



# TOWN OF ELIZABETH

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**TOWN OF ELIZABETH  
BOARD OF TRUSTEES REGULAR MEETING  
Tuesday, July 12, 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 June 28, 2022

**PRESENTATION**

2. Main Street Board of Directors Quarterly Report – Brandon Jeffress

**NEW BUSINESS**

- [3.](#) Meet and action on appointing Virginia L. Robbins, Esq., and Thomas A. Ramunda Jr., Esq. as Elizabeth Court Municipal Judges, with terms through December 2022 - Michelle Oeser
- [4.](#) Discussion and possible action on Resolution 22R33, a Resolution approving an Intergovernmental agreement concerning the School Resource Officer program between the Town and the Elizabeth School district - Chief Berghahn

**MANAGEMENT MONITORING REPORTS**

- [5.](#) Management Monitoring Reports

**BOARD OF TRUSTEES REPORTS**

**STUDENT LIAISON REPORT**

6. Student Liaison Report - Bella Valentine

**MINUTES**

- [7.](#) Minutes of the Historic Advisory Board of Directors Meeting of May 2, 2022
- [8.](#) Minutes of the Planning Commission Meeting of May 3, 2022
- [9.](#) Minutes of the Historic Advisory Board of Directors Meeting of June 6, 2022

**ADJOURNMENT**

**ACTION MAY BE TAKEN ON ANY AND ALL ITEMS LISTED ON THE AGENDA  
ACCOMMODATIONS FOR DISABLTIES MAY BE MADE UPON REQUEST.**

# 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  
June 28, 2022

**CALL TO ORDER**

The Regular Meeting of the Board of Trustees of the Town of Elizabeth was called to order on Tuesday, June 28, 2022, at 7:04 pm by Mayor Megan Vasquez.

**ROLL CALL**

Present were Mayor Megan Vasquez, Mayor Pro Tem Angela Ternus, Trustees Tammy Payne, Loren Einspahr, and Daniel DiLoreto. Trustees Secrist and Snively were absent.

Also present were Town Administrator Patrick Davidson, Town Clerk Michelle Oeser, Chief of Police Melvin Berghahn, Community Development Director Pam Cherry, Public Works Director Mike DeVol, Assistant Public Works Director James McErnie, and Town Attorney Corey Hoffmann. Student Liaison Bella Valentine was absent.

**PLEDGE OF ALLEGIANCE**

Mayor Vasquez led the Board in the Pledge of Allegiance.

**UNSCHEDULED PUBLIC COMMENT**

There was no public comment.

**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 June 14, 2022

Motion by Trustee Payne, seconded by Trustee DiLoreto, to approve the Consent Agenda as presented.

The vote of those Trustees present was 5 in favor and 0 opposed. Motion passed unanimously.

## **PRESENTATION**

### 2. Swear in Officer Burnley

Town Clerk Michelle Oeser swore Officer Lyndi Burnley in as an Elizabeth Police Officer.

### 3. American Legion Presentation to Chief Berghahn

There was no-one from the Legion present to do a presentation.

## **NEW BUSINESS**

### 4. Discussion and possible action on the appointment of Greg Lindbloom as a voting member of the Planning Commission with a term through December 31, 2025

Motion by Mayor Pro Tem Ternus, seconded by Trustee Einspahr, to approve the appointment of Greg Lindbloom as a voting member of the Planning Commission with a term through December 31, 2025.

The vote of those Trustees present was 5 in favor and 0 opposed. Motion passed unanimously.

### 5. Discussion and possible action on Resolution 22R29, a Resolution Electing to Opt the Town out from participation in the State of Colorado Family and Medical Leave Insurance Program

Motion by Trustee DiLoreto, seconded by Trustee Einspahr, to approve Resolution 22R29, a Resolution Electing to Opt the Town out from participation in the State of Colorado Family and Medical Leave Insurance Program.

The vote of those Trustees present was 5 in favor and 0 opposed. Motion passed unanimously.

### 6. Discussion and possible action on Resolution 22R30, a Resolution repealing the 50% reduction of monthly water and sewer rates for residents that qualify for the Leap Program

Motion by Trustee DiLoreto, seconded by Trustee Payne, to approve Resolution 22R30, a Resolution repealing the 50% reduction of monthly water and sewer rates for residents that qualify for the Leap Program.

The vote of those Trustees present was 5 in favor and 0 opposed. Motion passed unanimously.

### 7. Discussion and possible action on Resolution 22R31, a Resolution amending the Water and Sewer Tap Fees and the Renewable Water Resource Fee in the Town of Elizabeth

Motion by Mayor Pro Tem Ternus, seconded by Trustee Payne, to approve Resolution 22R31, a Resolution amending the Water and Sewer Tap Fees and the Renewable Water Resource Fee in the Town of Elizabeth.

The vote of those Trustees present was 5 in favor and 0 opposed. Motion passed unanimously.

8. Discussion and possible action on Resolution 22R32, a Resolution ratifying the approval of the Site Plan for the property located at 755 Crossroads Circle

Motion by Trustee Payne, seconded by Trustee Einspahr, to approve Resolution 22R32, a Resolution ratifying the approval of the Site Plan for the property located at 755 Crossroads Circle.

The vote of those Trustees present was 5 in favor and 0 opposed. Motion passed unanimously.

### **MANAGEMENT MONITORING REPORTS**

- Town Administrator Patrick Davidson conveyed to the Board that the draft handbook has been submitted to CIRSA.
- Mr. Davidson informed the Board that proposed financial policies will be coming to the Board in a month.
- Mr. Davidson told the Board that he is working to set up quarterly meetings with local agencies.
- Mr. Davidson discussed where things currently stand with mail delivery in town.
- Discussion on how to proceed with the post office followed.
- Community Development Director Cherry stated that they are looking for another Administrative Assistant.
- Ms. Cherry updated the Board on a meeting she attended with Elbert County discussing an Economic Housing Study that they will be completing.
- Ms. Cherry relayed to the Board that McDonalds is planning to open by December.
- Mayor Pro Tem Ternus asked about the parking lot paving at Countryside Village.
- Ms. Oeser informed the Board that a meeting has been set up with Mr. Mock, Ms. Wolmer, Trustee Payne, and staff to discuss a Senior Citizens Project.
- Ms. Oeser received an update from Elizabeth High School Principal Bret McClendon on the 2022/2023 Student Liaison.
- Ms. Oeser discussed the possibility of CORE Consultants working with the Town on event support.
- Trustee Einspahr inquired about the open Finance Officer position.
- Chief Melvin Berghahn informed the Board that 10 pounds of household medication had been received on Drug Take Back Day.
- Chief Berghahn let the Board know that the Elizabeth School District was awarded a grant for over \$500,000 for school safety.
- Public Works Director Mike DeVol updated the Board on the County Road 13 paving project.
- Mr. DeVol discussed the lift station upgrade project.

- Mr. DeVol discussed the status of the new wellhouse.
- Assistant Public Works Director James McErnie updated the Board on the Town Hall Landscaping project.
- Discussion on road conditions in the Gold Creek subdivision.
- Discussion on upgrades and changes at Bandt Park.

#### **BOARD OF TRUSTEE REPORTS**

- Mayor Megan Vasquez reminded Mr. DeVol that the Board would like to meet the new employees.
- Discussion on the Friday night Farmers' Market.
- Discussion on a having a presentation on the process for a new development within Town limits.
- Mayor Pro Tem Ternus discussed putting together a presentation on what was learned at the Colorado Municipal League Conference.
- Mayor Vasquez discussed training for Police Officers in reference to citizens with dementia.
- Mayor Pro Tem Ternus asked Mr. Hoffmann if new building codes would need to be added to the current code.
- Trustee Einspahr asked about dates for budget workshops.

#### **MINUTES**

15. Minutes of the Main Street Board of Directors Meeting of June 12, 2022.

#### **ADJOURNMENT**

Motion by Trustee Payne, seconded by Trustee Einspahr, to adjourn meeting at 8:48 pm. The vote of those Trustees present was unanimously in favor. Motion carried.

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Town Clerk Michelle Oeser

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Mayor Megan Vasquez



STATE OF COLORADO )

COUNTY OF ELBERT ) SS.

TOWN OF ELIZABETH )

**OATH OF OFFICE**

I, Virginia L. Robbins, do solemnly swear that I will support the Constitution of the United States and of the State of Colorado and Ordinances of the Town of Elizabeth, and faithfully perform the duties of the office of Municipal Court Judge, upon which I am about to enter.

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**Virginia L. Robbins**

Subscribed and sworn to before me this 12<sup>th</sup> day of July 2022.

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**Mayor Megan Vasquez**



STATE OF COLORADO )

COUNTY OF ELBERT ) SS.

TOWN OF ELIZABETH )

**OATH OF OFFICE**

I, Thomas A. Ramunda Jr., do solemnly swear that I will support the Constitution of the United States and of the State of Colorado and Ordinances of the Town of Elizabeth, and faithfully perform the duties of the office of Municipal Court Judge, upon which I am about to enter.

\_\_\_\_\_  
Thomas A. Ramunda Jr.

Subscribed and sworn to before me this 12<sup>th</sup> day of July 2022.

\_\_\_\_\_  
Mayor Megan Vasquez



## TOWN OF ELIZABETH POLICE DEPARTMENT

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TO: Honorable Mayor Vasquez, and the Board of Trustees  
FROM: Melvin Berghahn, Police Chief  
DATE: June 28, 2022  
SUBJECT: Elizabeth School District, School Resource Officer revised agreement.

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There is an existing intergovernmental agreement between the Town of Elizabeth and the Elizabeth School District to provide for and fund a School Resource Officer provided to the district by the Elizabeth Police Department.

As mentioned previously, staff has been working with the Elizabeth School District to make necessary revisions to the agreement between both entities. The school district has already approved these revisions and the agreement has been approved as to form by the Town Attorney.

The key changes to the agreement are:

1. The ability for multiple EPD officers to perform SRO functions, as opposed to assigning a single officer. This will assure that coverage is available for SRO duties when the assigned SRO is unavailable for any reason.
2. Increasing SRO hours to an average of 30 hours per week in schools and adjusting the school district's reimbursement to the town for the SRO accordingly. This is in line with our experience over the past 12 months. This adjustment will also make it possible for the SRO to support patrol duties and respond to non-SRO calls for service, when needed. There is a total of a 10 hour increase from 2021 contract to the 2022 contract.
3. The contract includes all schools in the district, this will give EPD the opportunity to assist with needs in other areas and help students transition from elementary to middle school, and middle school to high school.

### RECOMMENDATION

Staff recommends that the Board of Trustees approves this amended SRO agreement between the Town of Elizabeth and the Elizabeth School District for the following reasons:

1. The agreement fairly reflects the expectations of both agencies
2. The agreement accurately reflects the tentative agreement reached in good faith by the Town Administrator, Chief of Police, and the Superintendent of the Elizabeth School District
3. The agreement is a fair reimbursement by the district to the town for the services being provided by the SRO.
4. The agreement provides flexibility to the town, enabling the town to best meet public safety service demands in the community, including the school district in its entirety.
5. The agreement has been approved by the Elizabeth School District



## **TOWN OF ELIZABETH POLICE DEPARTMENT**

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### **ATTACHMENTS**

**Resolution 22R33**

**2022/2023 Intergovernmental Agreement**

**RESOLUTION 22R33**

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT CONCERNING THE SCHOOL RESOURCE OFFICER PROGRAM BETWEEN THE TOWN AND THE ELIZABETH SCHOOL DISTRICT**

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 approves the Intergovernmental Agreement concerning the School Resource Officer Program between the Town and the Elizabeth School District, attached hereto as Exhibit A, and authorizes the Mayor to execute the 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

**2022/2023 INTERGOVERNMENTAL AGREEMENT  
CONCERNING  
THE SCHOOL RESOURCE OFFICER PROGRAM**

THIS INTERGOVERNMENTAL AGREEMENT CONCERNING THE SCHOOL RESOURCE OFFICER PROGRAM (the "Agreement") is made by and between Elizabeth School District (the "District"), a Colorado public school district and political subdivision, and the Town of Elizabeth, Colorado (the "Town"), a Colorado municipal corporation. The parties are sometimes referred to individually as "Party" and collectively as the "Parties."

**RECITALS**

WHEREAS, the Parties wish to cooperatively establish a program pursuant to which the Town assigns one or more police officers to function as a school resource officer ("SRO") for the District (the "Program"); and

WHEREAS, the SRO will serve as a positive role model for District students, work in a cooperative, proactive, and problem-solving partnership with District students, staff, and parents to enhance the safety and quality of life in the school community, and enforce the laws of the Town and the State of Colorado; and

WHEREAS, the goals of the Program are to enhance the safety of the learning environment, to improve school-law enforcement collaboration, to improve perceptions and relations between students, staff, the community and law enforcement officials, to reduce and prevent delinquency, alcohol and substance abuse and other unlawful or disorderly activities among District students, to improve communications between police officers and the school community, to reduce criminal activity on District property and at District-sponsored events, and to provide focused law enforcement services to students, staff, and the surrounding community; and

WHEREAS, the Parties enter into this Agreement pursuant to Article XIV, section 18(2)(a) of the Colorado Constitution and sections 22-32-109.1, 22-32-146, and 29-1-203, C.R.S.

**AGREEMENT**

THEREFORE, in consideration of the foregoing recitals incorporated by reference herein, by the mutual promises and covenants herein contained, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Parties hereby agree as follows:

1. **Scope of Services.** The Town shall assign one or more police officers to serve as the SRO for all schools within the District (collectively, the "District Schools").
2. **Qualifications.** To participate in the Program, the SRO shall meet the standard qualifications for employment as a police officer with the Elizabeth Police Department. A police officer assigned as a SRO for the District schools must have successfully completed the law enforcement SRO training program required by C.R.S. 24-31-312, at the next available Colorado-based training session.

3. Duties. The duties of the SRO shall include, but not be limited to, the duties set forth in Exhibit A. The SRO will coordinate his/her activities with the building administrators and the Director of Safety and Emergency Planning for the District, but shall at all times be considered an employee of the Town, working under the direction of the Chief of Police of the Town of Elizabeth.

4. Term. Subject to budgeting and appropriation by each Party in future fiscal years, or earlier termination as provided herein, the term of this Agreement will be from August 12, 2022, through May 21, 2023. Thereafter, this Agreement may be continued for successive one-year terms by mutual agreement.

5. Employment. At all times during the term of this Agreement, the SRO shall be an employee of the Town. The Elizabeth Police Department shall appoint the SRO based solely on the Department's selection criteria, but shall include the School District in the selection process as practical.

6. Relationship of the Parties. Nothing contained in this Agreement is intended to or shall be construed in any way as establishing the relationship of co-partners or a joint venture between or among the Parties or as construing one Party, its officers, agents, volunteers and employees as agents of another Party. The District shall not represent that the SRO is its employee or agent in any capacity. The Town shall not represent that the SRO is an employee or agent of the District in any capacity.

7. Salary, Benefits, and Payment. The SRO shall receive his/her salary and any employee benefits from the Town. In consideration for hiring and providing the SRO, the District will pay seventy five percent (75%) of the assigned officer's monthly salary during the school year to the Town. The Town, at Town's cost and expense, shall provide the SRO with equipment, supplies, and training routinely provided to full-time peace officers. The cost and timing of additional SRO training shall be mutually determined between the Town and the District on a case-by-case basis.

8. Early Termination. This Agreement may be terminated by any Party upon thirty (30) days' prior written notice to the other Party. The District shall only be responsible for the payment of the costs for the SRO services performed up to the date of termination. Upon termination, any monies advanced by the District shall be prorated and returned to the District within thirty (30) days and any monies due and owing from the District shall be paid to the Town within thirty (30) days of termination.

9. Supervision; Chain of Command. The SRO shall be subject to the Town's supervision and chain of command and to the policies, procedures, rules, regulations, directives, written evaluations, and orders of the Town. The SRO will also comply with the policies and regulations of the District, to the extent that such policies and regulations are not in conflict with those of the Town or with other applicable state or federal laws. Although the SRO will work closely with school and district administrators and staff to determine the most effective use of the SRO's time and expertise, the SRO shall not be subject to supervision or direction by the District. The Chief of Police will accept and give due consideration to input from the building administrators and the District's Director of Safety and Emergency Planning in connection with the assignment of the SRO to the District and the evaluation of the SRO by the Town.

10. Dismissal of SRO; Replacement; Reassignment. In the event a building administrator or the Director of Safety and Emergency Planning believes that the SRO is not effectively performing his/her duties and responsibilities, then the building administrator or the Director of Safety and Emergency Planning will first attempt to address the concern directly with the SRO. If the building

administrator or the Director of Safety and Emergency Planning continues to be dissatisfied with the performance of the SRO, then the Superintendent or designee will contact the Chief of Police to seek resolution. The Chief of Police or designee shall handle any concerns or complaints according to Town policy. The Town at any time may dismiss, replace, or reassign an SRO based upon department rules, regulations, and/or department directives, when it is in the best interests of the Town, the District, and/or the community, or at the request of the SRO.

11. Duty Hours.

a. Regular School Session. The SRO shall be assigned to the District Schools on a part-time basis as set forth herein. The primary purpose of the Program is to provide services and be present at assigned District schools during normal school hours. However, because it is sometimes desirable to have an SRO attend school activities conducted outside of normal school hours, the building administrators, the SRO, and the Chief of Police may agree to adjust the SRO's working hours. However, an SRO's cumulative hours worked during a work week shall be thirty (30) hours; provided, however, the thirty (30) hours per week may be modified on a week basis upon prior approval of the Chief of Police and the Director of Safety and Emergency Planning for the District so long as the total hours on a monthly basis can be reconciled to be equal to thirty (30) hours per week.

b. Non-Attendance. The SRO is generally expected to work at the schools during the hours school is in session as provided herein. Exceptions may include the following: 1) SRO related training that is mutually agreed upon between the Town and the District, 2) Processing a student at the Police Department, 2) Court appearance for a school event, and 5) Follow up inquiries for a school incident. The SRO shall coordinate with the building administrator or their designee regarding when the SRO services will be most effective during any given period of time.

c. School Closures, Holidays, Teacher In-Service, Breaks, and Summer Vacation. The Town shall assign duties to the SRO during school closures, holidays, teacher in-service days, breaks, and summer vacation which duties may include general law enforcement duties and may or may not relate to participation in the Program. The SRO may attend District in-service trainings and meetings which apply to SRO duties and responsibilities as recommended by the building administrators or the Director of Safety and Emergency Planning. In the case of full school closures of more than ten (10) school days during the regular academic year, the District and the Town shall discuss deducting that period of time from the agreed salary obligation of the District set forth in section 7 above.

12. District Policy, Regulations, and Guidelines. The SRO shall be familiar with District policy, regulations and guidelines related to safety and student conduct and discipline issues, including the District's Code of Conduct (collectively, "District Policy"). The SRO may assist in enforcing District Policy but shall not take into physical custody any student who has violated only District Policy. It shall be understood and agreed that the SRO, as a law enforcement officer, can only detain or take into physical custody a student where there is reasonable suspicion or probable cause that such student has committed a criminal offense or pursuant to other legal and lawful custodial process. The SRO shall not be used for regularly assigned lunchroom duties, hall monitoring, or other monitoring duties normally performed by teachers. The SRO shall not be used to assist the School District with discipline. All discipline will be handled by the School District and its staff.

13. Firearm Storage on School Premises. The storage of firearms within school district facilities shall be governed by Elizabeth Schools Board of Education Policy KLG – Relations with State and

Local Agencies and shall be consistent with confidential security arrangements (Standard Operating Procedures) which are subject to prior District Board review.

14. Information-Sharing; Confidentiality. The Parties will work together to share information as permitted by law. The SRO shall maintain the confidentiality of District information and records in accordance with Titles 19, 22, and 24 of the Colorado Revised Statutes, as well as the Family Educational Rights and Privacy Act and its implementing regulations.

- a. Pursuant to the Family Educational Rights and Privacy Act (FERPA), the SROs shall also be designated "school officials" as defined under 34 CFR § 99.31(a)(1)(B), to allow the disclosure of personally identifiable information from an education record of a student without consent. The Parties agree that the SRO will, among other duties, perform institutional services or functions for which the District would otherwise use employees, such as participation on threat assessment teams and consulting and intervening in certain school discipline situations. While serving in this capacity the SROs will have legitimate education interests, and thus access to the following records: directory information, behavioral records, attendance, and student schedules unless notified otherwise. Therefore, in compliance with the requirements of FERPA, the SROs shall be under the direct control of the District with respect to the use and maintenance of education records disclosed to the SRO in the course of providing such services, and shall be subject to the requirements of 34 CFR § 99.33(a) governing the use and redisclosure of personally identifiable information from education records. Without limiting the foregoing and except as otherwise provided in this Agreement, the SROs shall not disclose any personally identifiable information to any other party without the prior consent of the parent or eligible student, unless disclosure is otherwise permitted under Federal and State laws. Nothing in this paragraph shall be construed as designating the SROs as an official of the District for any purpose other than compliance with FERPA. Furthermore, nothing in this Agreement shall be construed as designating the SROs as an employee of a public school for any purpose, including but not limited to, Colorado Governmental Immunity Act (CGIA), Section 24-10-106.3
- b. To obtain any additional educational records, the SRO must sign a records request form (this includes requests for files of video or audio recordings from the School District's security systems). In the case of an imminent health or safety emergency, student information and records may be shared immediately between the school, district, and the SRO. Any information obtained through the School District system shall only be used for active investigations by the Elizabeth Police Department.

15. Facilities and Equipment. The SRO shall have a designated area in the District to conduct matters of confidential business. The location and specifications of such area shall be approved by the building administrators.

16. Immunity. Notwithstanding anything herein to the contrary, no term or condition of this Agreement shall be deemed a waiver, express or implied, of any provision of the "Colorado Governmental Immunity Act", 24-10-101, et seq., C.R.S., as now or hereafter amended.

17. Insurance. Each Party agrees to obtain and maintain in full force and effect commercial general liability and property insurance, or self-insurance with limits of not less than those required by state law. Such policies shall name the other Parties as additional insureds. Certificates of insurance will be provided at the request of any Party.

18. Appropriations. The obligations of each Party under this Agreement payable after its respective current fiscal year are contingent upon adequate funds for that purpose being budgeted, appropriated and otherwise made available.

19. Notices. All notices or any other communication herein required or permitted shall be deemed to have been given when personally delivered or deposited in the United States Postal Service as regular mail, postage prepaid, and addressed as follows or to such other person or address as a Party may designate in writing to the other Parties:

To the District:

Douglas Bissonette  
Superintendent  
Elizabeth School District  
Elizabeth, Colorado 80107  
(303) 646-1836

To the Town:

Town Administrator  
151 South Banner Street  
Elizabeth, Colorado 80107  
(303) 646-4166

20. Good Faith. The Parties, their agents, and employees agree to cooperate in good faith in fulfilling the terms of this Agreement. The Parties agree that they will attempt to resolve any disputes concerning the interpretation of this Agreement and unforeseen questions and difficulties which may arise in implementing the Agreement by good faith negotiations before resorting to termination of this Agreement and/or litigation.

21. Waiver. The waiver of any breach of any provision of this Agreement by a Party hereto shall not constitute a continuing waiver of any subsequent breach of said Party, for either breach of the same or any other provision of this Agreement.

22. Entire Agreement. This Agreement constitutes the entire agreement of the Parties hereto and supersedes all prior negotiations, representations or agreements, either written or oral. This agreement may be amended, modified or changed, in whole or in part, only by written agreement approved and signed by each Party.

23. Non-Assignment. This Agreement and every covenant herein, shall not be assigned except with the prior consent of all Parties.

24. No Third-Party Beneficiaries. This Agreement shall not be construed as or deemed to be an agreement for the benefit of any third party; and no third party shall have any right of action hereunder for any cause whatsoever.

25. Severability. If any provision of this Agreement is ruled to be invalid or illegal, such ruling shall have no effect upon the remaining provisions, which shall be considered legally binding and given full effect.

26. Counterparts. This Agreement may be signed in counterparts, and each counterpart shall be deemed an original, and all the counterparts taken as a whole shall constitute one and the same instrument. For purposes of executing this Agreement, facsimile or scanned signatures shall be as valid as the original.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the dates set forth below.

THE TOWN OF ELIZABETH

ELIZABETH SCHOOL DISTRICT

\_\_\_\_\_  
Megan Vasquez, Mayor

  
\_\_\_\_\_  
Douglas Bissonette, Superintendent

Date: \_\_\_\_\_

Date: 6/27/2022

**EXHIBIT A  
SRO JOB DESCRIPTION**

1. Work in support of the educational mission of the District and in close partnership with the school administration to enhance safety on school grounds in order to provide a healthy and productive learning environment.
2. Provide a highly visible police presence on campus, with priority given to public visibility when students, and other members of the public, are present in the schools.
3. Work to develop a rapport with students and a working relationship with student organizations, faculty, staff members, District administrators, and community members.
4. The SRO may use body worn cameras at their discretion. Any footage obtained by a recording from a body camera worn by the SRO will be maintained by the Town and will not be an educational record under FERPA.
5. Assist school staff and students with locating community resources.
6. Assist school staff and security in identifying and solving issues affecting the District and the community.
7. Principals or their designees may request the assistance of an SRO for the purpose of safety when conducting a school investigation, including searches.
8. Assist in the prevention and control of crime, delinquency, and disruption on the campus.
9. Enforce laws and conduct or assist in the investigation of offenses on campus and offenses off campus but within the Town that have a clear and specific connection to campus student and staff safety. This will include, but is not limited to:
  - a. Enforcement of statute statutes and municipal ordinances, as appropriate;
  - b. Writing reports, handling evidence, issuing summonses and making arrests;
  - c. Interviewing witnesses, suspects and victims of criminal violations;
  - d. Appearing in court and other judicial processes as required; and
  - e. Assisting school administration in the coordination of other law enforcement entities having business on campus.

Upon taking law enforcement action, the SRO shall notify school administration as soon as practicable of any violations or actions that impact school discipline, order or safety. This may include interviewing suspects and victims of criminal violations, issuing summonses, and addressing traffic concerns. Should it become necessary to conduct formal law enforcement interviews with the students, the SRO shall take into consideration District policy, EPD policy, and legal requirements with regard to such interviews. The SRO shall comply with the provisions of C.R.S. 22-32-146, including reporting and recordkeeping.

10. Provide or assist with presentations, guidance and available educational resources in areas that may include alcohol and substance abuse, safe driving, law related education, criminal justice system orientation, delinquency prevention, constitutional and local laws, social media and cyber safety, drug interactions, and explicit mobile device communication. The SRO shall seek permission, advice and guidance from school administration prior to enacting any program within the District schools
11. Attend school-related functions during normal classroom hours and attend, as agreed upon, after-school functions, activities and meetings associated with the mission and obligations of the schools. Attendance at after-school functions will be scheduled within the context of a 40-hour work-week.
12. Assist school administration in developing emergency procedures and emergency management plans to include prevention and/or minimization of dangerous situations. Participation in District

threat assessments, safety plans, suicide risk assessments, and crisis plans may be included at the discretion of the school administration.

13. Maintain confidentiality of any information obtained pursuant to Titles 19, 22, and 24 of the Colorado Revised Statutes, as well as the Family Educational Rights and Privacy Act and its implementing regulations.
14. Assist with and promote restorative justice programs when applicable. This may include mediation sessions with contracts between students, subject to approval by school administration.
15. Adhere to the Colorado Revised Statutes and EPD's Policies and Procedures including, but not limited to crisis prevention, emergency response procedures (practice drills), threat assessments, and addressing behavior or other information that may indicate impending violence. In the event the implementation of EPD's Policies and Procedures violate or are inconsistent with School District policies and school procedures the SRO will advise and consult with the school or district administration prior to acting.



July 12, 2022

## Management Team Updates

### ***Community Development – Pam Cherry***

- Community Development has had five pre-application meetings in recent weeks. It looks as if the fall will be very busy processing those applications and holding public hearings.
- Will begin interviewing for Community Development Administrative Assistant this week.
- I have started to work on Chapter 16 of the Municipal Code and redlining what I think should be review for possible amendment. Please provide any code items that the Trustees would like to review and possibly amended to Patrick or Michelle. I hope to have this completed within the next month.

### ***Town Clerk – Michelle Oeser***

- Harmony will be attending Clerk's Institute for the first half of the week.
- Allison assisted Harmony in running court last week.
- A Finance Officer has been hired and will be in the office beginning July 26<sup>th</sup>. Brian will assist in finances for a short time and help to acclimate our newest employee. Hannah lives in Elbert County and excited to be working locally.
- I have been out of the office for the past week, working very limited from home. Staff has been great and covered all the bases in my unexpected absence. They are wonderful and a dedicated Town team.

### ***Police – Chief Melvin Berghahn***

 See attached Stats

### ***Public Works and Utilities – Mike DeVol***

 No 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	
Lary H. Miller Ford Lakewood	9955	35,726.00	Public Works Truck
CORE CONSULTANTS, INC	9992	26,583.73	Developers
CIRSA	9995	32,339.19	Property and Casualty Insurance
A.D. Miller Services, Inc.	6012201	131,960.58	Ritoro Well
<b>Grand Totals:</b>		<b>226,609.50</b>	



## TOWN OF ELIZABETH

POLICE DEPARTMENT  
MELVIN BERGHAHN, CHIEF OF POLICE

### Elizabeth Police Department Activity Statistics Report

Reporting Period:

06/19/2022 to 07/02/2022



#### **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 **06/19/2022 at 12:01 a.m. to 07/02/2022 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](http://www.townofelizabeth.org)



**TOWN OF ELIZABETH**

**POLICE DEPARTMENT**  
 MELVIN BERGHANN, CHIEF OF POLICE

**Elizabeth Police Department Activity Statistics Report**

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06/19/2022 to 07/02/2022

**Total Calls for Service:**

373
-----

**Traffic Stops:**

<b>Total Stops:</b>	<b>Penalty Assessments:</b>	<b>Written Warnings:</b>	<b>Verbal Warnings:</b>	<b>Assisting Other Agencies</b>
42	18	14	10	0

**Parking Violations:**

<b>Total Parking Violations:</b>	<b>Parking Citations:</b>	<b>Parking Written Warnings:</b>	<b>Parking Verbal Warnings:</b>
9	1	7	1

**Other Calls for Service:**

<b>Call Type:</b>	<b>Number of Calls:</b>
Alarm-Business Burglary	4
Alarm-Business Hold Up	1
Animal Barking	3
Animal Complaint	2
Animal Cruelty	1
Assault	1
Assist to Other Agency	1
Business Check	32
Citizen Assist	3
Citizen Contact	2
Crime Prevention	4
Criminal Mischief	1



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Disturbance	1
Follow Up	12
Found Property	2
Fraud	1
House Watch	16
Increased Patrol	162
Littering Complaint	2
Livestock Complaint	1
Medical Assist	4
Missing Person-Endangered	1
Missing Person	2
Motorcycle Complaint	1
Motorist Assist	5
Municipal Ordinance Violation	6
Motor Vehicle Accident Property Damage	1
Motor Vehicle Accident with Unknown Injuries	1
Noise Complaint	1
Parking Complaint	9
Private Tow	1
Special Assignment	4
Suspicious Circumstance	4
Suspicious Person	1
Suspicious Vehicle	24
Theft	2
Traffic Complaint	4
Traffic Hazard	2
Traffic Stop	42
VIN Verify	5
Welfare Check	1



**TOWN OF ELIZABETH**

**POLICE DEPARTMENT**  
MELVIN BERGHANN, CHIEF OF POLICE

**Elizabeth Police Department Activity Statistics Report**

Reporting Period:

06/19/2022 to 07/02/2022

**Open and Active Investigations:**

<b>Case/Incident Number:</b>	<b>Call Type:</b>	<b>Details:</b>
22-2650	Fraud	EPD is investigating a fraud at a local business.
22-2964	Assault	An assault occurred at a local school.
22-3061	Harassment	A harassment occurred at a local business.
22-3992	Sex Offense	EPD is investigating a possible sex offense involving a juvenile.
22-4171	Motor Vehicle Accident	A one vehicle crash is being investigated.

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



**TOWN OF ELIZABETH**

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**Elizabeth Police Department Activity Statistics Report**

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06/19/2022 to 07/02/2022

**Closed Case/Incident Reports:**

<b>Case/Incident Number:</b>	<b>Call Type:</b>	<b>Details:</b>
22-4036	Littering Complaint	A local business reported illegal dumping in their dumpster. After investigation, the suspect was identified, and the parties entered into a civil agreement.
22-3932	Found Property	A piece of possible drug paraphernalia was located. It was booked into EPD found property for safekeeping.
22-3934	Littering Complaint	A mattress and other items were dumped on a public sidewalk in Town. A suspect was unable to be located.
22-3916	Domestic Violence	EPD responded to a call for a domestic violence. After investigation, a crime did not occur.
22-3376	Motor Vehicle Accident	A vehicle damaged a local building. The owner of the building did not want the driver cited.
22-4052	Missing Person	A person was reported missing. The person was located outside of Town and was all right.
22-3725	Citizen Assist	EPD responded to a civil assist regarding the exchange of property. After investigation, no crime was committed.
22-3918	Wildlife	EPD responded to a fawn that was critically injured. The fawn was euthanized humanely.
22-3917	Citizen Assist	A resident reported being locked in a storage area. With the help of Elizabeth Fire, the resident was freed.
22-3774	Theft	A resident reported theft of personal property. The resident did not provide EPD with enough information to investigate the case.
22-3055	Assault	A student at a local school was stabbed with scissors. After investigation, a suspect was identified, however the victim and their parents did not want charges pressed.
22-3361	Harassment	EPD responded to a possible harassment at a local school. During the course of the investigation, a



**TOWN OF ELIZABETH**

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		possible child abuse also occurred. After the conclusion of the investigation, no crimes had been committed.
22-2832	Fraud	A resident reported their identity being stolen. After investigation, a suspect was identified however there was insufficient evidence to pursue charges.
22-3875	Fraud	A telephone fraud occurred. The victim's bank caught the transaction, and the victim did not lose money. No suspects were identified.
22-4121	Suicidal Subject	A suicidal subject was reported. The subject was located and found to be all right.
22-4050	Traffic Complaint	EPD responded to an address in Town on report of a traffic complaint. The suspect vehicle was not located.
22-4180	Parking Complaint	A resident in Town reported a parking complaint outside their residence. EPD did not locate the vehicle on scene, however later made contact with the registered owner.
22-3685	Municipal Ordinance Violation-Signs	A sign was located in the Town's right of way. The sign was discarded at the owner's request.
22-4197	Fraud	A resident lost money when their bank account and personal information was hacked. No suspects were identified.
22-3234	Municipal Ordinance Violation-Animal	EPD Community Services responded to a dog complaint. The resident was in violation of several Town codes, however, came into compliance.
22-4308	Disturbing the Peace and Harassment	EPD responded to a local business on report of an employee being assaulted. After investigation, the suspect was located and issued a Municipal Summons for several offenses.
22-3986	Municipal Ordinance Violation-Signs	Signs were picked up in the Town's right of way. EPD Community Services attempted several times to contact the owner with no responses. The signs were discarded.



# TOWN OF ELIZABETH

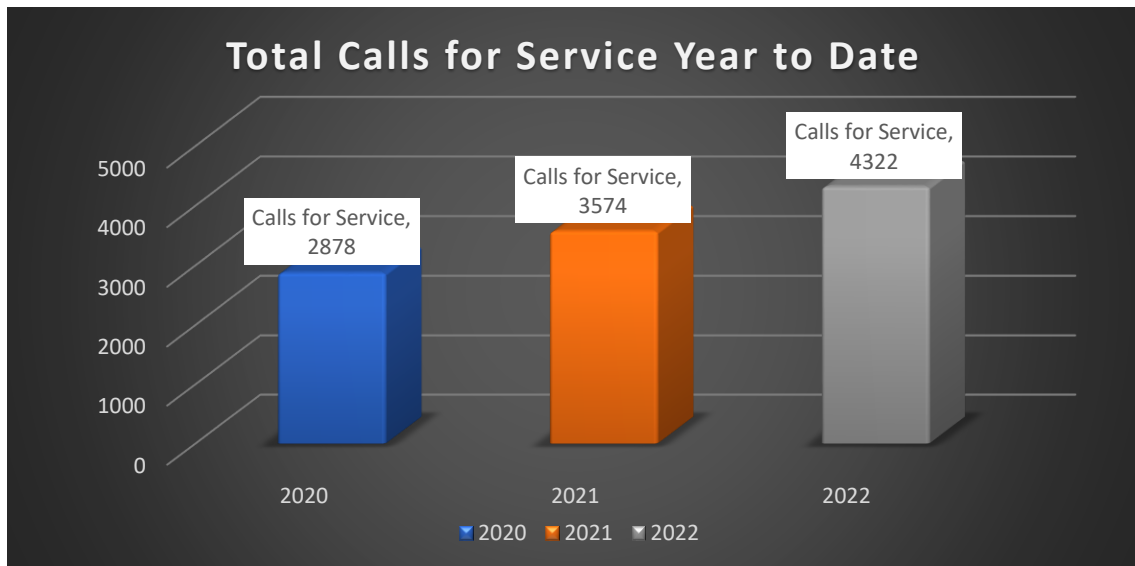
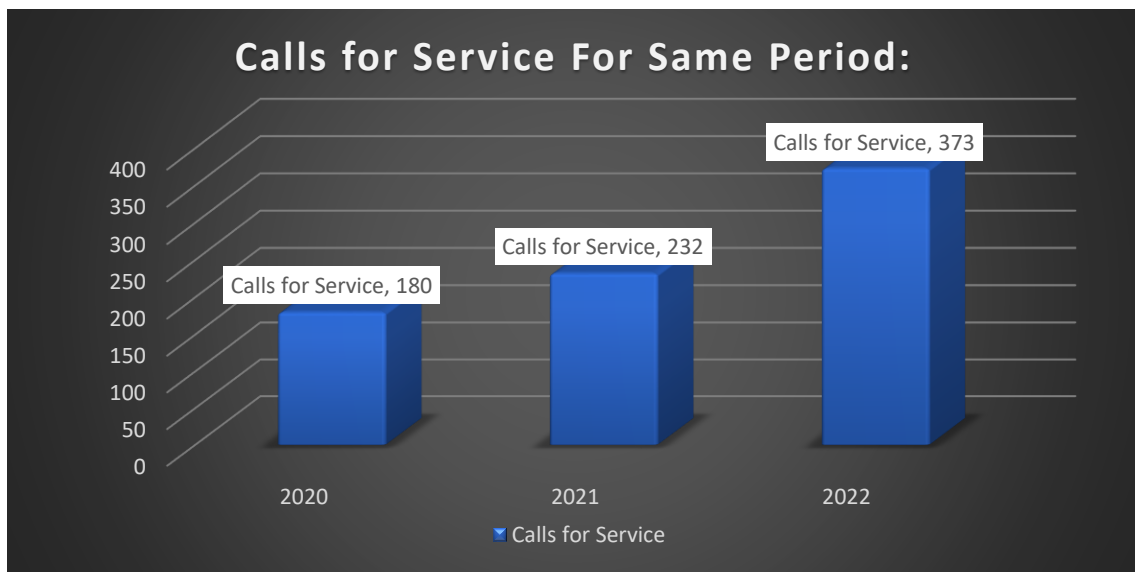
POLICE DEPARTMENT  
MELVIN BERGHANN, CHIEF OF POLICE

## Elizabeth Police Department Activity Statistics Report

Reporting Period:

06/19/2022 to 07/02/2022

### Historical Data:





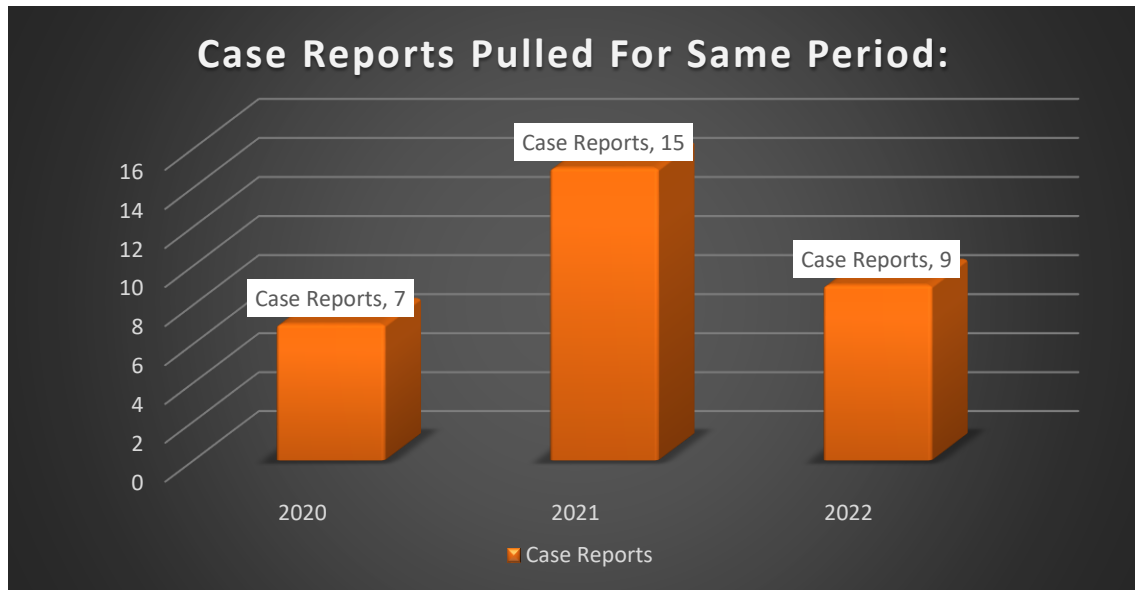
## TOWN OF ELIZABETH

POLICE DEPARTMENT  
MELVIN BERGHAHN, CHIEF OF POLICE

### Elizabeth Police Department Activity Statistics Report

Reporting Period:

06/19/2022 to 07/02/2022





**TOWN OF ELIZABETH**

**POLICE DEPARTMENT**

MELVIN BERGHAWN, CHIEF OF POLICE

**Elizabeth Police Department Activity Statistics Report**

Reporting Period:

06/19/2022 to 07/02/2022

**Chief of Police's Advisements:**

EPD Officers went on a bike ride with several kids from the Connections for Families summer camp program! While our Officers did have E-Bikes (or as the kids fondly called them, cheater bikes) the kids did a great job on the ride. After the ride, the kids received lunch and a tour of the department.

Be sure to add EPD to Facebook as we have more pictures of the ride and some other good information shared.

If you have any questions, please let me know!

Respectfully,

Chief Melvin Berghahn

Chief of Police







**HISTORIC ADVISORY BOARD – RECORD OF PROCEEDINGS  
MAY 02, 2022**

**CALL TO ORDER**

The Regular Meeting of the Historic Advisory Board was called to order on Monday, May 02, 2022, at 4:32 PM by Chair John Quest.

**ROLL CALL**

Present were Chair John Quest, Board Members Jerry Garland, Brandi Wilson, and Denny Boehler. Vice Chair Cecilia Farin and Board Member Aimee Woodall were not present. There was a quorum to conduct business.

Also present were Town Administrator Patrick Davidson, Community Development Director Pam Cherry, Planner/Project Manager Zach Higgins, Deputy Town Clerk Harmony Malakowski, and Community Development Administrative Assistant Pat Gonzales.

**AGENDA CHANGES**

There were no changes to the agenda as presented.

**MINUTES**

Regular Minutes of March 7, 2022

Motion by Ms. Wilson, seconded by Mr. Garland, to approve the minutes from April 18, 2022. The vote of those Board Members present was unanimously in favor. Motion carried.

**NEW BUSINESS**

Discussion regarding second Public Meeting for possible Preservation Code Update and next steps

Staff and the Board discussed the Public Meeting held April 18, 2022.

Discussion regarding History Colorado Basic Model CLG Preservation Ordinance

Mr. Higgins provided the Board with the current changes to the Preservation Ordinance and



discussed with the Board further possible changes before the final draft presented at the next meeting.

Discussion regarding 2022 workplan

Chair Quest wants to add a section to the workplan titled Public Awareness and Communication. Discussion followed regarding the workplan and Board member assignments.

Discussion regarding Town of Elizabeth Designated Historic Properties list and map

Chair Quest discussed the property list provided by Mr. Higgins and the property lists found in previous Historic studies. A spreadsheet will be provided consolidating the information into one resource.

**STAFF REPORTS**

- Discussion regarding the next Board update to the Board of Trustees.
- Mr. Higgins provided a couple more suggestions of items to add to the workplan including historical railroad signage and funding for Historic façade improvements.
- If you missed the Joint training session, reach out to Mr. Higgins for an update on what was discussed.

**BOARD REPORTS**

There were no further reports from the Board.

**ADJOURNMENT**

Motion by Mr. Garland, seconded by Mr. Boehler, to adjourn meeting at 5:49 PM. The vote of those Board Members present was unanimously in favor. Motion carried.

  
Chair John Quest

  
Town Clerk Michelle Oeser



**PLANNING COMMISSION – RECORD OF PROCEEDINGS  
MAY 3, 2022**

**CALL TO ORDER**

The Regular Meeting of the Elizabeth Planning Commission was called to order on Tuesday, May 3, 2022, at 6:30 PM by Chair Nick Snively.

**ROLL CALL**

Present were Chair Nick Snively, Vice Chair Barbara McGinn, Commissioners Julie Uhernik, Rob Porter, and Ed Beard. Commissioner Jenny Case was not present. There was a quorum to conduct business.

Also present were Town Administrator Patrick Davidson, Community Development Director Pam Cherry, Planner/Project Manager Zach Higgins, and Town Clerk Michelle Oeser.

**AGENDA CHANGES**

No agenda changes from staff.

No agenda changes by the Commissioners.

**PUBLIC COMMENT**

No Public Comment.

**MINUTES**

Regular Minutes of April 5, 2022

Motion by Vice Chair McGinn, seconded by Commissioner Uhernik, to approve the minutes from April 5, 2022.

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

Chair Snively open the Public Hearing at 6:34 pm.

**PUBLIC HEARING**

755 Crossroads Circle (Cleary) Site Plan

Chair Snively opened the public hearing to public comment. There was no public comment.

Chair Snively closed the public hearing at 6:58 pm.



**NEW BUSINESS**

Discussion and possible action of recommendation to Board of Trustees approval of 755 Crossroads Circle (Cleary) Site Plan

Motion by Vice Chair McGinn, seconded by Commissioner Uhernik, recommending the approval of 755 Crossroads Circle (Cleary) Site Plan.

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

Discussion regarding Elizabeth 44 and THK Associates presentation

Representatives of THK Associates made a presentation on the Elizabeth 44 project.

Discussion to gain feedback regarding the Draft Historic Preservation Code update

Mr. Higgins presented a staff report on the status of the Historic Preservation Code update.


**REPORTS**

- Mr. Higgins had no additions to his staff report.
- No reports from the Planning Commission.

**ADJOURNMENT**

Motion by Commissioner McGinn, seconded by Commissioner Uhernik, to adjourn meeting at 8:06 PM.

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

  
Chair ~~Nick Snively~~  
Jenny Case

  
Deputy Town Clerk Harmony Malakowski





**HISTORIC ADVISORY BOARD – RECORD OF PROCEEDINGS  
JUNE 06, 2022**

**CALL TO ORDER**

The Regular Meeting of the Historic Advisory Board was called to order on Monday, June 06, 2022, at 4:37 PM by Acting Chair Aimee Woodall.

**ROLL CALL**

Present were Board Members Aimee Woodall and Denny Boehler. Chair John Quest, Vice Chair Cecilia Farin, and Board Members Jerry Garland and Brandi Wilson were not present. There was not a quorum to conduct business.

Also present were Town Administrator Patrick Davidson, Community Development Director Pam Cherry, Planner/Project Manager Zach Higgins, Deputy Town Clerk Harmony Malakowski, and Community Development Administrative Assistant Pat Gonzales.

**AGENDA CHANGES**

Agenda Item 2 will be postponed to the next meeting.

Minutes of May 2, 2022 will be presented at the next meeting due to lack of quorum.

**NEW BUSINESS**

Discussion regarding 2022 Workplan and Assignments

Ms. Woodall and Mr. Boehler discussed items they would like to be a part of on the work plan.

Discussion regarding the formal release of the Historic Preservation Survey results

Mr. Higgins asked the Board for their opinions on where the Historic Preservation Survey results should be released.

Discussion regarding a possible special meeting on June 20<sup>th</sup>, 2022.

**STAFF REPORTS**

- Mr. Higgins told the Board that the application for 188 S Main St. historical designation has been submitted.



## TOWN OF ELIZABETH

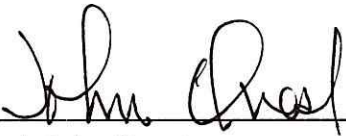
- The Workplan will be updated with the items discussed.
- An update on the Intensive Surveys being done by HistoryMatters will most likely be available at the August meeting.

### BOARD REPORTS

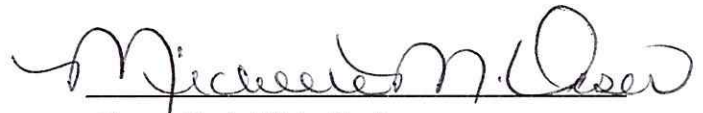
There were no further reports from the Board.

### ADJOURNMENT

Meeting was adjourned at 5:00 PM by Acting Chair Aimee Woodall.

  
\_\_\_\_\_

Chair John Quest

  
\_\_\_\_\_

Town Clerk Michelle Oeser