



BOARD OF TRUSTEES MEETING

Thursday, March 28, 2024

Executive Session at 5:00 PM & Regular Meeting at 6:00 PM

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

MINUTES

Call to Order & Roll Call. Mayor Glant Havenar called the meeting to order at 5 pm. Present: Mayor Glant Havenar; Trustees Shana Ball, Kevin Dreher, Dennis Stern. Excused: Trustees Sam Padgett, Jessica Farr. Trustee Nick Ehrhardt will arrive late.

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) – possible sale of town property; and to confer with special employment counsel for the Town to receive legal advice on specific questions concerning information available and responses to inquiries related to the separation of former Chief Vanderpool pursuant to C.R.S. 24-6-402(4)(b). MOTION (Stern, Dreher) to convene to executive session. Roll call vote – aye 4; nay 0. Motion passed. Trustee Nick Ehrhardt arrived during executive discussion.

Reconvene to Open Session. Mayor Havenar reconvened to open session at 5:56 pm and called for a brief recess to open doors for the public.

Roll Call. Mayor Glant Havenar called the regular meeting to order at 6:07 pm. Present: Mayor Glant Havenar; Trustees Nick Ehrhardt, Shana Ball, Kevin Dreher, Dennis Stern. Excused: Trustees Sam Padgett, Jessica Farr.

Pledge of Allegiance

Presentation

1. Proclamation for National Library Week, April 7-13. Mayor Havenar read and presented the Proclamation for National Library Week to several Pikes Peak Library representatives.
2. Proposal to Restore Elephant Rock Structures, Lindsay & Richard Willan. Mr. Richard and Lindsay Willan reviewed the activity taking place with the Eco Spa and the proposal to renovate the cabins and long house on the elephant rock property including a review of various layout options for the use of the cabins. The process to renovate, insure, and after approximately 3 years, the revenue to the town was reviewed. Richard requested that the Board consider no cost to the town instead of creating a large cost to town residents with the demolition. Board members asked questions about zoning, a change in the future, parking, and access. Ms. Cindy Powell explained the adopt a cabin program. Lindsay noted the two stipulations that were expressed for community use when the gift of the property was relayed. Ms. Caryn Switaj explained her outdoor school and the benefit of a physical location for school activity. Board members expressed their opinions. Trustee Ball likes the idea of

preserving them but had concerns about managing the property and use. Richard explained forming an LLC to operate and suggested they would sublet to a property management company, such as Remax, for the long term. Cindy reviewed the process of repairing the cabins. Trustee Ehrhardt inquired about parking and the land around the cabins. Richard stated that parking would be shared with the Eco Spa and annex patrons, approximately 40 in the area and the common space would remain open to the public. Lindsay reiterated that the use would be for individual business, groups, or in connection with the businesses on the elephant rock property (ie., overnight guest/party of the spa or event venue). Discussion about zoning took place and Collins stated that the property is zoned as Planned Unit Development (PUD), and a change of use would be required to go before the Planning Commission and the Town Board.

Consent Agenda

MOTION (Ball, Dreher) to approve the consent agenda including items 3) Minutes from February 22, 2024 Meeting; 4) Minutes from Special Meeting on February 28, 2024; 5) Checks over \$15,000 - Meyer & Sams/GMS (\$18,245.18); Aspen Auto (\$22,684.91); CIRSA (\$35,602.73); and 6) Financials (Feb). Roll call vote – aye 5; nay 0. Motion passed.

Staff/Department Reports. Mayor Havenar suggested that Collins begin with the Administrator report.

13. Administrator/Clerk. Collins reported on new town staff, including new equipment operator Blake Bloom, new accounting clerk, and interviews for a Deputy Town Clerk. She explained the recruitment plan for Public Works, beginning with a possible interim supervisor. Collins commended Lt Adam Lundy for accepting the interim Police Chief position and congratulated Corporal Gene Ramirez on his promotion. Next steps for the Police department were noted including an assessment with recommendations. Collins reported the water and roadway projects taking place and asked Board members to inform her of their attendance to the Tri-lakes Chamber annual award dinner by 4/8.

7. Water. Trustees asked about water being released to the lake and Collins stated she will confirm with the Water department.

8. Public Works including Roads & Park Maintenance. No questions.

9. Police. Interim Chief Lundy stated any questions were welcome and that PD and Administration will work together to move forward.

10. Fire. Chief Vincent stated that he knows very well how to issue a Temporary Certificate of Occupancy (TCO). He continued his report that it is one year in the Chief position and will work on a wildfire presentation to the public. He provided training stats of staff. Chief Vincent requested the purchase of a 2015 Ram truck to replace the current 2003 Suburban and reviewed the reasons and cost. Collins noted that although it was removed from the 2024 budget, this was an excellent deal to consider. The Board provided a thumbs up to move forward with the truck replacement. Discussion ensued with the Fire Chief about controlled burning and mitigation in the town. He will bring a recommendation to amend the regulations of burning within town limits. Ms. Brenda Woodward and Ms. Trina Schook were thanked for their donations to the Fire Association and questions were addressed about tax reduction when property is mitigated. Mayor Havenar explained the upcoming controlled burns by the Forest Service. Mr. Roger Moseley asked about mitigation of personal property.

11. Administration. No questions.

12. Attorney – none.

Public Hearing

14. Application for Conditional Use Permit for Landscape Yard in C2 Zone (Greater Grounds) - *Continued by Planning Commission to April 17; Requesting Continue Hearing to April 25.* MOTION (Stern, Dreher) to continue the hearing until the second Board meeting in April. Roll call vote – aye 5; nay 0. Motion passed.

Mayor Havenar requested a brief recess at 7:29 pm while Ms. Albright set up her presentation. At 7:35 pm, Mayor reconvened the meeting.

15. Application for Conditional Use Permit for Multi-Family Residential in C1 Zone (Albright/Tedeschi). Ms. Becky Albright addressed the Board with her request for a conditional use permit for a multi- and single-family on their property and a parcel they have offered to purchase from the town. She explained the area and the pocket neighborhood of a small cluster of duplex and single family dwellings. Mr. Roger Moseley stated that the R4 zoning code prohibits septic system and he noted the engineer's comment in the staff memo. Ms. Marty Brodzik stated she loves the idea of a pocket neighborhood and suggested that code reflect this sort of development. She inquired about what is defined as attainable or affordable for housing. She suggested that the code formerly written has a purpose. Attorney Krob suggested that Resolution, item 2, noting the second condition be amended to add the word "subsequently" if considered. Mayor Havenar closed the hearing.

Business Items

16. Resolution 21-2024 to Approve Conditional Use Permit for Multi-Family Residential in C1 Zone (Albright/Tedeschi). MOTION (Ehrhardt, Ball) to approve Resolution 21-2024 allowing the conditional use permit for multi-family residential in a C1 zone with amended language to add "subsequently." Roll call vote – aye 5; nay 0. Motion passed.

17. Special Event Application - Fishing Derby, Tri-lakes Lions Club (6/1). Mr. Stan Krol of the Lions Club reviewed the traditional fishing derby event beginning at 8 am on June 1. He said the lake will be stocked prior and the entry fee is a donation of a non-perishable food item for Tri-Lakes Cares. He asked to waive the event fees. Board members reminisced of their children's participation. MOTION (Dreher, Stern) to approve the event for 6/1. Roll call vote – aye 5; nay 0. Motion passed.

18. Resolution 22-2024 to Appoint Citizen to Parks and Trails Commission. Mr. John Tool was invited to the podium, and he introduced himself to the Board members. MOTION (Dreher, Stern) to approve Resolution 22-2024 appointing John to the Parks and Trails Commission. Roll call vote – aye 5; nay 0. Motion passed.

19. Update/Action Regarding Applicant Withdrawal of Ben Lomand Mountain Annexation Petition. Attorney Scott Krob provided an update on this item and the withdrawal of the application following the Board suggesting modification to the annexation agreement. The applicant confirmed that modification to the agreement would result in withdrawal of the petition. It was clarified that the special meeting previously scheduled was cancelled due to this response.

20. Discussion/Direction on Proposal to Restore Elephant Rock Structures. Trustee Shana Ball stated she supports the idea of renovating the cabins. Trustee Kevin Dreher stated that the Board has voted three different times to remove the cabins and stated it will be a challenge to maintain these structures in the long term. Trustee Dennis Stern commended Willans for the presentation and is

optimistic about the management of the structures could be locked down. Mr. Reid Wiecks, Chair of the Parks Commission, stated the Board voted three times to remove the cabins and that the property without the structures will be a unique piece in the entire region. He suggested that tables be added in their place for little to no maintenance, creating a passive park. He stated a passive park will add value to surrounding properties which will bring added revenue to the town. He suggested the Board consider a conservation trust. He added that the structures are not historical. Reid reminded the Board of their decision at the end of 2024 and expressed concern of overturning such a decision creates doubt about other resolutions passed. He asked that the Board support an open space. Discussion took place about considering both as a benefit. Ms. Marty Brodzik suggested checking into minimum acres to protect the property and checking with CDOT whether increased traffic will impact the Hwy 105 access. Ms. Cindy Powell stated that Reid is speaking on his own not on behalf of the Parks Commission. Richard stated that he and Lindsay support the Parks trails on the property from the very start of their concept for the property. Mayor Havenar asked Richard how this project will be prioritized with the development of the Eco Spa. Discussion took place about getting input from all Commissions.

21. Consider Approval of Asbestos Abatement Service to Elephant Rock Structures. No action.
22. Consider Approval of Revised Addendum No 1 to Lease Agreement (Willans). Collins explained the minor modification of language in the Addendum. MOTION (Stern, Dreher) to approve the revised Addendum No 1. Roll call vote – aye 5; nay 0. Motion passed.
23. Consideration to Transfer Greeley Water Tap. Mayor Havenar disclosed that she was involved in the sale of the Greeley property but all payment for the sale was completed. Attorney Krob agreed that there is no financial benefit and asked if any member had any issue. No member expressed concern. Ms. Nikki McDonald explained the initial water tap matter for the Greeley property. She requested the Board transfer one for her use for the property next to her current residence. MOTION (Dreher, Stern) to approve the transfer of one tap from Greeley to the McDonald property. Roll call vote – aye 5; nay 0. Motion passed.
24. Discussion/Direction to Allow Business Directional Sign on Town Owned Property (Alpine Essentials). Ms. Brenda Woodward offered background to this item she received approval from the Planning Commission for an off-premises directional sign. Collins and Attorney Krob expressed concerns about opening this up to other businesses wanting to place signs in public right of way. Discussion took place about the specific disadvantages for Alpine Essentials. Trustee Dennis Stern suggested that the private property (Secure Storage) be considered prior to town property. Discussion took place about specific location, height of the sign, visibility of the current street sign. Mr. Matt Stephen commented that the placement of the sign as requested will block the street sign and he stated that the Planning Commission discussed not having a line of signs in the right of way. Ms. Brenda Woodward shared various photos of the street sign and suggested that the sign code does not help businesses. The Board directed Alpine Essentials to check with private property owners prior to considering town property for the off-premises sign. MOTION (Ball, Dreher) to table until further considered with the private property owner. Roll call vote – aye 5; nay 0. Motion passed.
25. Discussion/Direction to Allow a Private Well on R-1 Five Acre Property (Miller). Collins noted that staff did not receive feedback from the water attorney prior to the meeting. No action.
26. Resolution 23-2024 Authorizing PLPD to Sign a Mutual Aid Agreement with Colorado Rangers. Corporal Ramirez addressed the agreement with the Rangers, stating that they can be used throughout

the year. MOTION (Ball, Ehrhardt) to approve Resolution 23 to authorize PD to sign the agreement with Colorado Rangers as presented. Roll call vote – aye 5; nay 0. Motion passed.

27. Resolution 24-2024 to Adopt Land Use Application Checklists. Discussion took place about late receipt of the checklists. MOTION (Dreher, Ball) to table until the April 11 meeting. Roll call vote – aye 5; nay 0. Motion passed.

28. Ordinance Relating to Annexation Procedure. Attorney Krob stated he should have this item completed for the April 11 meeting. MOTION (Ball, Stern) to table to the April 11 meeting. Roll call vote – aye 5; nay 0. Motion passed.

Public Comment. Mayor Havenar referred to an email of questions from Mr. Jurka, in which she did respond to. Mr. Roger Moseley stated the well permit item is asking for an abundance of water, 3x his irrigation. He explained to the Board that he gave Commissioner Tim Caves a permit for access and suggested that members be aware of specific restrictions for CDOT access from Hwy 105.

Board Reports. Trustee Nick Ehrhardt commended the Parks and Trails Commission members for the ongoing bridge construction activity. Collins noted there will be an upcoming ceremony scheduled. Trustee Shana Ball stated the EMS grant was submitted for AEDs and she is optimistic because they asked if they would accept 3 vs 5. She stated we should have news in June. Trustee Dennis Stern stated that he attended the Pikes Peak Regional meeting with nothing new to report. Mayor Havenar stated she attended the PPACG meeting with no report. She invited all families to join in the Pancake breakfast and Easter Egg Hunt.

Next Meeting (4/3 All Officials Training; 4/11 Joint Meeting with Planning Commission at 5 pm; Regular Meeting at 6 pm) and Future Items. It was expressed that following the training on 4/3 is a good time to begin the discussion on the vision for the elephant rock property.

Adjourn. MOTION (Ball, Dreher) to adjourn at 9:52 pm. Motion passed.



Mayor Glant Havenar



ATTEST: Dawn A. Collins, Town Clerk