

(c) Whether a person injured or damaged by the dog was committing a trespass or other tort upon premises occupied by the owner or keeper of the dog, or was committing or attempting to commit a crime.

(d) Whether any injury or damage to a domesticated animal was caused or contributed to by the actions and behavior of the domesticated animal such as teasing or attacking the dog.

(e) Whether a person injured or damaged by the dog had gained uninvited and unauthorized entry into the fenced or indoor property of the owner or keeper of the dog. As used in this section, unauthorized entry does not include entry into a fenced residential front yard unless the yard is locked or posted to prohibit entry.

(f) Whether any injury or damage to a person by the dog was caused while the dog was protecting or defending a person within the immediate vicinity of the dog from an unjustified attack or assault.

Sec. 7-7-410. Presumption of ownership.

Any adult at whose residence a dangerous dog or potentially dangerous dog is kept or found shall be presumed to be an owner of such dog and shall have the burden of rebutting such presumption. If a dog has more than one (1) owner within the meaning of this section, any one (1) of such owners may be prosecuted for violations of this section whether or not any other owners are also prosecuted.

Sec. 7-7-420. Dangerous dogs.

It is unlawful to own, keep, or maintain any dangerous dog within the Town. Whenever any dog engages in behavior that meets the definition of a dangerous dog, the owner of such dog shall be charged with a violation of this Article, and the dog shall be seized and impounded as set forth in this Article. Any person convicted of a violation of this section shall, in addition to all other permitted penalties under this section, be required to humanely destroy such dog or to remove and maintain the dog outside the Town.

Section 5. Division 7 of Article VII of Chapter 7 of the Elizabeth Municipal Code is repealed and reenacted to read as follows:

Division 7 – Impounded Animals

Sec. 7-7-450 Impounded and seized dogs; destruction of dogs.

(1) Impoundment.

(a) Any time an animal control officer has reasonable suspicion to believe a dog has engaged in any form of prohibited behavior under this Article, or any other ordinance or any law of the State, including but not limited to, the failure of the dog to be properly collared or harnessed or identified as set forth in this Article, such animal may, at the discretion of an animal control officer, be taken into custody by an animal control officer and impounded in a humane manner.

(b) Unless other time frames are specifically provided for in this Article, (including but not limited to bite confinement periods), any dog impounded which is not claimed within a five-day period may be disposed of by the kennel, only upon issuance of a written Municipal Court order. Disposal may be by adoption, donation, or humane destruction at the sole discretion of the kennel. During the period of impoundment, the animal control officer shall make a reasonable effort to ascertain and notify the owner.

(c) Any dog held as evidence at the kennel at the request of an animal control officer shall remain impounded pending a hearing. Any dog so impounded which is not claimed, or for which financial bond is not paid as set forth in this Article, may be disposed of as set forth in this Article. In no event shall said dog be released to the owner prior to the service of a penalty assessment or summons and complaint upon the owner.

(d) The owner of any impounded dog shall be responsible for the payment of all charges and fees, including those for impoundment, boarding, euthanasia, disposal, veterinary and all other services as needed. Fees and charges for impoundment of dogs shall be as set by the Town's fee schedule and charges incurred by the Town. No impounded dog shall be released until the owner has paid or arranged to pay all such charges and fees. Failure of the owner of any impounded dog to claim such dog from the kennel shall not relieve the owner from payment of all applicable charges and fees as established by the kennel. It shall be unlawful for any owner to fail to pay such fees and charges.

(e) In the sole discretion of the animal control officer, any dog found running at large, which is not otherwise a potentially dangerous or dangerous dog under the provisions of this Article, may be returned to its owner.

(2) Seizure and immediate destruction.

(a) Any dog that has caused injury to any person or domesticated animal, or which has without provocation attacked any person or domesticated animal, or which otherwise meets the definition of a dangerous or potentially dangerous dog as set forth in this Article, and is found running at large, may be seized and impounded at the owner's expense by an animal control officer without notice to the owner. The animal control officer shall make reasonable effort to notify such owner after seizing and impounding the dog pursuant to this section. If after making every reasonable attempt to seize such dog the animal control officer determines the dog cannot be captured without exposing the animal control officer or other persons to danger of personal injury from the dog, and the animal presents a present danger to any person or other dog, it shall be lawful for the animal control officer to humanely destroy the dog without notice to the owner.

(b) When a veterinarian, kennel, animal control officer, or law enforcement officer has determined that a dog is critically ill or injured, is suffering extreme pain, or has a poor prognosis for recovery, nothing in this Article shall be construed to prevent the immediate humane destruction of such domesticated or wild animal.

Sec. 7-7-460. Hearing on disposition of seized dogs; financial bonding requirements; destruction, seizure, or release.

(1) Whenever a dog is seized or impounded pursuant to this Article and a summons and complaint has been served, depending on the nature of the charge pending, the owner may be summoned before the Municipal Court on the next available court date following the seizure or impoundment to address only the issue of disposition of the seized and impounded dog. The Town, through its animal control officers, shall make reasonable efforts to notify the owner in writing by

personal service or by posting notice on the front door of the owner's residence at the address shown on the dog license records. Unless the dog owner waives the time frame for advance service of such notice in order to expedite a hearing, this notice shall be served at least five (5) days prior to the hearing and shall state the time, date, location and purpose of the hearing. Such hearings resulting from dog seizures or impoundments shall be given priority on the Municipal Court docket in order to minimize the expense to the owners for impoundment of seized dogs.

(2) If a dog is seized and impounded on an evidence hold and the owner cannot be ascertained or served with either a penalty assessment or summons and complaint, disposition of the dog may proceed in accordance with the time frames and requirements of this section.

(3) If, on the date of the hearing, notice to the owner was provided as required under Section 7-7-460(1) above, the Municipal Court may proceed with the hearing as to the disposition of the dog, whether or not the owner appears.

(4) Formal rules of evidence shall not apply at such dog disposition hearings, and any statements made at such hearings shall not be used as evidence at any subsequent hearing in the prosecution of the underlying charges. If the Town establishes by a preponderance of the evidence that there is a reasonable likelihood of future injury to persons, property or animals, the Municipal Court shall order the dog to remain impounded at the owner's expense until final disposition of the pending municipal charges. If the Municipal Court determines that it is inappropriate to order the dog impounded, the Municipal Court may order the dog returned to the owner and kept under such circumstances as will ensure the safety of persons, property, or other animals, as the case may be.

(5) Financial bonding for cost of holding impounded dogs.

(a) The owner of a dog that has been ordered impounded after the hearing may be required to post a bond with the Municipal Court in an amount sufficient to provide for the care and keeping of the dog from the date of impound, to the extent any such charges remain outstanding as of the date of the hearing, until the date set for trial on the pending municipal charges. Notice of such bond shall be given at the conclusion of the hearing to the owner, allowing five (5) days for the posting of such bond.

(b) If the owner does not appear at the disposition hearing, the Town shall, if ascertainable, send notice of the bond amount to the owner allowing the owner five (5) days from the date of the notice to post such bond.

(c) If the owner fails to post the bond or cannot be ascertained by the Town following reasonable efforts, the dog shall be deemed abandoned, and the kennel, upon issuance of a Municipal Court order, may dispose of the dog at any time after five (5) days from the date of notice, of the bond requirement. The date of notice shall be the later of the date the owner is

provided notice or the date that the dog control officer or kennel makes reasonable efforts to ascertain and provide the owner with such notice. The Town shall be provided copies of all notices issued under this section.

(d) At the end of the time for which expenses are covered by the bond, the Municipal Court may determine disposition of the dog. The owner shall be liable for the cost of the care, keeping or disposal of the dog.

Section 6. Severability. If any section, paragraph clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

Section 7. The Board of Trustees hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 8. This Ordinance shall become effective thirty (30) days after publication.

Read and approved at a meeting of the Board of Trustees of the Town of Elizabeth, Colorado, this ___25____ day of _January_____, 2022.

Passed by a vote of _6____ for and _0____ against and ordered published.

_____
Megan Vasquez, Mayor

ATTEST

_____
Michelle M. Oeser, Town Clerk

RESOLUTION 22R19

A RESOLUTION ESTABLISHING A POTENTIALLY DANGEROUS DOG PERMIT FEE IN ACCORDANCE WITH SECTION 7-7-400 OF THE TOWN OF ELIZABETH MUNICIPAL CODE

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

Section 1. The Board of Trustees hereby adopts the fee of Fifty Dollars ($50.00) per year for a potentially dangerous dog permit pursuant to Section 7-7-400 of the Town of Elizabeth Municipal Code.

Section 2. The Board of Trustees hereby adopts the fee of Five Dollars ($5.00) one-time payment to process the application for the change of address for a potentially dangerous dog permit pursuant to Section 7-7-400 of the Town of Elizabeth Municipal Code.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2022, by the Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of _____ for and _____ against.

_____
Megan Vasquez, Mayor

ATTEST

_____
Michelle M. Oeser, Town Clerk

EXHIBIT A

TABLE 1-A – DANGEROUS DOG PERMIT FEES

Dangerous Dog Permit Fee $50.00 per year

Change of Registered Address for a Dangerous Dog Fee $5.00 per change of address

TO: Honorable Mayor and Board of Trustees
FROM: Michelle Oeser Town Clerk
DATE: April 12, 2022
SUBJECT: Town Electrical Power Use Fee

SUMMARY

Currently the Town does not charge a fee for Food Trucks vendors to use Town property or power. Staff reasons that it would be acceptable to charge the trucks to use town power if they need to hook up to it. Some Food Trucks are self-sufficient, others require an electrical hook up.

It has been the Town's practice, going back some years, to allow Food Trucks to park on the Gesin Lot and sell their product. It is felt that this is a supportive service to people working, shopping, and driving through town. It brings people to the Main Street area and provides a service. The Gesin Lot has picnic tables and restrooms during the summer season, which provides a great gathering area.

Resolution 22R20 reflects a cost of $10 per outlet box per day. This cost would cover the entire day while the Food Truck is set up at the lot.

STAFF RECOMMENDATION

Staff recommends instituting a fee of $10 per power outlet box per day when a Food Truck License agreement
is entered into between the Town and a vendor.

ATTACHMENTS(S)

Sample License Agreement
Resolution 22R20

RESOLUTION 22R20

A RESOLUTION ESTABLISHING A FEE FOR USE OF TOWN ELECTRIC POWER FOR FOOD TRUCKS USING TOWN PROPERTY PURSUANT TO A VALID LICENSE AGREEMENT

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

Section 1. The Board of Trustees hereby adopts the fee of Ten Dollars ($10.00) per outlet box, per day for use of Town electric power for food trucks using Town property pursuant to a valid license agreement.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2022, by the Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of _____ for and _____ against.

_____
Megan Vasquez, Mayor

ATTEST

_____
Michelle M. Oeser, Town Clerk

EXHIBIT A
TABLE 1-A – PARK FEE SCHEDULE

1. **At a cost of $10 per outlet box, per day for the use of power**

March 5, 2022

Honorable Mayor and Town of Elizabeth Board of Trustees,

RE: Town of Elizabeth Gold Creek Lift Station Upgrade Project

Public Works has reviewed the extensive documentation, bids, and comparison tabulations for the Gold Creek Lift Station Project along with JVA Engineering concurrence and find that Polarized Water Solutions meets all the requirements and has submitted the lowest bid. Public Works is seeking Board Approval to move forward with presenting a Contract and Notice of Award and Notice to Proceed in the amount of $450,000.00 for the completion of the lift station upgrade project. Public works would like to request from the Board of Trustees that an additional 20% ($90,000.00) be included for the project to ensure cost coverage for any unforeseen conditions such as ground water pumping, construction monitoring, CDPHE Engineer Monitoring and Reporting and sudden material cost changes. The Total to be appropriated would be $540,000.00 to complete the project. The Budget amount of $968,000.00 in Capital Outlay account # 52-58-9400 has been approved in the 2022 budget. The remaining $428,000.00 is to be used for Gold Creek Waste-Water Treatment Plant Fine Screen Replacement and other equipment replacements. With Board of Trustees Approval Public Works will have a Notice of Award, Notice to Proceed and Trade Contractor Agreement before them for approval and signing in the April 26, 2022, Board Packet.

Thank you,

Mike DeVol
Town of Elizabeth
Public Works Director
GCWWTP Operations
mdevol@townofelizabeth.org
303-419-5631/303-913-6453

April 12, 2022

Management Team Updates

Community Development – Pam Cherry

- Planning Commission met on April 5 with three new members that are excited to participate in developing direction for the Town and the training session scheduled on April 26.
- I have been reviewing Chapter 16 or the municipal code as questions come up and making notes to go over with Patrick and Corey.
- Many thanks to Pat Gonzalez and Zach Higgins as they are very helpful assistants to me in becoming familiar with the Town of Elizabeth and the regulations and history of various projects.
- And thanks to Patrick and Michelle and other town staff for their assistance in easing my transition.

Town Clerk – Michelle Oeser

- The event season is upon us, would the Board like to participate in the Elizabash and the Harvest Festival. The cost for a booth is $100 this year. If so, I will get a spot reserved for the Elizabash and register as soon as the Harvest Festival opens.
- I have included the quarterly court report along with my management report.
- The 2021 Audit presentation is tentatively scheduled for the May 10th Board meeting.
- With the resignation of Ron Weaver staff will need direction from the Board on how they would like to move forward with filling the vacant seat.

Police – Chief Melvin Berghahn

- See attached Stats

Public Works and Utilities – Mike DeVol

- See attached Report

Report Criteria:

Report type: Summary

```
Check.Check number = {SQL} (tblCheck.CheckNumber in (SELECT    c.CheckNumber
FROM        dbo.tblCheck c INNER JOIN
              dbo.tblCheckDetail cd ON c.ID = cd.tblCheckID
GROUP BY c.CheckNumber
HAVING      (SUM(cd.Amount) >= 20000)))
Check.Type = {<>} "Adjustment"
```

Payee		Check Number	Amount
Integrated Systems and Design	New TH sound equipment	9720	44,907.50
Native Sun Construction	Street improvement project	3242201	147,954.52
Grand Totals:			192,862.02

TO: Honorable Mayor and Board of Trustees
FROM: Michelle M. Oeser, Town Clerk
DATE: April 5, 2022
SUBJECT: Court Report

Court Quarterly report is as follows:

Total court fees and fines collected for the year are $77,393.94, This amount reflects 24.9% of the of the projected budget. Revenue amounts do not only reflect fines, but all court fees collected. This total is not solely based on new cases; it reflects cases that are on payment plans for their fines and fees as well as outstanding judgements.

Court continues to receive payments through the collection agency. This process is going well and helping to collect non-paid fines and fees for both current and past case.

The total of new cases in the first quarter of 2022 is 59, 1 motion hearing and 1 trial. Several trials were set, however on court day defendants opted to take a plea deal. The number of new cases does not reflect the actual docket total. A number of cases are continued each month, there are reviews as well.

Court is opened 100% as of April 7th. Board members are welcome to observe court and to see how a small court runs. Court is (normally) the first Thursday of each month starting at 8:00 am. If you have any questions on the process for Municipal Court, please contact me and I will be happy to answer them for you.

Respectfully Submitted,

Michelle M. Oeser

Town/Court Clerk

▪ PO Box 159, 151 S. Banner Street ▪ Elizabeth, Colorado 80107 ▪ (303) 646-4166 ▪ Fax: (303) 646-9434 ▪
www.townofelizabeth.org

TOWN OF ELIZABETH

POLICE DEPARTMENT
MELVIN BERGHAHN, CHIEF OF POLICE

Elizabeth Police Department Activity Statistics Report

Reporting Period:

03/13/2022 to 04/02/2022

ELIZABETH POLICE DEPARTMENT'S MISSION STATEMENT:

"To provide a leadership role in creating an atmosphere of safety and community pride in the Town of Elizabeth by providing quality law enforcement services which utilize innovative approaches to address community needs".

The following is an informational breakdown of EPD police activity from **03/13/2022 at 12:01 a.m. to 04/02/2022 at 11:59 p.m.** This information is compiled from our Records Management System (RMS), identified as New World (NW), as well as Douglas County Regional Dispatch (DRDC) records.

All suspects/defendants are presumed innocent until proven guilty in a Court of Law.

▪ PO Box 1527, 425 S Main Street ▪ Elizabeth, Colorado 80107 ▪ (303) 646-4664 ▪ Fax: (303) 646-0676 ▪
www.townofelizabeth.org

Elizabeth Police Department Activity Statistics Report

Reporting Period:

03/13/2022 to 04/02/2022

Total Calls for Service:

497

Traffic Stops:

Total Stops:	Penalty Assessments:	Written Warnings:	Verbal Warnings:	Assisting Other Agencies
25	7	10	8	0

Parking Violations:

Total Parking Violations:	Parking Citations:	Parking Written Warnings:	Parking Verbal Warnings:
9	1	5	3

Other Calls for Service:

Call Type:	Number of Calls:
Abandoned Vehicle	3
Alarm-Bank	1
Alarm-Business Burglary	2
Animal-Dangerous	1
Animal-Barking	1
Assist Fire Department	4
Assist to Other Agency	2
Business Check	6
Child Abuse	4
Child Custody	2
Citizen Assist	10
Citizen Contact	3

Elizabeth Police Department Activity Statistics Report

Reporting Period:

03/13/2022 to 04/02/2022

Crime Prevention	10
Curfew	2
Disturbance	3
Drug Offense	1
Fireworks	3
Follow Up Investigations	6
Found Person	1
Found Property	2
Harassment	2
House Watch	3
Increased Patrol	300
Informational Report	6
Juvenile Complaint	1
Littering Complaint	1
Medical Assist	3
Mental Health Hold	1
Motorist Assist	2
Municipal Ordinance Violations	11
Motor Vehicle Accident-Property Damage	5
Motor Vehicle Accident-With Hazards	1
Parking Complaint	9
Report Every Drunk Driver Immediately (REDDI)	4
Runaway	1
Special Assignment	1
Suicidal Subject	1
Suspicious Circumstance	7
Suspicious Person	1
Suspicious Vehicle	10
Theft	3
Traffic Complaint	8
Traffic Hazard	3
Trespass	2
Traffic Stop	25

Elizabeth Police Department Activity Statistics Report

Reporting Period:

03/13/2022 to 04/02/2022

Vehicle Trespass	1
VIN Verify	12
Warrant Arrest	2
Welfare Check	2

Open and Active Investigations:

Case/Incident Number:	Call Type:	Details:
22-1792	Municipal Ordinance Violation	A suspect was reported to be hitting golf balls at a Town park.
22-0876	Traffic Complaint	A vehicle almost hit Town vehicles.
22-1317	Theft	A local business had items stolen.
22-1350	Theft	Two male suspects entered a store and allegedly stole liquor.
22-1811	Animal Ordinances	Several dogs were found to be at large.
22-1690	Sex Offenses	EPD is conducting an investigation into a possible sex offenses.
22-1812	Harassment	A possible harassment between spouses was reported.
22-1862	Harassment	A threat was received.
22-1923	Child Abuse	A child abuse was reported.

Please note that limited information regarding open investigations is available. This is to protect the integrity of the investigations.

Elizabeth Police Department Activity Statistics Report

Reporting Period:

03/13/2022 to 04/02/2022

Closed Case/Incident Reports:

Case/Incident Number:	Call Type:	Details:
22-1541	Municipal Ordinance Violation-Sign Code	A Sign was posted on a utility pole. The owner of the sign came and removed it.
22-1576	Municipal Ordinance Violation-Juvenile Tobacco	A juvenile at a local school was found in possession of a vaporizer. As it was the juveniles first offense, the school handled discipline and the juvenile was referred to the second chance program.
22-1287	Assault	An assault occurred at a local school. The school handled discipline and the victim of the assault declined to press charges.
22-0929	Harassment	A harassment was reported at a local business. After investigation, there was insufficient evidence to show a crime had occurred.
22-1381	Municipal Ordinance Violation-Sign Code	A sign was located in the Town's right of way. After repeated attempts to contact the owner, the sign was discarded.
22-1521	Found Property	A knife was found at the police department. The owner was unable to be located and the knife was booked into the property room for safekeeping.
22-1481	Informational Report	EPD received an informational report from the Parker Police Department
22-1323	Motor Vehicle Accident	A two-vehicle motor vehicle accident occurred in town. It was a hit and run, and the suspect driver was unable to be located.
22-1629	Welfare Check	A welfare check was called in by the Elbert County Sheriff's Office. The party was contacted and found to be okay.
22-1745	Motor Vehicle Accident	A two-vehicle motor vehicle accident occurred in town. The at fault driver was issued a municipal summons for a traffic offense.

Elizabeth Police Department Activity Statistics Report

Reporting Period:

03/13/2022 to 04/02/2022

22-1736	Motor Vehicle Accident	A one vehicle motor vehicle accident occurred, car vs a deer. The deer was euthanized on scene.
22-1743	Warrant Arrest	EPD executed a warrant arrest on a wanted suspect. The suspect was booked into ECSO jail.
22-1570	Welfare Check	EPD received a Safe2tell regarding a local juvenile. The juvenile was discovered to be okay.
22-1795	Warrant Arrest	EPD executed a warrant arrest on a wanted suspect. The suspect was booked into ECSO jail
22-0931	Municipal Ordinance Violation-Weeds	a property owner was found to be in violation of overgrown weeds. The owner came into compliance.
22-1438	Juvenile Complaint	Several juveniles were reported to be possibly stealing from a local store. The store did not want charges pressed.
22-1537	Motor Vehicle Accident	A one vehicle motor vehicle accident occurred in Town, car vs. deer. The deer was deceased upon arrival.
22-1404	Motor Vehicle Accident	A one vehicle motor vehicle accident occurred in Town where a vehicle struck a building. The at fault driver was issued a municipal summons for a traffic offense.
22-1751	Motor Vehicle Accident	A one vehicle motor vehicle accident occurred in Town where a Town sign was damaged. The at fault driver was issued a municipal summons for a traffic offense.
22-1620	Motor Vehicle Accident	A one vehicle motor vehicle accident occurred in Town where a CDOT fence and utility box were damaged. The at fault driver was issued a municipal summons for a traffic offense.
22-1652	Theft	A theft was reported between two juveniles. The suspect was identified, however the victim declined to pursue charges.

Elizabeth Police Department Activity Statistics Report

Reporting Period:

03/13/2022 to 04/02/2022

22-1762	Traffic Complaint	A dump truck was reported to be spilling a load of rocks damaging a vehicle. The dump truck was unable to be located.
22-1791	Motor Vehicle Accident/Disturbance	A motorist backed into a vehicle at EPD. The at fault driver was issued a municipal summons for traffic and criminal offenses.
22-1805	Trespass	A trespass occurred at a local closed building. The suspects were identified, however the property owner declined to pursue charges.
22-1117	Traffic Complaint	A vehicle was reported to have failed to yield to a school bus stop sign. After investigation, there was not enough evidence to prove the elements of the offense.
22-1610	Found Property	A wallet was turned in to EPD. The wallet was returned to the owner at their listed residence.
22-1117	Traffic Complaint	A vehicle was reported to run a school bus stop sign. After investigation, there was not enough evidence to charge the driver.
22-1844	Report Every Drunk Driver Immediately (REDDI)	A REDDI was reported. Upon searching the area, the vehicle was unable to be located.
22-1858	Municipal Ordinance Violation-Nuisance	EPD Community Services Department (CSD) responded to a cat that was at large and going to neighbor's houses. EPD CSD contacted the owner of the cat and advised them of the Town's ordinances. The owner came into compliance.
22-1945	Mental Health Hold	A local juvenile was taken to the hospital on a mental health hold after being evaluated by Centennial Mental Health
22-1956	Trespass	Several juveniles were found to have trespassed inside a local closed building. The building owner declined to press charges, and the juveniles were released to guardians.

Elizabeth Police Department Activity Statistics Report

Reporting Period:

03/13/2022 to 04/02/2022

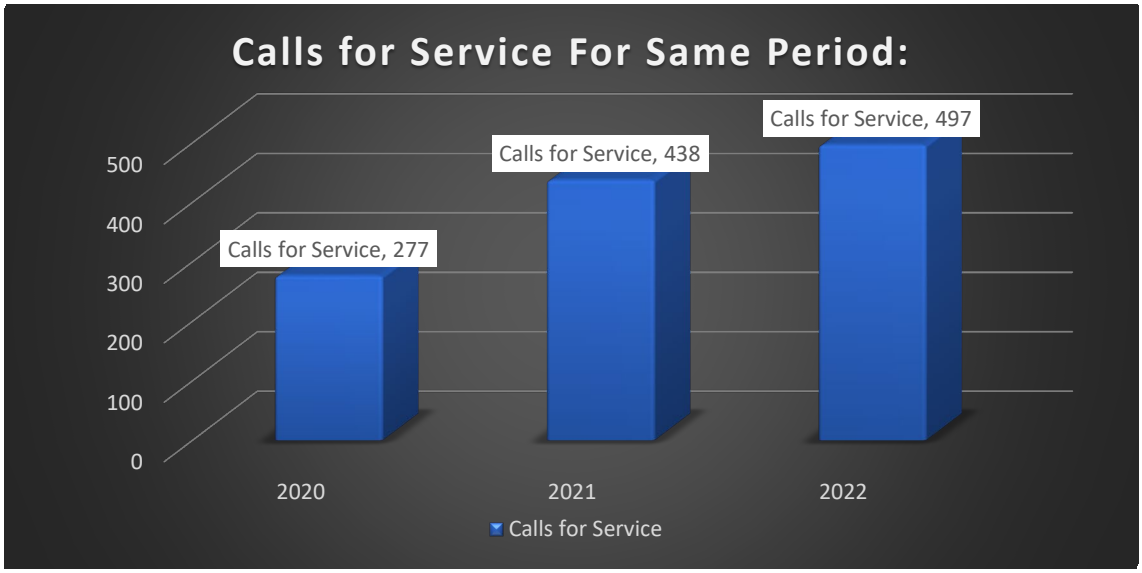
22-1040	Child Abuse	A child abuse was reported from parent to daughter. After investigation, it was determined no crime had occurred.
22-0389	Motor Vehicle Theft	A stolen vehicle was recovered in Town. After investigation, a suspect was identified however there was not enough evidence to pursue an arrest warrant.
22-1877	Assist to DCSO	EPD searched for a suspect vehicle for the Douglas County Sheriff's Office. EPD was unable to locate the vehicle.
22-1900	Assist to ECSO	EPD assisted the Elbert County Sheriff's Office on a Safe2tell. The subject involved resided in ECSO's jurisdiction.
22-1806	Runaway	A juvenile was reported as a runaway. They were later located and returned to their guardian.
22-1791	Motor Vehicle Accident/Reckless Endangerment	An accident occurred at the Police Department. The at fault driver was issued a municipal summons for several offenses.
22-1746	Child Abuse	A possible child abuse was reported. After investigation, no crime occurred.
22-1922	Found Person	An elderly male was lost. He was located and returned to his family.
22-1816	Curfew Violation	A local juvenile was located after curfew. The juvenile was issued a municipal summons.
22-1992	Trespass	A vacant house was found with an open door. No suspects were identified.

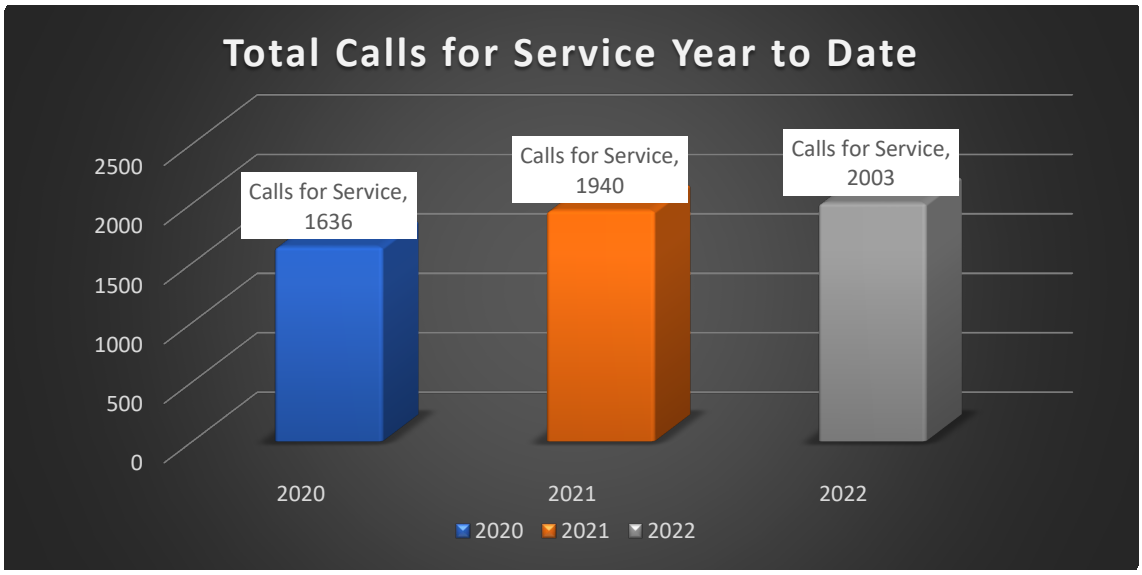
Elizabeth Police Department Activity Statistics Report

Reporting Period:

03/13/2022 to 04/02/2022

Historical Data:

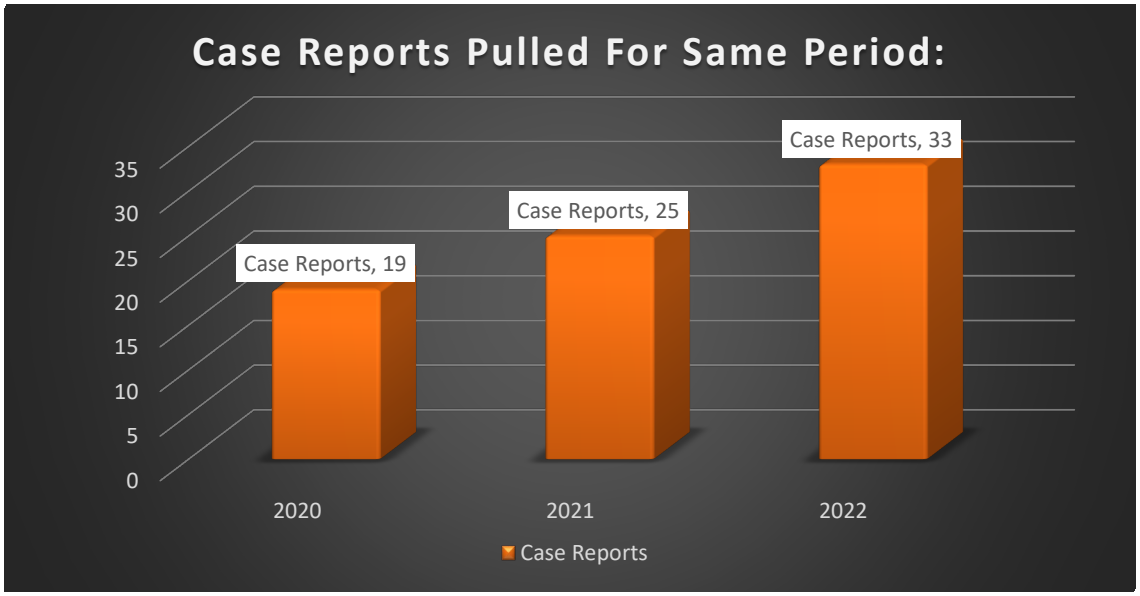




Elizabeth Police Department Activity Statistics Report

Reporting Period:

03/13/2022 to 04/02/2022



TOWN OF ELIZABETH

POLICE DEPARTMENT
MELVIN BERGHAHN, CHIEF OF POLICE

Elizabeth Police Department Activity Statistics Report

Reporting Period:

03/13/2022 to 04/02/2022

Chief of Police's Advisements:

Elizabeth Police Department was happy to host a visit to a local home school group. The Elizabeth Home School Playdates group toured the PD on 03/16/2022. Staff had a good time discussing policing responsibilities, K-9 operations and showing the kids police equipment.

Two of seven flock cameras has been installed, the two are in front of the Elizabeth High school, these cameras are not currently activated, once 3 cameras are installed EPD will begin the 60-day trial process as the permit process continues with CDOT on the 4 cameras that would be placed on Highway 86.

The F150 trucks order is still looking good, expected delivery should be late April baring any holdups, they will then be sent off for build, expected in service operation would be 2 weeks after receiving.

EPD hosted a three-day Field Sobriety training course at the police department with the help of Colorado State Patrol. 3 officers gained certification and two officer from Hugo Marshalls Office attended. The training was open and free of charge to all surrounding agencies.

If you have any questions, please let me know!

Respectfully,

Chief Melvin Berghahn

Chief of Police

▪ PO Box 1527, 425 S Main Street ▪ Elizabeth, Colorado 80107 ▪ (303) 646-4664 ▪ Fax: (303) 646-0676 ▪
www.townofelizabeth.org

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TOWN OF ELIZABETH

MICHAEL DEVOL, PUBLIC WORKS DIRECTOR

TO: **Honorable Mayor and Town Board of Trustees**
FROM: Mike DeVol, Public Works Director
DATE: **January 25, 2022**
SUBJECT: Public Works Monitoring Report

*Town Street Paving Improvements Project:
1. PW is working with Engineer to solidify a punch list of items to be completed.

*Town Main St. Decorations:
1. Spring Banners are up on Main St and Hwy 86.

*Town Wells, Tanks and Effluent:
1. See attached.

* Town Water Line Emergency Repair:
1. N/A

*Town Hall Landscaping Plan:
1. NO New Updates.

*Town Walkway Repairs:
1. Bids for repairs are being reviewed and will update once complete. Bids for Foam/Mud Jacking are coming in from 3 companies for comparison -VS- Remove and Replace.

* Town Snow Plowing and Street Sweeping:
1. Snow Plowing season is closing to an end. Street sweeping has begun.

*Town New Wells at Ritoro/Gold Creek Valley:
1. Excavation and Concrete foundation for the Operations building are completed.
2. Water line tie-in's are ongoing. Sanitary Sewer is completed. Dry Utilities are on-going with CORE Electric Engineering and timing.

*Town Trail Project:
1. N/A

*Gold Creek Lift Station Improvements:
1. See Agenda for Update.

▪ PO Box 159, 151 S. Banner Street ▪ Elizabeth, Colorado 80107 ▪ (303) 646-4166 ▪ Fax: (303) 646-9434 ▪
www.townofelizabeth.org

*Eligibility Surveys for Water and Wastewater Capitol projects have been completed and accepted by Colorado Department of Public Health and Environment (CDPHE). The eligibility surveys allow for the town to be in line for any funding that may be available for future projects.

*Town Clean Up Day/ Paint Round-Up/Arbor Day

1. Town Clean-Up Day is May 21st. 2022. Clean Up will be at 303 Washington St. 08:00-13:00 hours. Town Clean Up has been posted on the Town Web site and in the monthly news letter.

*Town Public Works Road Extension:

1. The Town of Elizabeth and Elbert County are completing paper work and survey's for the agreement for the Town of Elizabeth to take ownership of County Road 13 to the south. This will allow for contract extension with BOT approval for paving to the Town Water Tanks.

*Town Farmers Market:

Event Park Name is Running Creek Park (RCP).

1. N/A

*Town Parks and Right of Way:

1. N/A

Upcoming Projects:

1. Legacy Village Pre-Construction meeting was held January 10th on-site to begin preparations for Excavation.
2. McDonalds project Pre-construction was held January 19th to begin the installation of Sanitary Sewer Main line and tie-in.
3. Pine Ridge Apartments Pre-Construction meeting was held March 30th. Erosion control and soils movement will begin the first two weeks of April.

Mail Kiosk:

Mail Kiosk are installed and PW has all the keys and locks under safe keeping until they are installed. PW is in conversation with the Ex Postmaster and the New Temporary Postmaster to find out next steps and chain of command to contact to move forward with the completion of this project. PW has informed Town Administrator of the communications. No changes at this time.

Mike DeVol
Town of Elizabeth
Public Works Director
GCWWTP Operations
303-913-6453
mdevol@townofelizabeth.org

Wells/ Tanks/ Effluent/ Bulk Water Usage (33.33%) Date: 4-3-2022

Totals Readings for 3/1 /22 thru 3/31/22

Denver Well (DN1) usage – 16,164 = 1,616,400 gallons.

Dawson Well (DW2) usage – 19,355 X 100 = 1,935,500 gallons.

Arapahoe Well (A2) usage – 16,870 X 100 = 1,687,000 gallons.

DN1 + DW2 + A2 = Wells usage Total = 52,389 X 100 = 5,238,900 gallons.

Denver Well (DN1)/ January to date usage – 0 gallons. (0%) Report in April

(DN1 Well 150 ac.ft. = 48,877,650 gallons yearly)

Dawson Well (DW2)/ January to date usage – 0- gallons. (0%) Report in April

(DW2 Well 50 ac. ft. = 16,292,550 gallons yearly)

Arapahoe (A2)/ January to date usage – 0 gallons. (0%) Report in April

(A2 Well 132 ac.ft. = 43,012,332 gallons yearly)

Water Storage Tanks Meter Tracking Usage = 0 gallons.

Water Tanks elevation and gallons in storage – 25.56 ft. = 1,278,000 gallons.

GCWWTP Gold Creek Wastewater Treatment Plant Effluent = 4,835,269 gallons.

Bulk Water Billing Usage3/31/22 billable at $20.20 per 1,000 gallons.

Zero Bulk Used.

Not Billable Bulk Water Usage (Town of Elizabeth Public Works or Elizabeth Fire Protection District)

Public Works Water Truck (Dust Suppression/Main Line Flushing) 8 Loads @ 2,000 gal/each = 16,000 gallons.

EFPD – Structure Fire 0 gallons

EFPD- Exercises – 10,000 gallons

TO: Honorable Mayor and Board of Trustees
FROM: Bella Valentine Student Liaison
DATE: April 5, 2022
SUBJECT: Student Liaison Report

SUMMARY

The last few weeks at Elizabeth High School have been full of new and exciting events!

The Homegrown Talent Initiative Sponsors will be doing their last walk-through of the year to see what their contributions made possible for Elizabeth High School. This will be taking place on April 4th, and both students and teachers have the opportunity to speak on their experience with HTI in the last year.

The Elizabeth Education Foundation STARS banquet was held on Saturday, April 2nd.

EHS will be hosting a Red Ribbon Week assembly to speak on the impacts of substance abuse in teenagers, and the life-long effects they leave. This is also a spirit week for the high school to support anti-drug use.

Prom is scheduled for April 15th, at the Spruce Mountains Event Center in Larkspur.

The SAT and PSAT are scheduled for the second week of April for students interested in pursuing post-secondary education. Students also had the opportunity to take the ASVAB earlier in the year for students looking to go into vocational careers. Also good with that, minimum scores on all standardized testing has been worked into the graduation requirements, starting this year.

EHS will be hosting a MORP dance for underclassmen and 8th graders to attend on April 28th.

A Father Daughter Dance will be hosted April 9th at EHS, this event is open to all ages and all schools within the district.

PLANNING COMMISSION – RECORD OF PROCEEDINGS
JANUARY 4, 2022

CALL TO ORDER
The Regular Meeting of the Elizabeth Planning Commission was called to order on Tuesday, January 4, 2022, at 6:31 PM by Chair Rachel White.

ROLL CALL
Present were Chair Rachel White, Commissioner Jenny Case and Commissioner Barbara McGinn. There was a quorum to conduct business.

Also present was Planner/Project Manager Zach Higgins and Deputy Town Clerk Harmony Malakowski.

AGENDA CHANGES
No agenda changes from staff.
No agenda changes by the Commissioners.

PUBLIC COMMENT
No Public Comment

MINUTES
Regular Minutes of November 2, 2021
Motion by Commissioner Case, seconded by Commissioner McGinn, to approve the minutes from November 2, 2021, with recommended changes.
The vote of those Commissioners present was unanimously in favor. Motion carried.

NEW BUSINESS
Discussion and possible action on Planning Commission Resolution 22-01, a Resolution establishing a designated public place for the posting of meeting notices
Motion by Commissioner McGinn, seconded by Commissioner Case, to approve Planning Commission Resolution 22-01, a Resolution establishing a designated public place for the

posting of meeting notices.
The vote of those Commissioners present was unanimously in favor. Motion carried.

Chair Rachel White closed the Regular Meeting at 6:35 PM and opened the Public Hearing.

PUBLIC HEARING

Ordinance 22-01

Anthony Godaire – Resident of Elizabeth

Chair Rachel White closed the Public Hearing at 6:54 PM and reopened the Regular Meeting.

NEW BUSINESS

Discussion and possible recommendation to Board of Trustees on approval of Ordinance 22-01, an ordinance repealing and reenacting Section 16-6-10 of the Elizabeth Municipal Code regarding changes to the Town's parking requirements

Motion by Commissioner McGinn, seconded by Commissioner Case, to approve recommendation of Ordinance 22-01, an ordinance repealing and reenacting Section 16-6-10 of the Elizabeth Municipal Code regarding the changes to the Town's parking requirements.
The roll call vote of those Commissioners present was unanimously in favor. Motion carried.

REPORTS

- Mr. Higgins provided updates to the Commission vacancies.
- Chair White reminded Commissioners that when approached by concerned citizens, to encourage them to attend meetings and participate in the municipal process.
- Commissioner McGinn asked questions regarding No Parking during November through May and private special events.

ADJOURNMENT

Motion by Commissioner Case, seconded by Commissioner McGinn, to adjourn meeting at 7:07 PM. The vote of those Commissioners present was unanimously in favor. Motion carried.

TOWN OF ELIZABETH INCORPORATED SEPTEMBER 24 1890 SEAL ELBERT COUNTY COLORADO

Chair Nick Snively

Deputy Town Clerk Harmony Malakowski