



## **BOARD OF TRUSTEES MEETING**

**Thursday, March 23, 2023 at 5:00 PM**

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

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### **MINUTES**

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**Call to Order.** Mayor Havenar called the meeting to order 5:07 pm.

#### **Pledge of Allegiance**

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

#### **Presentations**

1. Presentation of Revised Building Code by Pikes Peak Regional Building (PPRBD), Mr. Roger Lovell, Building Official. Trustee Dennis Stern introduced Mr. Roger Lovell, PPRBD. He introduced his team and provided the background of the creation of the department, schedule of revision of the International, State and Local codes. Mr. Lovell explained the most current energy conservation code, 2015 with revisions, to be adopted prior to July, otherwise, the 2021 code without amendments will take effect. Mr. Lovell further reviewed the review process and public outreach. Mayor Havenar asked about ISO level specific to building (not fire). Trustee Dreher inquired on the energy topic. Adoption of the code gets ahead of the restrictive 2021 code – energy conservation and accessibility code. Mayor referenced the first reading of the revised building code later in the agenda.

#### **Consent Agenda**

MOTION (Ball, Farr) to approve the consent agenda including items 2) Minutes from March 9, 2023, Meeting; 3) Checks over \$15,000 - CIRSA (\$30,876.59); and 4) Financials (Feb-2023). Roll call taken – aye 7; nay 0. Motion passed.

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

5. Attorney – none.

6. Administrator/Clerk. Collins reported the library door frame is repaired and under the estimate. Water Supervisor Orcutt noted that the surface water is too low to add water to the lake. Fire Chief John Vincent accepted the offer for the Fire Chief position. The water department analysis is moving along, and a presentation is expected in April. The Chamber After Hours event was a success on 3/21 and Collins thanked those who attended.

#### **Public Hearing**

7. 2023 Budget Amendment. Mayor Havenar opened the hearing for the budget amendment. Deputy Town Clerk Stambaugh provided background of the unused 2022 general fund and water fund to carry forward

to 2023 for public works and water projects. Mr. Roger Moseley clarified the unused funds from 2022. No person spoke for or against the amendment. Mayor Havenar closed the hearing.

#### Business Items

8. Resolution 25-2023 to Amend the 2023 Budget. MOTION (Stern, Ball) to adopt Resolution 25-2023 to amend the 2023 budget as presented. Roll call taken – aye 5; nay 2 (Farr, Padgett). Motion passed.
9. First Reading of Ordinance 10-2023 to Consider Pikes Peak Regional Revised Building Code. Trustee Stern thanked PPRBD and suggested adopting the 2015 version with amendments to be done before July. MOTION (Farr, Padgett) to pass Ordinance 10-2023 revising the code. Roll call taken – aye 7; nay 0. Motion passed.
10. Special Event Application - Egg Hunt on the Village Green (Palmer Lake Arts Council, 4/8). Ms. Lindsey Aho and her daughter provided the details of the planned Easter egg hunt for 4/8 at 11 am. The event is approved with fees waived.
11. Ordinance 8-2023 Amending Title 12 Regulating Snow Removal. Discussion took place about the final version of the ordinance to regulate snow removal and concerns were expressed about overstepping. Collins noted that education will take place first with enforcement of the ordinance. Mr. Kent Hutson inquired about enforcement. Mr. Matt Stephens referenced the state code prohibiting placing snow from private property on public right of way and that this ordinance provides local enforcement. MOTION (Dreher, Padgett) to approve Ordinance 8-2023 to regulate snow removal. Roll call taken – aye 6; nay 1 (Farr). Motion passed.
12. Ordinance 9-2023 to Authorize Sale of Town Property. The location of the parcel was explained. MOTION (Padgett, Stern) to approve Ordinance 9-2023 to authorize the sale. Roll call taken – aye 7; nay 0. Motion passed.
13. Resolution 26-2023 to Authorize Use of Cost Reimbursement Agreement (Development Review). Mayor Havenar explained the background to implement this agreement. MOTION (Stern, Ball) to approve Resolution 26-2023 to authorize the agreement. Roll call taken – aye 7; nay 0. Motion passed.
14. Resolution 27-2023 to Authorize CMI as Interim Planner Consultant for Development Review. Collins stated CMI will be utilized in the interim. MOTION (Ball, Dreher) to approve Resolution 27-2023 to work with CMI. Roll call taken – aye 7; nay 0. Motion passed.
15. Direction on Draft Ordinance to Amend and Create Code for Use of Cost Reimbursement Agreement. Review of the draft ordinance took place and the Board directed staff to finalize a version.
16. Direction on Draft Ordinance to Amend Short Term Rental Code. Mayor Havenar further reviewed the redlined draft version. Collins reviewed the safety features of the application packet. Mr. Roger Moseley restated item 2 of his written input to the Board, as well as page 6 of 20 and referenced use of if/may language. Attorney Krob stated he will review the language. An ordinance to amend the code will be drafted for Board consideration.
17. Authorize Mayor to Sign Request Letter - DOLA, Energy and Mineral Impact Assistance Fund. MOTION (Padgett, Ball) to authorize Mayor Havenar to sign the letter for DOLA funds. Roll call taken – aye 7; nay 0. Motion passed.
18. Consider Direction for Elephant Rock Property First Initiative. Mayor Havenar and Trustee Farr explained the general discussion previously taken place with the Board members. It was stated that a master plan to begin, stake/flag the trail path to connect, move forward to lease smaller area to Willans for the Eco Spa, and reserve about three acres for a possible public facility. Mr. Kent Hutson suggested conducting a master plan with input to the property, including PLEDG and Arts Council. Mr. Richard Willan confirmed that lease terms will be negotiated. Mr. Reid Wiecks clarified the master plan for a portion or all 28 acres. He suggested that Parks also create a master plan for the trail/parks area on the property. The spreadsheet of the Parks plan for the property

is the foundation for a 3-year plan and phase 1 to be conducted this year. Ms. Amy Hutson suggested the master plan be completed for the entire property. Mr. Gene Kalesti introduced Mr. Rogers Davis to speak about the history of the elephant rock property. Mr. Davis spoke about the importance of Chautauqua that brought folks to Palmer Lake, the background on the area and celebrating the memory. Mr. Kalesti spoke about a mapping tool to exact the trail location. Discussion took place with members about the process and next steps. Ms. Linsey Willan stated these agreed parts (spa, trail, etc.) should be incorporated into the master plan. Discussion took place about cabins and possible demo, and general plans to secure the other structures. Mr. Roger Moseley suggested checking the PUD code to amend the use of the property.

19. Review Prioritized Items and Additional Board Workshop (First Thursday/Month). Discussion took place about a regular standing workshop or retreat as needed. Trustee Dreher inquired about changing it from the first Thursday to the first Wednesday each month. Board members agreed to add a regular time instead on the first Wednesday each month at 5 pm. Trustee Padgett reviewed the items to be addressed. Mr. Gary Atkins clarified the time is in addition and not replacing a regular meeting.

#### Public Comment

Mr. Gary Atkins gave Board members a handout and requested a future agenda item. He expressed his concerns about the new retail MJ license at Alpine Essentials and asked the Board address parking and screening.

Ms. Brenda Woodward stated their parking plan and signs were approved with the retail license application.

#### Board Reports

Trustee Ball mentioned updates of CML legislation and webinars she is registered to participate in.

Trustee Dreher asked if the Board can circle back on Board rules together and noted a meeting held with Mr. Roger Moseley about his concerns of accounting/budgeting for the water fund.

Trustee Stern attended the PPRBD advisory meeting.

Mayor Havenar stated she attended the Board of Health and will be interviewed on Fox 21 local on Friday.

#### Next Meeting - April 5th workshop and April 13 regular meeting – and Future Items

**Convene to Executive Session.** MOTION (Padgett, Stern) to convene to executive session at 7:32 pm for conference with town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. 24-6-402 (4)(b) - litigation and/or possible claims against town (PD complaint update); and for 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) – elephant rock lease terms. Roll call taken – aye 7; nay 0. Motion passed.

**Reconvene to Open Session and Adjourn.** MOTION (Farr, Padgett) at 8:45 pm. Motion passed.

  
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Mayor Glant Havenar

  
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ATTEST: Dawn A. Collins, Town Clerk