



## **BOARD OF TRUSTEES MEETING**

**Thursday, August 10, 2023 at 6:00 PM**

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

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### **MINUTES**

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**Call to Order.** Mayor Havenar called the meeting to order at 6:05 pm.

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

**Pledge of Allegiance**

**Presentation**

1. Recognize Town Employees for Years of Service - 5 years (Bartter, King, Stevens, Hoyhtya), 10 years (Dosch). Mayor Havenar thanked employees for their years of service to the town.

**Consent Agenda**

MOTION (Farr, Dreher) to approve the consent agenda including 2) Minutes from July 27, 2023 Meeting. Roll call vote – aye 7; nay 0. Motion passed.

**Staff/Department Reports**

3) Water; 4) Public Works including Roads & Park Maintenance; 5) Police; 6) Fire; 7) Administration. Mayor Havenar expressed thanks to Police for the less lethal weapon instruction at the past citizen academy class as well as the Firefighter volunteer.

8) Attorney

9) Administrator/Clerk – Collins noted and acknowledged Palmer Lake Historical Society for the installation of the Rockland Hotel in town hall. She reported the water rate and tier structure modifications are being worked on to be effective with the 9/15-10/15 customer billing. A staffing update was provided, including posting for a Public Works Equipment Operator and a Deputy Town Clerk. An additional posting is being assembled to hire a Court/Accounting Clerk. She explained that Maria is transitioning Fromm's regular accounting functions in house and learning Great Plains, and that assistance is provided by resident Jane Garrabrant for bookkeeping tasks and thanked her. Collins stated that an RFP and RFQ will be issued for two projects – the design for the pedestrian safety and parking through the downtown corridor funded by MMOF and the revision critical issues of land use code identified by Planning Commission funded by DOLA.

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**Business Items**

10. Special Event Application - Lewis Palmer MS Cross Country Meet (9/13). Mr. Bill Kissell explained the plans for the middle school cross country meet in September and reviewed his responsibilities. MOTION (Padgett, Dreher) to approve the event and waive the application fee. Roll call vote – aye 7; nay 0. Motion passed.
11. Special Event Application - Melodrama Play, Arts Council (10/6, 10/8). Ms. Amy Hutson reviewed the performance planned for October 6 at 7p and October 8 at 2p and 6p. MOTION (Padgett, Stern) to approve the event and waive the application fee. Roll call vote – aye 7; nay 0. Motion passed. Ms. Hutson also mentioned the AI art show opening taking place at the Western Mining Museum and on display through August.
12. Resolution 52-2023 to Approve the Parks Commission Centennial Park Master Plan. Parks Chair Reid Wiecks approached the Board and members thanked him and the Commissioners for completing the Centennial Park Master Plan. MOTION (Padgett, Farr) to approve Resolution 52-2023 adopting the Centennial Park Master Plan. Mr. Wiecks thanked the board and his co-commissioners for the teamwork. Roll call vote – aye 7; nay 0. Motion passed.
13. Resolution 55-2023 to Approve Lease Agreement (Willans, Elephant Rock property). Mayor Havenar and Attorney Krob explained the change of the agreement in the prior week, and it was suggested to continue this item to the next meeting following a complete staff review of the new lease agreement and two additional agreements. Ms. Cyndee Henson inquired about plans to follow the same regulations that other developments do by code. She expressed concern of having a completed master plan prior to moving forward. Discussion arose about possible use of the cabins. Mayor Havenar stated that the Board never considered plans for anything to be used as dwelling units. Trustee Farr stated the master plan will encompass what is currently moving forward to develop further into the future. Attorney Krob reminded the Board that there is a motion to table. MOTION (Padgett, Stern) to table this item until staff has a complete review of the documents. Roll call vote – aye 7; nay 0. Motion passed.
14. Ordinance 18-2023 to Prohibit Motor Vehicles on Undeveloped Right of Way. Attorney Krob provided an explanation of this draft ordinance while the RV ordinance was being drafted. He explained the liability of an undeveloped right of way and the state motor vehicle traffic code. Discussion took place about optional language to strictly prohibiting vehicles on undeveloped right of way. Discussion about current private driveway agreements ensued. Board members questioned how to consider regulations and rules around the use of town right of way, especially in areas of the Glen. Attorney Krob addressed some of the legal concerns if the town allows this use. MOTION (Padgett, Dreher) to table to a future meeting and set a workshop to discuss further. Roll call vote – aye 7; nay 0. Motion passed. Mr. Kent Hutson explained his use of the undeveloped right of way to access his back lot and he contacts PD. Mr. Jim Andrews stated he has used Loveland Slope and Fowler Branch for 27 years to access his back lot and gardens. Trustee Dreher asked for his address. Mayor Havenar stated that a workshop will be scheduled.
15. Ordinance 19-2023 Regulating RV Storage and Use. Attorney Krob explained the draft ordinance for public use per the Board discussion and direction at the prior meeting. Trustee Padgett inquired about private use. Discussion began about private use and storage of RVs. Attorney Krob stated the Board can separate the ordinance for public property and work through discussion about the private property regulations. Ms. Jeanie Kelley inquired about use in her driveway to assist family

members in a time of need. Mayor Havenar suggested a separate discussion of private property use and storage and encouraged the public to participate. Mr. Brandon Hamschin suggested that many towns allow someone to live in an RV while a dwelling is being constructed. Mayor Havenar and Attorney Krob responded that is considered with this ordinance. MOTION (Padgett, Stern) to approve Ordinance 19-2023 amended to add Chapter 10.14 with sections .010 and .020 and .050 only. Roll call vote – aye 7; nay 0. Motion passed. Mr. Hamschin cautioned the Board that there are online applications that communicate where RVS can park for a 24-hour minimum. Attorney Krob noted it is for loading and unloading in front of a residence.

16. Consider Basic Analysis of Fees to Begin Discussion of Stormwater Enterprise Fund. Trustee Padgett stated she is glad to see this beginning. MOTION (Ball, Padgett) to initiate a fee analysis with GMS. Roll call vote – aye 6; nay 1 (Farr). Motion passed.

#### Public Comment

Ms. Lindsay Willan apologized for missing the earlier item and inquired about the next steps for the agreement review. Collins noted that staff will review all three agreements, get comments back to Willans and counsel by August 18 for a possible phone review on August 21 or 22 and will notice the agreements on the next Board agenda on August 24.

**Board Reports.** Trustee Jessica Farr and Nick Ehrhardt noted that Nick will step in for Jessica with Parks Commission. Trustee Ball expressed gratitude to the PD for the citizens academy.

#### Next Meeting (8/24) and Future Items

**Convene to Executive Session.** For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. 24-6-402(4)(e) – lease agreement; possible annexation (Ben Lomand); and personnel matter under C.R.S. 24-6-402(4)(f) - Town Administrator evaluation. MOTION (Stern, Farr) to convene to executive session at 7:33 pm. Roll call vote – aye 7; nay 0. Motion passed. Attorney Krob noted there will not be discussion about the lease agreement.

**Reconvene to Open Session.** MOTION (Stern, Dreher) to reconvene to open at 9:01 pm. Roll call vote – aye 7; nay 0. Motion passed.

**Adjourn.** MOTON (Stern, Dreher) to adjourn at 9:02 pm. Motion passed.

  
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Mayor Glant Havenar

  
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ATTEST: Dawn A. Collins, Town Clerk