



BOARD OF TRUSTEES MEETING

Thursday, February 23, 2023 at 5:00 PM

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

LIVE STREAM available at Town website

AGENDA

This agenda is subject to revision 24 hours prior to commencement of the meeting.

Call to Order

Pledge of Allegiance

Roll Call

- [1.](#) Resolution 20-2023 Approving Appointment to Board of Trustees & Administer Oath of Office

Presentations

2. Review of Elephant Rock Property "Proposed Parkland"

Consent Agenda

Items under the consent agenda may be acted upon by one motion. If, in the judgment of a board member, a consent agenda item requires discussion, the item can be placed on the regular agenda for discussion and/or action.

- [3.](#) Minutes from February 9, 2023 Meeting
- [4.](#) Financials (November 2022)
- [5.](#) Financials (January 2023)

Staff/Department Reports

6. Attorney
7. Administrator/Clerk

Public Hearing

- [8.](#) Application to Request a Replat (Milton)
- [9.](#) Application to Request to Vacate a Right of Way (portion of Brook)

Business Items

- [10.](#) Resolution 21-2023 to Replat Lots 1-11 (Milton)
- [11.](#) Ordinance 6-2023 to Vacate a Right of Way (portion of Brook)
- [12.](#) Resolution 22-2023 to Appoint Parks Commission Member
- [13.](#) Resolution 23-2023 to Authorize Agreement with City of Colorado Springs, Radio Communications Division for Fire Department
- [14.](#) Resolution 24-2023 to Authorize Records Management Contract for Fire Department
- [15.](#) Ordinance 4-2023 to Amend MJ Excise Tax
- [16.](#) Ordinance 5-2023 to Establish Retail MJ Sales Tax
- [17.](#) Ordinance 7-2023 to Create Sec. 12.22 Regulating Snow Removal
- [18.](#) Review/Direction on Short Term Rental Status and Code
- [19.](#) Discussion/Direction to Prioritize Town Business

Public Comment

Public comments are encouraged to be emailed to the Town office at info@palmerlake.org with subject line of Public Comment (48 hour prior to meeting) and shall be announced, distributed, and addressed at the meeting. Otherwise, please step to the microphone, state your name and address for the record and address the Board on matters not on the agenda. Please note that the Board will not take action on your concern but may refer it to staff and/or to a future meeting agenda. Public members are allowed up to 3 minutes for comments. Thank you!

Board Reports**Next Meeting (3/9) 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) – sale of town property; parameters for elephant rock property.

Reconvene to Open Session

- 20. Consider Offer on Town Property

Adjourn

Americans with Disabilities Act

Reasonable accommodations for persons with a disability will be made upon request. Please notify the Town of Palmer Lake (at 719-481-2953) at least 48 hours in advance. The Town of Palmer Lake will make every effort to accommodate the needs of the public.

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 20-2023

**A RESOLUTION OF THE TOWN OF PALMER LAKE
APPROVING AN APPOINTMENT TO FILL A VACANCY ON THE
TOWN BOARD OF TRUSTEES**

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado; and

WHEREAS, a vacancy was declared on January 12, 2023; and

WHEREAS, applicants were reviewed at the regular Board meeting on February 9, 2023; and

WHEREAS, the Board moved, by a 5-1 vote, to name Nick Ehrhardt to fill the vacancy on the Board of Trustees.

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

1. The office of Trustee shall be filled by Nick Ehrhardt for the remaining term through 2024.
2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
3. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 23RD DAY OF FEBRUARY 2023.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor



BOARD OF TRUSTEES MEETING

Thursday, February 09, 2023 at 5:00 PM

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

MINUTES

Call to Order. Mayor Havenar called the meeting to order at 5:05pm.

Pledge of Allegiance

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

Consent Agenda

1. Minutes from January 26, 2023, Meeting. MOTION (Ball, Farr) to approve the consent agenda. Roll call vote – aye 6; nay 0. Motion passed.

Staff/Department Reports

2. Water; 3. Public Works including Roads & Park Maintenance;

4. Police – Chief Vanderpool reported an award of Gary Sinise funds to purchase a 2023 pickup and cover the upfitting.

5. Fire – Interim Chief Vincent reported that the department is progressing on getting SOPs current.

Chief Vincent and Vanderpool addressed Board members requesting a portion of the elephant rock property be held for the possibility of a public safety facility. Discussion was exchanged about possible facility needs. Possible property suggested is up to three acres, ideally abutting Hwy 105.

Mr. Mike Richards inquired about the amount of property that Monument Fire District has and it was stated the parcel is under two acres. Mr. Roger Moseley spoke about the Parks planning will include a facility. Trustee Ball inquired about town property available for training and allowing other agencies to utilize property. Trustee Stern stated that El Paso County has opened a training facility.

6. Administration; 7. Attorney – Scott Krob reported that Matt Krob will be at the April meeting.

8. Administrator/Clerk – Collins explained the copy of a 5x7 plaque that Palmer Lake Arts Council would like to install on the elephant sculpture at the entrance of the elephant rock property to recognize the work of Mr. Jerry Merrick. The Board supports the effort and requests to see the plaque prior to installation. Collins reported the two quotes to repair the library door frame – one for \$7850 and one for \$6465 – and requested direction to complete the repair identified early in 2022. Consensus was to complete the repair with TN Parker for a not to exceed amount of \$7850. Current land use activity was reported, along with a new accessibility law impacting the town website that will require compliance

by July 2024. Collins reviewed the results of the meeting time poll posted for four weeks. The 6 PM time received most votes. It was agreed that beginning in April, the Board will begin at 5:00 with any executive session items and at 5:45 recess to begin the regular meeting at 6 PM. Collins informed the members they will be receiving an email to test a Phish Alert Button via email and reminded members of the March 21 Chamber After Hours event at town hall.

Business Items

9. Special Event Application - Little Funky Theater, Steel Magnolias (3/5). Deputy Town Clerk Julia Stambaugh explained the event for the Little Funky Theater. They intend to return on a regular basis with performances. There were no concerns from the department review. It was noted that the Arts Council is a not-for-profit organization and it was requested to waive the fee. MOTION (Padgett, Dreher) to approve with the fee waived. Roll call vote – aye 6; nay 0. Motion passed.
10. Consideration of Public Display Permit to Install Display Case in Town Hall (PLHS). Collins noted the request from PLHS to install a display case in the front corner of the town hall. MOTION (Ball, Padgett) to approve the public display. Roll call vote – aye 6; nay 0. Motion passed. Ms Diane Kokes invited the Board to attend the next PLHS program on 2/16 featuring Awake Palmer Lake. She thanked the members for helping promote the museum.
11. Resolution 18-2023 to Appoint Members to Planning Commission. Mayor Havenar read the resolution to appoint Tim Caves and Lindsey Zapalac to the Planning Commission. MOTION (Farr, Ball) to approve Resolution 18-2023. Roll call vote – aye 6; nay 0. Motion passed. Mr. Tim Caves introduced himself to the Board.
12. Resolution 19-2023 to Authorize Service Agreement with Chavez Consulting LLC. Collins explained how the town utilizes the stormwater services of Mr. John Chavez. MOTION (Dreher, Farr) to approve Resolution 19-2023 to authorize agreement with Chavez. Roll call vote – aye 6; nay 0. Motion passed.
13. Ordinance 2-2023 to Adopt Official Zoning Map. Mayor Havenar offered background to the revised zoning map. Collins addressed the blank residential lots and requested the Board approve the map with the edits, if desired, to add prior residential zoning as found on former town zoning map. Mr. Roger Moseley inquired about the distinction of non-conforming lots. Attorney Krob responded with a brief review of non-conforming use and non-conforming structure, noting it is not the same as identified zoning on a map. MOTION (Padgett, Dreher) to adopt the zoning map. MOTION (Stern, Dreher) to amend the motion to add the R-1 and R-3 label on three residential lots as found on the former zoning map. Roll call vote – aye 6; nay 0. Motion passed.
14. Draft Ordinance Amending Wholesale MJ Excise Tax. Mayor Havenar reviewed the original ballot question and ordinance for wholesale tax of 5% on cultivation. Ms Brenda Woodward addressed the Board about the history of the ballot question. Mr. Dino Salvatori stated it does not affect him and spoke to the cost of wholesale purchasing, adding that in 2017, of 63 wholesale 16 collected excise. He stated the cost hinders the establishment with making upgrades. Ms Melissa Woodward stated that although practice is to be at 5%, it is also a practice to not have the excise tax. Trustee Ball suggested further research into the standard for an excise tax. It was also directed to confirm the language in the ordinance to increase up to 10%. Mr. Rich Kuehster inquired how much the tax is, and Attorney Krob explained that financial information of one establishment shall not be disclosed. Staff will collect more information and bring this item back.

15. Draft Ordinance to Create Retail Marijuana Sales Tax. Mayor Havenar provided the background on the new draft to establish a retail tax based on the 5% stated in the ballot question. Ms Melissa Woodward reviewed the anticipated sales tax revenue for the town. Mr. Dino Salvatori provided a handout stating how the tax is distributed by the state. Mr. Ray Kriegbaum suggested amending the reference of Chapter 12 to be Chapter 40 in the ordinance. This item will be brought back to the Board in final ordinance form.

16. Review/Direction of Staff Time on Citizen Inquiries. Mayor Havenar provided background to support staff in the amount of time spent on public inquiries. Discussion took place about CORA requests versus general email inquiries requiring research due to the state of town records. Mr. Roger Moseley stated with issues of code, water, drainage, land use, the Board should expect inquiries. It was agreed that inquiries requiring more than two hours per week should be informed to the requester that it is a lower priority.

17. Interview/Consideration of Candidates for Vacant Board of Trustee Position (2020-2024 Remaining Term). Mayor Havenar invited the two candidates to sit before the Board. Mr. Rich Kuehster introduced himself speaking to his background and past involvement in the town. Mr. Nick Ehrhardt introduced himself to the Board, stating he grew up in town and moved back after ten years to raise his family. Questions were asked of each candidate by Board members.

Mr. Gene Kalesti inquired whether an alternate could be added.

MOTION (Dreher, Padgett) to nominate Nick Ehrhardt to the Board of Trustee position. Roll call vote – aye 5; nay 1 (Stern). Motion passed. Both candidates were thanked.

Public Comment

Mr. Roger Moseley offered a handout to the Board to provide the water analyst. He also stated two questions on the water fund for the Board to consider. Mayor Havenar requested that staff provide a response to the two questions to the Board. Ms. Rebecca Duke thanked members for using their microphones.

Board Reports. Trustee Farr reported her attendance at the Awake Palmer Lake meeting and that they will assist funding the CORE power and survey work at the Ped Bridge, about \$12,000. Mayor Havenar attended PPACG, noting the matter will be covered at the upcoming CML legislative workshop.

Next Meeting (2/23) and Future Items

Convene to Executive Session. MOTION (Padgett, Farr) to convene to executive session at 7:36 pm, 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) – IGA (Fire); possible annexation; sale of town property. Collins noted that there will not be action taken on the town property item 18. Roll call vote – aye 6; nay 0. Motion passed.

Reconvene to Open Session / Adjourn. MOTION (Padgett, Farr) to adjourn at 8:23 pm.

Mayor Glant Havenar

ATTEST: Dawn A. Collins, Town Clerk

TOWN OF PALMER LAKE
Financial Statements
November 2022
Unaudited



CASH POSITION

November 30, 2022



TOWN OF PALMER LAKE				
Schedule of Cash Position				
November 30, 2022				
FINANCIAL INSTITUTION	TYPE OF ACCOUNT	CHECKING / SAVINGS	BANK RATE	BALANCE
OPERATING FUNDS:				
Community Banks of CO	General Fund Operating	Checking	n/a	\$ 882,918
<i>* Restricted - Operating Reserve - 3 months (\$582,475)</i>				
Community Banks of CO	Water Fund Operating	Checking	n/a	\$ 1,338,605
<i>* Restricted - Operating Reserve - 3 months (\$236,018)</i>				
Colorado Trust (ColoTrust)	General Fund	Savings	3.83%	\$ 1,418,845
Subtotal - Operating Funds				\$ 3,640,368
RESTRICTED FUNDS:				
Colorado Trust (ColoTrust)	Water Reserve 2010	Savings	3.83%	\$ 180,732
Colorado Trust (ColoTrust)	Water Loan Reserve	Savings	3.83%	\$ 200,224
Colorado Trust (ColoTrust)	Water Savings	Savings	3.83%	\$ 200,846
Colorado Trust (ColoTrust)	Police CIP Reserve	Savings	3.83%	\$ 7
Colorado Trust (ColoTrust)	Fire CIP Reserve	Savings	3.83%	\$ 60,301
Colorado Trust (ColoTrust)	CTF Reserve	Savings	3.83%	\$ 27,459
Colorado Trust (ColoTrust)	Roads CIP Reserve	Savings	3.83%	\$ 10,042
Subtotal - Restricted Funds				\$ 679,611
TOTAL				\$ 4,319,979

GENERAL FUND
November 2022



TOWN OF PALMER LAKE

Item 4.

SCHEDULE OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL GENERAL FUND For the Eleven Months Ended November 30, 2022 UNAUDITED

	2022 Adopted Budget	Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 92%)
REVENUE				
Taxes	\$ 2,090,342	\$ 2,282,762	\$ 192,420	109%
Fees and Licenses	191,900	204,181	12,281	106%
Intergovernmental	14,100	7,317	(6,783)	52%
Fines	70,900	59,701	(11,199)	84%
Interest income	12,000	29,205	17,205	243%
Departmental	19,000	96,851	77,851	510%
Miscellaneous income	170,100	146,829	(23,271)	86%
Total Revenue	\$ 2,568,342	\$ 2,826,846	\$ 258,504	110%
EXPENDITURES				
General and Administrative				
Salaries and Benefits	\$ 179,369	\$ 150,961	\$ 28,408	84%
Professional Services	315,785	372,015	(56,230)	118%
General Administration	605,730	451,716	154,014	75%
Total General and Administrative	\$ 1,100,885	\$ 974,692	\$ 126,192	89%
Police Department				
Salaries and Benefits	\$ 588,861	\$ 463,062	\$ 125,799	79%
Professional Services	-	-	-	0%
General Administration	60,470	68,233	(7,763)	113%
Total Police Department	\$ 649,331	\$ 531,295	\$ 118,036	82%
Fire Department				
Salaries and Benefits	\$ 464,572	\$ 392,816	\$ 71,756	85%
Professional Services	-	-	-	0%
General Administration	73,050	107,384	(34,334)	147%
Total Fire Department	\$ 537,622	\$ 500,200	\$ 37,422	93%
Roads Department				
Salaries and Benefits	\$ 187,002	\$ 151,532	\$ 35,470	81%
Professional Services	20,000	14,176	5,824	71%
General Administration	388,071	267,638	120,433	69%
Total Roads Department	\$ 595,073	\$ 433,346	\$ 161,727	73%
Parks Department				
Salaries and Benefits	\$ 62,231	\$ 18,182	\$ 44,049	29%
General Administration	23,200	21,376	1,824	92%
Total Parks Department	\$ 85,431	\$ 39,558	\$ 45,873	46%
Total Expenditures	\$ 2,968,341	\$ 2,479,091	\$ 489,250	84%
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	\$ (400,000)	\$ 347,755	\$ 747,754	
FUNDS BALANCE - BEGINNING OF YEAR		\$ 2,749,080		
FUNDS BALANCE - END OF YEAR		\$ 3,096,835		
Less:				
Restricted:				
Operating Reserve - 3 months		(582,475)	<i>Note 1</i>	
Fire - CIP Reserve		(60,301)		
FUNDS AVAILABLE - END OF YEAR - Unrestricted		\$ 2,454,059		

Note 1: A 12 Month Operating Reserve would be Optimum

WATER ENTERPRISE FUND

November 2022



TOWN OF PALMER LAKE

SCHEDULE OF REVENUE, EXPENDITURES AND CHANGES IN FUNDS AVAILABLE - BUDGET AND ACTUAL WATER ENTERPRISE FUND For the Eleven Months Ended November 30, 2022 UNAUDITED

	2022 Adopted Budget	Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 92%)
REVENUE				
Water Revenue	\$ 1,198,500	\$ 1,079,971	\$ (118,529)	90%
Water Fees	71,957	49,700	(22,257)	69%
Water Taps	200,000	54,222	(145,778)	27%
Late Fees/ Service Fees	-	18,390	18,390	0%
Water Meters	6,500	1,950	(4,550)	30%
Interest	3,000	6,984	3,984	233%
Miscellaneous	-	525	525	0%
Total Revenue	<u>\$ 1,479,957</u>	<u>\$ 1,211,742</u>	<u>\$ (268,215)</u>	<u>82%</u>
EXPENDITURES				
Salaries and Benefits	\$ 454,797	\$ 358,967	\$ 95,830	79%
Professional Services	127,500	140,440	(12,940)	110%
Administrative	183,450	185,484	(2,034)	101%
Operations	461,400	98,767	362,633	21%
Capital	412,654	23,489	389,165	6%
Debt Service	183,229	194,639	(11,410)	106%
Total Expenditures	<u>\$ 1,823,030</u>	<u>\$ 1,001,786</u>	<u>\$ 821,244</u>	<u>55%</u>
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	<u>\$ (343,072)</u>	<u>\$ 209,956</u>	<u>\$ 553,029</u>	
FUNDS AVAILABLE - BEGINNING OF YEAR		<u>\$ 656,879</u>		
FUNDS AVAILABLE - END OF YEAR		<u>\$ 866,835</u>		
Less:				
Restricted:				
Operating Reserve - 3 months (CWR&PDA Loan Requirement)		(236,018)	<i>Note 1</i>	
Water Loan Reserve		(200,224)		
Water Reserve - 2010		<u>(180,732)</u>		
FUNDS AVAILABLE - END OF YEAR - Unrestricted		<u><u>\$ 249,861</u></u>		

Note 1: A 12 Month Operating Reserve would be Optimum

CONSERVATION TRUST FUND

November 2022



TOWN OF PALMER LAKE

STATEMENT OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL CONSERVATION TRUST FUND

For the Eleven Months Ended November 30, 2022

UNAUDITED

	2022 Adopted Budget	Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 92%)
REVENUE				
State Shared Revenue	\$ 44,406	\$ 24,713	\$ (19,693)	56%
Interest/Miscellaneous income	-	374	374	0%
Total Revenue	<u>\$ 44,406</u>	<u>\$ 25,087</u>	<u>\$ (19,319)</u>	<u>56%</u>
EXPENDITURES				
Salaries and Benefits	\$ 18,774	\$ 19,363	\$ (589)	103%
Administrative	25,630	13,367	12,263	52%
Total Expenditures	<u>\$ 44,405</u>	<u>\$ 32,730</u>	<u>\$ 11,674</u>	<u>74%</u>
NET CHANGE IN FUND BALANCE	<u>\$ 1</u>	<u>\$ (7,643)</u>	<u>\$ (7,644)</u>	
FUND BALANCE - BEGINNING OF YEAR		<u>\$ 36,140</u>		
FUND BALANCE - END OF YEAR - Restricted		<u><u>\$ 28,497</u></u>		

GRANTS AND DONATIONS FUND

November 2022



TOWN OF PALMER LAKE

SCHEDULE OF REVENUE, EXPENDITURES AND CHANGES IN FUNDS AVAILABLE - BUDGET AND ACTUAL GRANTS & DONATIONS

For the Eleven Months Ended November 30, 2022

UNAUDITED

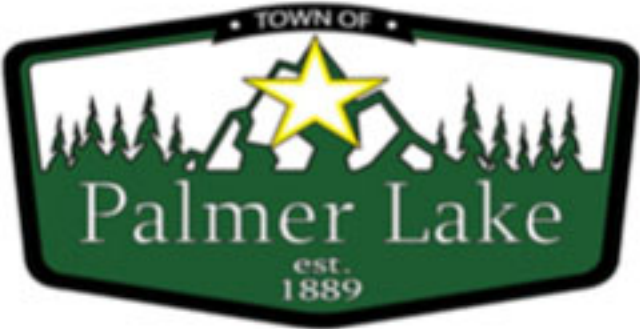
Item 4.

For Information Purposes Only

	2022 Budget	YTD Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 92%)
REVENUE				
FPPA Matching Funds	\$ 14,000	\$ -	\$ (14,000)	0%
Fire Mitigation Grant	50,000	-	(50,000)	0%
DOLA EIAF Water Sys- PER Grant	15,000	-	(15,000)	0%
CDOT Bridge Rehab	200,000	-	(200,000)	0%
CDOT PL Elementary Road Improvements	176,590	-	(176,590)	0%
American Rescue Plan	376,145	376,145	-	100%
CDPHE 2020 WQIF	-	25,300	25,300	0%
Fire Grants	-	17,263	17,263	0%
Police Donations/ Grants	59,437	80,715	21,278	136%
Parks Donations/ Grants	1,000	1,753	753	175%
Total Revenue	\$ 892,172	\$ 501,176	\$ (390,996)	56%
EXPENDITURES				
General Administrative				
Grants Expense- DOLA / GOCO	\$ -	\$ -	\$ -	0%
Total General Administrative Expenditures	\$ -	\$ -	\$ -	0%
Police Department Expenditures				
Grant Expense	\$ 59,537	\$ 36,294	\$ 23,243	61%
Total Police Department Expenditures	\$ 59,537	\$ 36,294	\$ 23,243	61%
Fire Department Expenditures				
Grants Expense	\$ -	\$ 10,788	\$ (10,788)	0%
Fire Mitigation CUSP	50,000	5,902	44,098	12%
Total Fire Department Expenditures	\$ 50,000	\$ 16,690	\$ 33,310	33%
Roads Department Expenditures				
CDOT Bridge Rehab	\$ 200,000	\$ -	\$ 200,000	0%
CDOT PL Elementary Road Improvements	176,590	20	176,570	0%
Grants Expense- Douglas	13,900	-	13,900	0%
Total Roads Department Expenditures	\$ 390,490	\$ 20	\$ 390,470	0%
Parks Department Expenditures				
Parks Committee (donations)	\$ 1,000	\$ 313	\$ 687	31%
Total Parks Department Expenditures	\$ 1,000	\$ 313	\$ 687	31%
Water Department Expenditures				
American Rescue Plan	\$ 376,145	\$ 248,369	\$ 127,776	66%
DOLA EIAF Water Sys- PER Grant	15,000	-	15,000	0%
Total Water Department Expenditures	\$ 391,145	\$ 248,369	\$ 142,776	0%
Total Expenditures	\$ 892,172	\$ 301,686	\$ 590,486	
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES				
	\$ -	\$ 199,490	\$ 199,490	

Check Register

November 2022



Ranges: From: To: From: To:
 Check Number First Last Check Date 11/1/2022 11/30/2022
 Vendor ID First Last Checkbook ID First Last
 Vendor Name First Last

Sorted By: Check Number

* Voided Checks

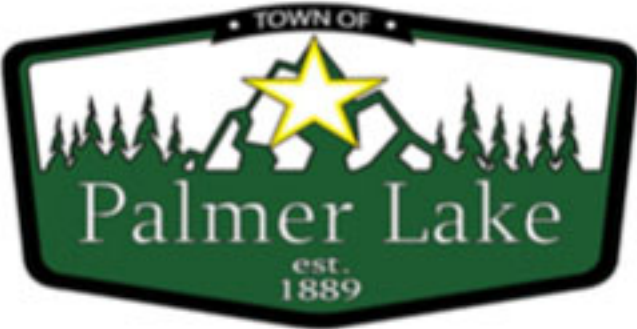
Check Number	Vendor ID	Vendor Check Name	Check Date	Checkbook ID	Audit Trail Code	Amount
48472	AIRGAS	AIRGAS USA, LLC	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$102.17
48473	AMCOBI	AmCobi	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$1,868.50
48474	AMCOBIIT	AMCOBI	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$4,083.55
48475	ANGRYSQUIRREL	DAN ELDERS	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$300.00
48476	AT&TMOBILITY	AT & T MOBILITY	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$1,404.22
48477	BH	BLACK HILLS ENERGY	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$258.09
48478	BNSFRAILWAYCOMP	BNSF RAILWAY COMPANY	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$858.02
48479	CKT	COMMON KNOWLEDGE TECHNOLOGY	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$2,190.00
48480	COMMUNITYMATTER	COMMUNITY MATTERS INSTITUTE	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$7,000.00
48481	COREELECTRICCOO	CORE ELECTRIC COOPERATIVE	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$3,136.05
48482	DANAKEPNERCOMPA	DANA KEPNER COMPANY, LLC	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$98.00
48483	EMERGENCYNETWOR	EMERGENCY NETWORK SECURITY SYS	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$61.00
48484	ECS	EMPLOYERS COUNCIL	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$10.00
48485	ESO	ESO SOLUTIONS, INC.	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$208.53
48486	FAC	FROMM & COMPANY LLC	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$6,159.00
48487	GALLS	GALLS, LLC	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$117.68
48488	HELLOHOUSEKEEPI	HELLO HOUSEKEEPING	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$500.00
48489	HOMEDEPOTCREDIT	HOME DEPOT CREDIT SERVICES	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$282.79
48490	INTERNATIONALIN	IIMC	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$210.00
48491	IRONDOCTORSLLC	IRON DOCTORS LLC	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$300.00
48492	OREILLY	O'REILLY	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$99.11
48493	PIONEER	PIONEER	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$6,231.96
48494	RHINEHARTOIL	RHINEHART OIL CO., LLC	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$5,228.81
48495	RODNEYMCFARLIN	RODNEY MCFARLIN	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$500.00
48496	T2SYSTEMS	T2 SYSTEMS CANADA INC.	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$70.00
48497	GAZETTE	THE GAZETTE	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$168.11
48498	KNASTERTECHNOLO	THE KNASTER TECHNOLOGY GROUP	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$270.00
48499	TOTALOFFICE	TOTAL OFFICE	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$12.05
48500	UNCC	UTILITY NOTIFICATION CENTER OF	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$68.90
48501	VERMEER	VERMEER	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$48.00
48502	WATTSUPFITTINGI	WATTS UPFITTING INC.	11/14/2022	COBANK-CKG 9495	PMCHK00000067	\$347.49
48503	COLLINS,DAWN	Dawn Collins	11/15/2022	COBANK-CKG 9495	PMCHK00000068	\$851.30
48504	AIRGAS	AIRGAS USA, LLC	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$266.39
48505	BRADLEYEXCAVATI	BRADLEY EXCAVATING INC.	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$10,590.00
48506	CENTURYLINK	CENTURYLINK	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$214.87
48507	COMCAST	COMCAST	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$203.35
48508	COREANDMAIN	CORE & MAIN LLP	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$1,364.32
48509	COREELECTRICCOO	CORE ELECTRIC COOPERATIVE	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$125.45
48510	DPCINDUSTRIES	DPC INDUSTRIES, INC.	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$70.00
48511	EVOQUA	EVOQUA WATER TECHNOLOGIES LLC	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$2,198.00
48512	FORSGENASSOCIAT	FORSGREN ASSOCIATES INC.	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$343.40
48513	GALLS	GALLS, LLC	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$132.65
48514	GEN-TECH	GEN-TECH	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$1,092.49
48515	HACHCOMPANY	HACH COMPANY	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$1,168.24
48516	CICCOLELLAJOHN	JOHN CICCOLELLA	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$320.00
48517	HOYHTYA,LAWRENC	Lawrence Hoyhtya	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$216.55
48518	LUMEN	LEVEL 3 COMMUNICATIONS, LLC	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$449.84
48519	LIGHTNINGELECTR	LIGHTNING ELECTRIC	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$136.00
48520	MARTINMARIETTA	MARTIN MARIETTA MATERIALS	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$88,571.00
48521	MCCANDLESTRUCK	MCCANDLESS TRUCK CENTER LLC	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$212.18
48523	MONARCHMERCHANT	MONARCH MERCHANDISING	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$226.90
48524	NAOMIBENNETT	NAOMI BENNETT	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$75.00
48525	OREILLY	O'REILLY	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$100.08
48526	PALLCORPORATION	PALL CORPORATION	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$5,175.00
48527	PALMERLAKESANIT	PALMER LAKE SANITATION	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$1,276.00
48528	SGS	SGS NORTH AMERICA, INC.	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$286.00

* Voided Checks

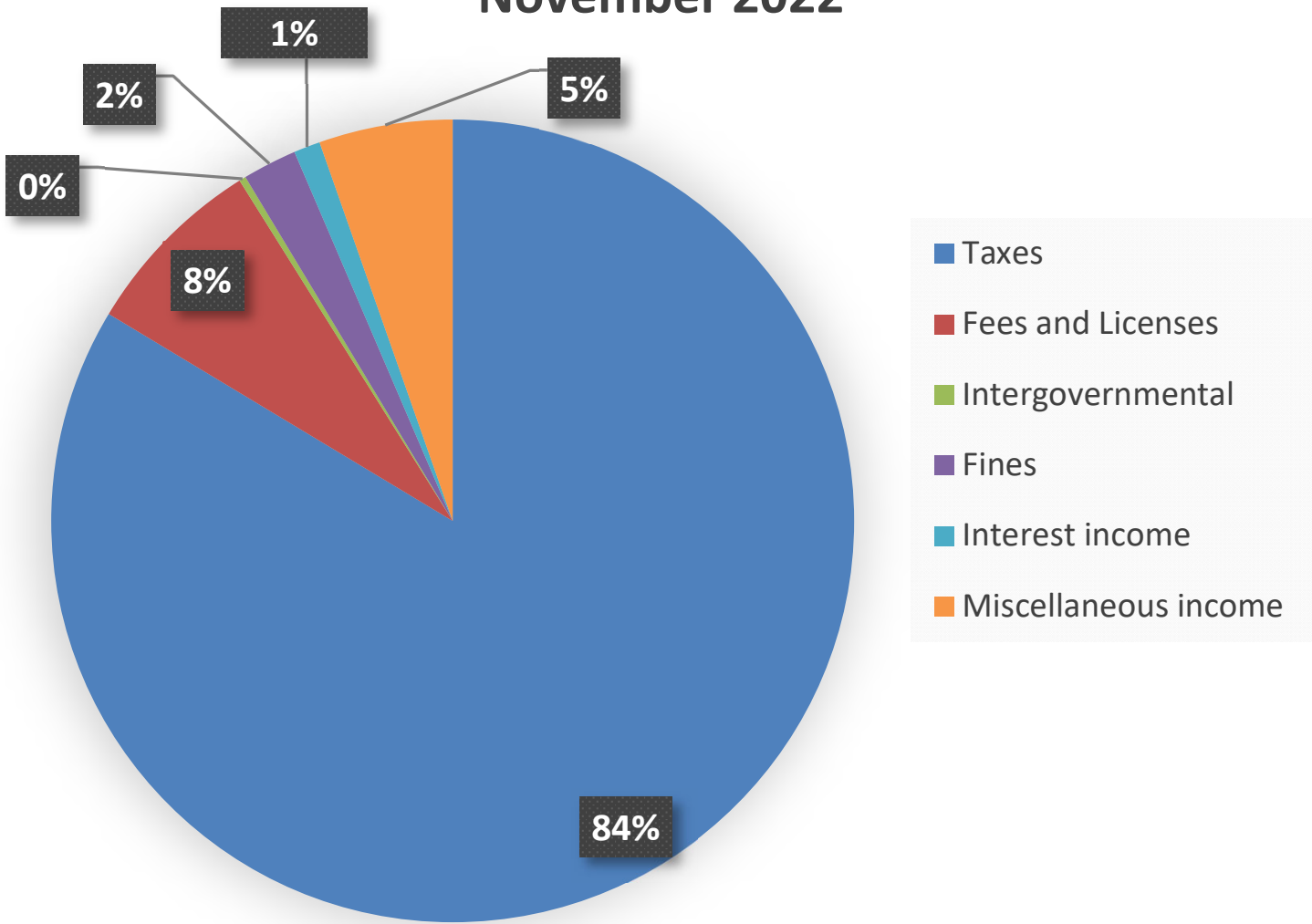
Check Number	Vendor ID	Vendor Check Name	Check Date	Checkbook ID	Audit Trail Code	Amount
48529	SPITZERMASONRY	SPITZER MASONRY, INC.	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$875.00
48530	STERICYCLE	STERICYCLE, INC.	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$36.75
48531	KNASTERTECHNOLO	THE KNASTER TECHNOLOGY GROUP	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$540.00
48532	TOTALOFFICE	TOTAL OFFICE	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$12.05
48533	TRILAKESSERVICE	TRI-LAKES SERVICE CENTER	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$769.01
48534	XFINITY	XFINITY	11/28/2022	COBANK-CKG 9495	PMCHK00000069	\$8.28
48535	MEYER&SAMS,INC	MEYER & SAMS, INC. DBA GMS, IN	11/28/2022	COBANK-CKG 9495	PMCHK00000070	\$46,002.58
48536	MEYER&SAMS,INC	MEYER & SAMS, INC. DBA GMS, IN	11/28/2022	COBANK-CKG 9495	PMCHK00000071	\$30,000.00
Total Checks: 64						Total Amount of Checks: \$236,102.13

CHARTS

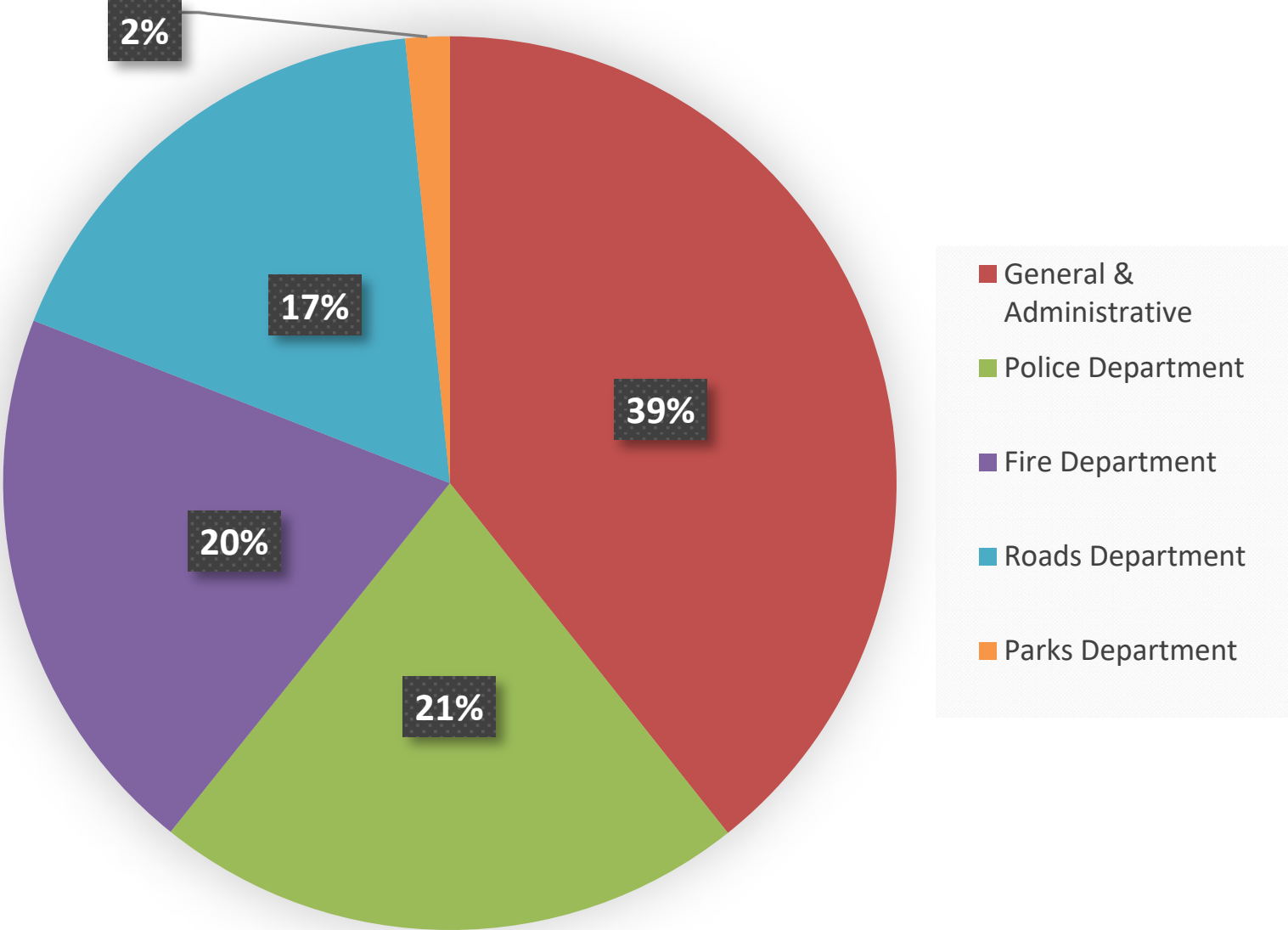
November 2022



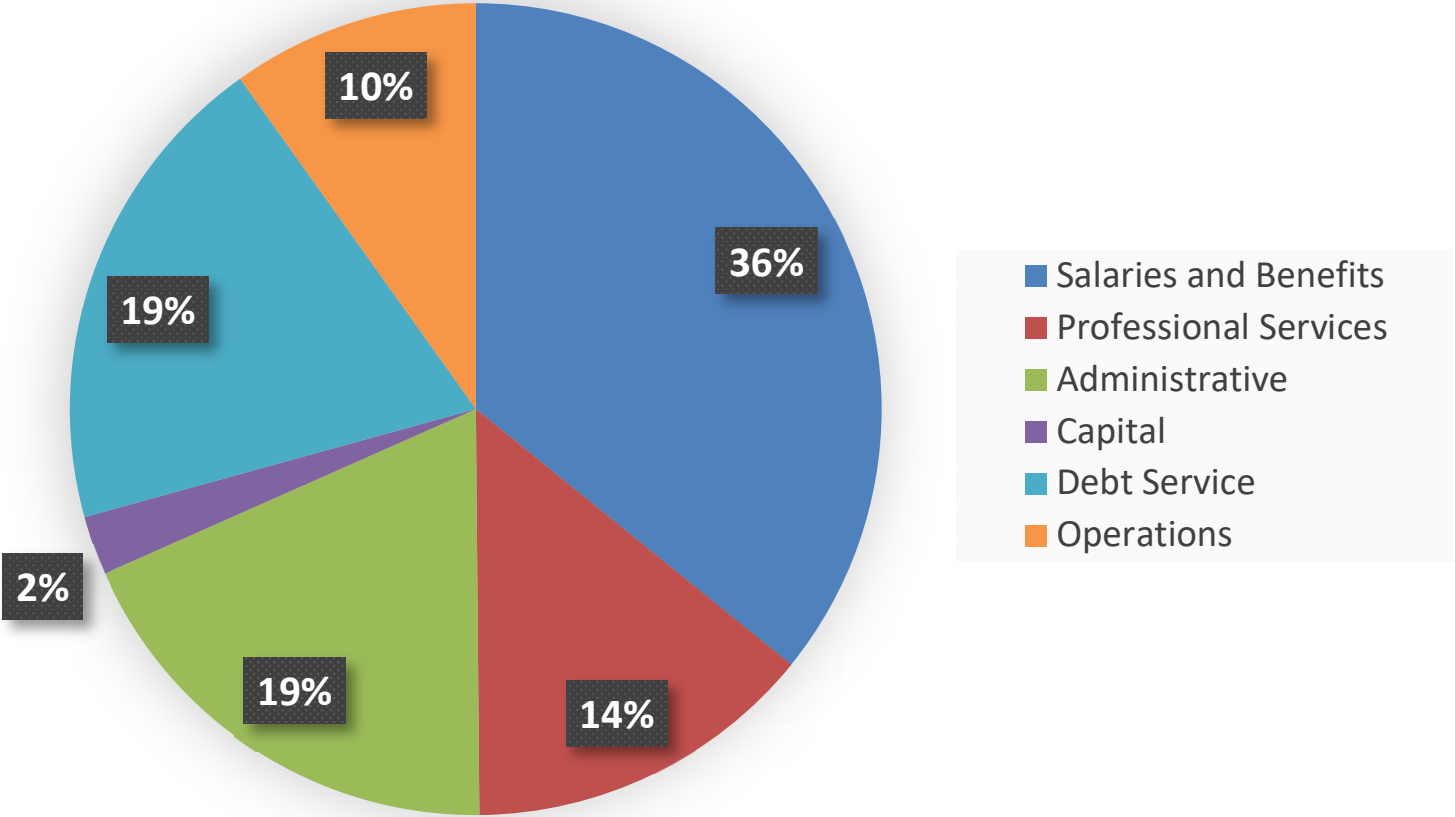
General Fund Revenue Breakdown November 2022



General Fund Expenditure Breakdown November 2022



Water Enterprise Fund Expenditure Breakdown November 2022



TOWN OF PALMER LAKE
Financial Statements
January 2023
Unaudited



CASH POSITION

January 31, 2023



TOWN OF PALMER LAKE				
Schedule of Cash Position				
January 31, 2023				
FINANCIAL INSTITUTION	TYPE OF ACCOUNT	CHECKING / SAVINGS	BANK RATE	BALANCE
OPERATING FUNDS:				
Community Banks of CO	General Fund Operating	Checking	n/a	\$ 796,623
<i>* Restricted - Operating Reserve - 3 months (\$582,475)</i>				
Community Banks of CO	Water Fund Operating	Checking	n/a	\$ 942,025
<i>* Restricted - Operating Reserve - 3 months (\$236,018)</i>				
Colorado Trust (ColoTrust)	General Fund	Savings	4.56%	\$ 1,429,556
Subtotal - Operating Funds				\$ 3,168,204
RESTRICTED FUNDS:				
Colorado Trust (ColoTrust)	Water Reserve 2010	Savings	4.56%	\$ 182,097
Colorado Trust (ColoTrust)	Water Loan Reserve	Savings	4.56%	\$ 201,735
Colorado Trust (ColoTrust)	Water Savings	Savings	4.56%	\$ 202,363
Colorado Trust (ColoTrust)	Police CIP Reserve	Savings	4.56%	\$ 7
Colorado Trust (ColoTrust)	Fire CIP Reserve	Savings	4.56%	\$ 60,756
Colorado Trust (ColoTrust)	CTF Reserve	Savings	4.56%	\$ 27,666
Colorado Trust (ColoTrust)	Roads CIP Reserve	Savings	4.56%	\$ 10,118
Subtotal - Restricted Funds				\$ 684,742
TOTAL				\$ 3,852,946

GENERAL FUND
January 2023



TOWN OF PALMER LAKE

Item 5.

SCHEDULE OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL

GENERAL FUND

For the One Month Ended January 31, 2023

UNAUDITED

	2023 Adopted Budget	Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 8%)
REVENUE				
Taxes	\$ 3,664,377	\$ 19,253	\$ (3,645,124)	1%
Fees and Licenses	261,435	3,964	(257,471)	2%
Intergovernmental	6,000	-	(6,000)	0%
Fines	90,000	3,701	(86,299)	4%
Interest income	43,000	5,795	(37,205)	13%
Departmental	49,500	2,044	(47,456)	4%
Miscellaneous income	117,200	2,554	(114,646)	2%
Total Revenue	<u>\$ 4,231,512</u>	<u>\$ 37,311</u>	<u>\$ (4,194,201)</u>	<u>1%</u>
EXPENDITURES				
General and Administrative				
Salaries and Benefits	\$ 274,996	\$ 15,274	\$ 259,722	6%
Professional Services	305,475	9,707	295,768	3%
General Administration	585,317	36,288	549,029	6%
Total General and Administrative	<u>\$ 1,165,788</u>	<u>\$ 61,269</u>	<u>\$ 1,104,519</u>	<u>5%</u>
Police Department				
Salaries and Benefits	\$ 781,175	\$ 42,950	\$ 738,225	5%
Professional Services	-	-	-	0%
General Administration	122,399	585	121,814	0%
Total Police Department	<u>\$ 903,574</u>	<u>\$ 43,535</u>	<u>\$ 860,039</u>	<u>5%</u>
Fire Department				
Salaries and Benefits	\$ 867,644	\$ 39,107	\$ 828,537	5%
Professional Services	-	-	-	0%
General Administration	289,420	4,926	284,494	2%
Total Fire Department	<u>\$ 1,157,064</u>	<u>\$ 44,033</u>	<u>\$ 1,113,031</u>	<u>4%</u>
Public Works Department - Roads				
Salaries and Benefits	\$ 315,186	\$ 15,029	\$ 300,157	5%
Professional Services	30,000	1,250	28,750	4%
General Administration	622,861	12,013	610,848	2%
Total Roads Department	<u>\$ 968,047</u>	<u>\$ 28,292</u>	<u>\$ 939,755</u>	<u>3%</u>
Public Works Department - Parks				
General Administration	\$ 37,040	\$ 70	\$ 36,970	0%
Total Parks Department	<u>\$ 37,040</u>	<u>\$ 70</u>	<u>\$ 36,970</u>	<u>0%</u>
Total Expenditures	<u>\$ 4,231,512</u>	<u>\$ 177,199</u>	<u>\$ 4,054,314</u>	<u>4%</u>
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES				
	<u>\$ -</u>	<u>\$ (139,888)</u>	<u>\$ (139,887)</u>	
FUNDS BALANCE - BEGINNING OF YEAR - estimated				
		<u>\$ 2,997,181</u>		
FUNDS BALANCE - END OF YEAR				
		<u>\$ 2,857,293</u>		
Less:				
Restricted:				
Operating Reserve - 3 months		(582,475)	<i>Note 1</i>	
Fire and Roads - CIP Reserve		<u>(70,874)</u>		
FUNDS AVAILABLE - END OF YEAR - Unrestricted				
		<u>\$ 2,203,944</u>		

Note 1: A 12 Month Operating Reserve would be Optimum

WATER ENTERPRISE FUND

January 2023



TOWN OF PALMER LAKE
SCHEDULE OF REVENUE, EXPENDITURES AND CHANGES IN
FUNDS AVAILABLE - BUDGET AND ACTUAL
WATER ENTERPRISE FUND
For the One Month Ended January 31, 2023
UNAUDITED

	2023 Adopted Budget	Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 8%)
REVENUE				
Water Revenue	\$ 1,156,000	\$ 89,574	\$ (1,066,426)	8%
Water Fees	55,000	4,550	(50,450)	8%
Water Taps	100,000	-	(100,000)	0%
Late Fees/ Service Fees	14,000	1,508	(12,492)	11%
Water Meters	3,000	-	(3,000)	0%
ARP Funds	259,238	-	(259,238)	0%
Interest	14,000	2,264	(11,736)	16%
Miscellaneous	10,200	-	(10,200)	0%
Total Revenue	<u>\$ 1,611,438</u>	<u>\$ 97,896</u>	<u>\$ (1,513,542)</u>	<u>6%</u>
EXPENDITURES				
Salaries and Benefits	\$ 562,906	\$ 30,217	\$ 532,689	5%
Professional Services	183,225	2,483	180,742	1%
Administrative	200,570	17,693	182,877	9%
Operations	222,270	6,105	216,165	3%
Capital	259,238	-	259,238	0%
Debt Service	183,229	-	183,229	0%
Total Expenditures	<u>\$ 1,611,438</u>	<u>\$ 56,498</u>	<u>\$ 1,554,940</u>	<u>4%</u>
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	<u>\$ -</u>	<u>\$ 41,398</u>	<u>\$ 41,398</u>	
FUNDS AVAILABLE - BEGINNING OF YEAR -estimated		<u>\$ 818,331</u>		
FUNDS AVAILABLE - END OF YEAR		<u>\$ 859,729</u>		
Less:				
Restricted:				
Operating Reserve - 3 months (CWR&PDA Loan Requirement)		(236,018)	<i>Note 1</i>	
Water Loan Reserve		(201,735)		
Water Reserve - 2010		<u>(182,097)</u>		
FUNDS AVAILABLE - END OF YEAR - Unrestricted		<u><u>\$ 239,879</u></u>		

Note 1: A 12 Month Operating Reserve would be Optimum

CONSERVATION TRUST FUND

January 2023



TOWN OF PALMER LAKE

STATEMENT OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL CONSERVATION TRUST FUND For the One Month Ended January 31, 2023 UNAUDITED

	2023 Adopted Budget	Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 8%)
REVENUE				
State Shared Revenue	\$ 36,140	\$ -	\$ (36,140)	0%
Interest/Miscellaneous income	400	107	(293)	27%
Total Revenue	<u>\$ 36,540</u>	<u>\$ 107</u>	<u>\$ (36,433)</u>	<u>0%</u>
EXPENDITURES				
Salaries and Benefits	\$ 20,866	\$ -	\$ 20,866	0%
Administrative	15,674	-	15,674	0%
Total Expenditures	<u>\$ 36,540</u>	<u>\$ -</u>	<u>\$ 36,540</u>	<u>0%</u>
NET CHANGE IN FUND BALANCE	<u>\$ -</u>	<u>\$ 107</u>	<u>\$ 107</u>	
FUND BALANCE - BEGINNING OF YEAR - estimated		<u>\$ 37,610</u>		
FUND BALANCE - END OF YEAR - Restricted		<u><u>\$ 37,717</u></u>		

GRANTS AND DONATIONS

January 2023



TOWN OF PALMER LAKE

SCHEDULE OF REVENUE AND EXPENDITURES - BUDGET AND ACTUAL GRANTS & DONATIONS For the One Month Ended January 31, 2023 UNAUDITED

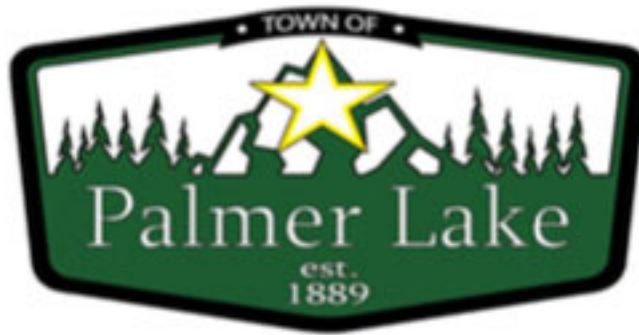
Item 5.

For Information Purposes Only

	2023 Budget	YTD Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 8%)
REVENUE				
Colo. State Historical Society ADA Door	\$ 42,000	\$ -	\$ (42,000)	0%
Police Donations/ Grants	5,000	-	(5,000)	0%
CDOT PL Elementary Road Improvement	145,682	-	(145,682)	0%
CDOT Bridge Rehab	200,000	-	(200,000)	0%
Parks Donations/ Grants	2,500	-	(2,500)	0%
Total Revenue	\$ 395,182	\$ -	\$ (395,182)	0%
EXPENDITURES				
General Administrative				
Colo. State Historical Society ADA Door	\$ 42,000	\$ -	\$ 42,000	0%
Total General Administrative Expenditures	\$ 42,000	\$ -	\$ 42,000	0%
Police Department Expenditures				
Grant Expense	\$ 5,000	\$ -	\$ 5,000	0%
Total Police Department Expenditures	\$ 5,000	\$ -	\$ 5,000	0%
Roads Department Expenditures				
CDOT Bridge Rehab	\$ 200,000	\$ -	\$ 200,000	0%
CDOT PL Elementary Road Improvements	145,682	-	145,682	0%
Total Roads Department Expenditures	\$ 345,682	\$ -	\$ 345,682	0%
Parks Department Expenditures				
Parks Committee (donations)	\$ 2,500	\$ -	\$ 2,500	0%
Total Parks Department Expenditures	\$ 2,500	\$ -	\$ 2,500	0%
Total Expenditures	\$ 395,182	\$ -	\$ 395,182	
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	\$ -	\$ -	\$ -	

Check Register

January 2023



Ranges: From: To: From: To:
 Check Number First Last Check Date 1/1/2023 1/31/2023
 Vendor ID First Last Checkbook ID First Last
 Vendor Name First Last

Sorted By: Check Number

* Voided Checks

Check Number	Vendor ID	Vendor Check Name	Check Date	Checkbook ID	Audit Trail Code	Amount
48588	ABGROCKYMOUNTAI	ABGRM	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$619.91
48589	AMCOBI	AmCobi	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$1,697.56
48590	AMCOBIIT	AMCOBI	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$3,753.00
48591	AMERICANWATERWO	AMERICAN WATER WORKS ASSOCIATI	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$365.00
48592	BBAWATERCONSULT	BISHOP-BROGDEN ASSOCIATES, INC	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$61.25
48593	BH	BLACK HILLS ENERGY	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$1,820.99
48594	CENTURYLINK	CENTURYLINK	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$214.60
48595	CIRSA	CIRSA	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$30,876.58
48596	CITYFINANCEACCT	CITY FINANCE ACCT REC	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$12,817.13
48597	CITYOFFORTCOLLI	CITY OF FORT COLLINS	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$90.00
48598	CML	CML	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$1,629.00
48599	CODEPARTMENT	CO DEPARTMENT OF REVENUE	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$825.00
48600	COLORADODIVISIO	COLORADO DIVISION OF FIRE PREV	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$30.00
48601	COREANDMAIN	CORE & MAIN LLP	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$149.52
48602	COREELECTRICCOO	CORE ELECTRIC COOPERATIVE	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$8,679.51
48603	DPCINDUSTRIES	DPC INDUSTRIES, INC.	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$70.00
48604	FAC	FROMM & COMPANY LLC	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$4,773.00
48605	HICKSCONTRACTOR	HICKS CONTRACTOR SERVICES LLC	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$3,702.50
48606	HOMEDEPOTCREDIT	HOME DEPOT CREDIT SERVICES	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$84.34
48607	IAFC	IAFC MEMBERSHIP	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$265.00
48608	CICCOLELLAJOHN	JOHN CICCOLELLA	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$320.00
48609	KIMPOLONSKY	KIM POLONSKY	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$575.00
48610	KROBLAWOFFICES	KROB LAW OFFICE, LLC	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$1,072.00
48611	UCHEALTH	Memorial Health System	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$177.63
48612	MEYER&SAMS,INC	MEYER & SAMS, INC. DBA GMS, IN	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$3,524.30
48613	MICHAELSCHAD	MICHAEL R. SCHAD	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$75.00
48614	MILLERTIMBERSER	MILLER TIMBER SERVICES, INC.	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$100,000.08
48615	OREILLY	O'REILLY	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$53.95
48616	PALMERLAKECOUNC	PALMER LAKE ARTS COUNCIL	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$75.00
48617	SLWS	SALT LAKE WHOLESALE SPORTS	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$3,797.00
48618	SGS	SGS NORTH AMERICA, INC.	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$208.70
48619	STERICYCLE	STERICYCLE, INC.	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$73.50
48620	T2SYSTEMS	T2 SYSTEMS CANADA INC.	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$70.00
48621	VECTORSOLUTIONS	TARGET SOLUTIONS LEARNING	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$3,860.99
48622	GAZETTE	THE GAZETTE	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$121.98
48623	TLECC	TIMBER LINE ELECTRIC & CONTROL	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$2,070.40
48624	TNPARKERCONSTRU	TN Parker Construction	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$230.40
48625	TOTALOFFICE	TOTAL OFFICE	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$15.99
48626	TRILAKESMONUMEN	Tri-Lakes Monument Fire Protec	1/5/2023	COBANK-CKG 9495	PMCHK00000077	\$544.18
48628	MEYER&SAMS,INC	MEYER & SAMS, INC. DBA GMS, IN	1/5/2023	COBANK-CKG 9495	PMCHK00000078	\$43,000.00
48629	TRILAKESPRINTIN	TRI-LAKES PRINTING	1/5/2023	COBANK-CKG 9495	PMCHK00000078	\$651.50
48630	COREELECTRICCOO	CORE ELECTRIC COOPERATIVE	1/12/2023	COBANK-CKG 9495	PMCHK00000079	\$9,760.00
48631	DYNAMICAIRSYSTE	DYNAMIC AIR SYSTEMS	1/12/2023	COBANK-CKG 9495	PMCHK00000079	\$560.00
48632	ABGROCKYMOUNTAI	ABGRM	1/26/2023	COBANK-CKG 9495	PMCHK00000080	\$618.90
48633	AIRGAS	AIRGAS USA, LLC	1/26/2023	COBANK-CKG 9495	PMCHK00000080	\$582.14
48634	AT&TMOBILITY	AT & T MOBILITY	1/26/2023	COBANK-CKG 9495	PMCHK00000080	\$1,407.88
48635	CENTURYLINK	CENTURYLINK	1/26/2023	COBANK-CKG 9495	PMCHK00000080	\$221.00
48636	BIRKELAND,CHRIS	CHRISTI BIRKELAND	1/26/2023	COBANK-CKG 9495	PMCHK00000080	\$41.45
48637	CITYOFFORTCOLLI	CITY OF FORT COLLINS	1/26/2023	COBANK-CKG 9495	PMCHK00000080	\$90.00
48638	COLORADORURALWA	Colorado Rural Water Associati	1/26/2023	COBANK-CKG 9495	PMCHK00000080	\$300.00
48639	COMCAST	COMCAST	1/26/2023	COBANK-CKG 9495	PMCHK00000080	\$193.35
48640	CKT	COMMON KNOWLEDGE TECHNOLOGY	1/26/2023	COBANK-CKG 9495	PMCHK00000080	\$2,190.00
48641	COREANDMAIN	CORE & MAIN LLP	1/26/2023	COBANK-CKG 9495	PMCHK00000080	\$1,325.00
48642	DPCINDUSTRIES	DPC INDUSTRIES, INC.	1/26/2023	COBANK-CKG 9495	PMCHK00000080	\$70.00
48643	ELPASOCOCLERK	EL PASO CO. CLERK & RECORDER	1/26/2023	COBANK-CKG 9495	PMCHK00000080	\$931.00
48644	EMERGENCYNETWOR	EMERGENCY NETWORK SECURITY SYS	1/26/2023	COBANK-CKG 9495	PMCHK00000080	\$30.00

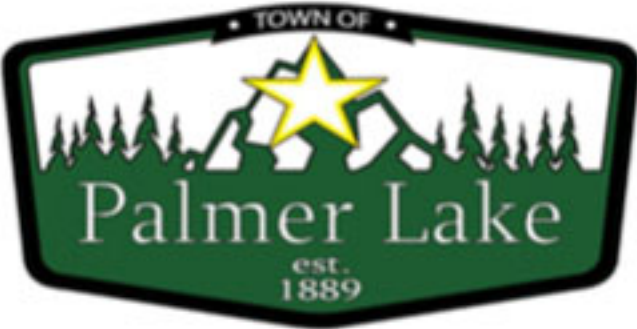
* Voided Checks

Check Number	Vendor ID	Vendor Check Name	Check Date	Checkbook ID	Audit Trail Code	Amount
48668	ECS	EMPLOYERS COUNCIL	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$152.50
48669	ESO	ESO SOLUTIONS, INC.	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$208.53
48670	EVOQUA	EVOQUA WATER TECHNOLOGIES LLC	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$1,700.00
48671	FAC	FROMM & COMPANY LLC	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$5,343.00
48672	GEN-TECH	GEN-TECH	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$1,016.69
48673	IACP	International Association of C	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$190.00
48674	INTERSTATECHEMI	INTERSTATE CHEMICAL CO., INC	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$2,299.29
48675	JAMESSTRAWN	JAMES STRAWN	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$75.00
48676	CICCOLELLAJOHNS	JOHN CICCOLELLA	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$320.00
48677	LUMEN	LEVEL 3 COMMUNICATIONS, LLC	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$548.87
48678	LYONSGADDIS	LYONS GADDIS	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$1,105.00
48679	GREASEMONKEY	MY FLEET CENTER	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$55.02
48680	OREILLY	O'REILLY	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$97.97
48681	PALMERLAKESANIT	PALMER LAKE SANITATION	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$2,316.36
48682	PIKESPEAKAREACO	PIKES PEAK AREA COUNCIL OF GOV	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$1,387.00
48683	SGS	SGS NORTH AMERICA, INC.	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$240.58
48684	SYMBOLARTSLLC	SYMBOLARTS LLC	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$120.00
48685	KNASTERTECHNOLO	THE KNASTER TECHNOLOGY GROUP	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$1,287.00
48686	TOTALOFFICE	TOTAL OFFICE	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$84.12
48687	VETERANSTOWINGA	VETERAN'S TOWING AND RECOVERY	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$366.65
48688	VIRGINIAJARANOW	Virginia Jaranowski	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$216.00
48689	XEROX	XEROX BUSINESS SOLUTIONS SOUTH	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$60.82
48690	XFINITY	XFINITY	1/26/2023	COBANK-CKG 9495	PMCHK00000081	\$9.96

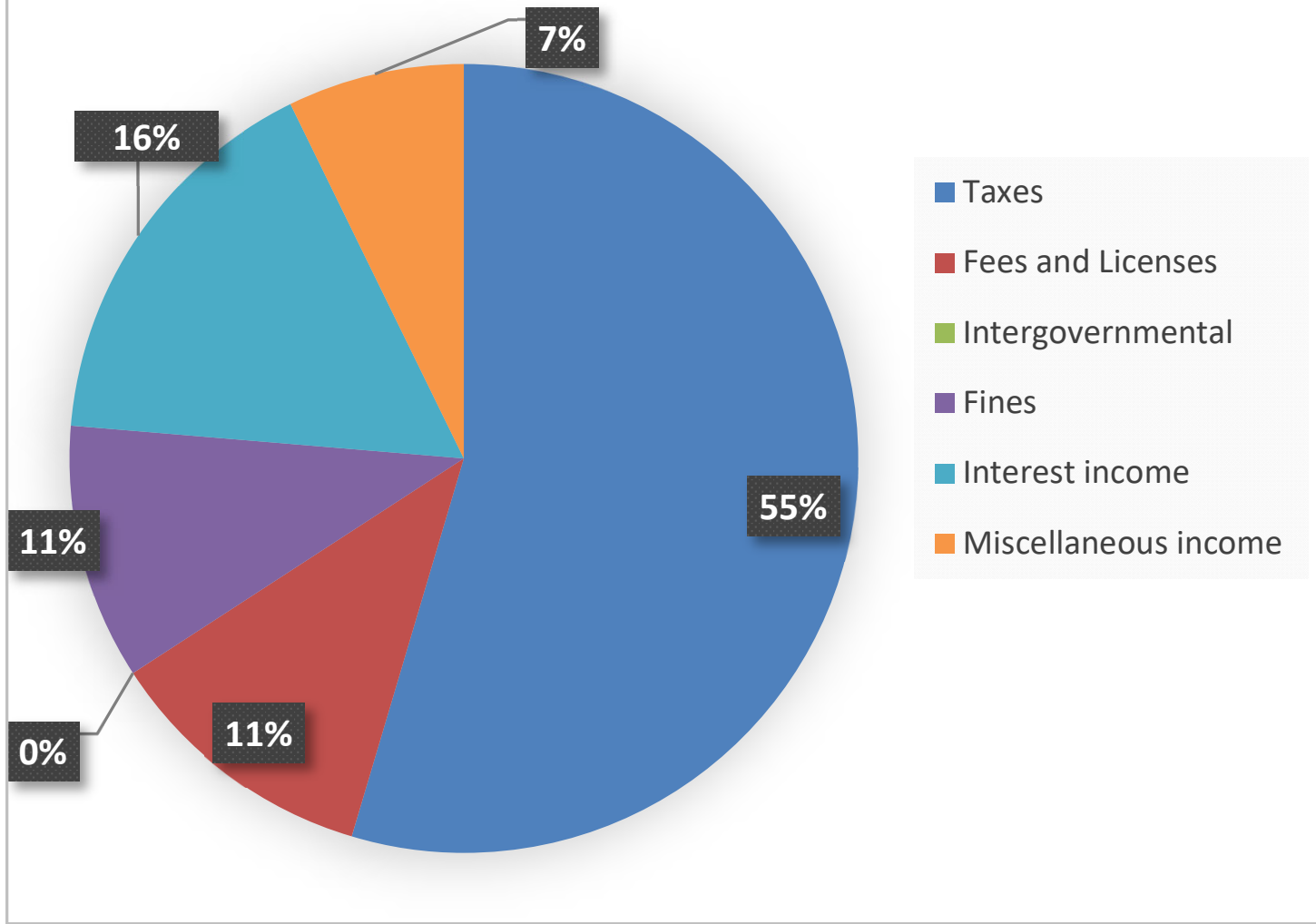
Total Checks: 79

Total Amount of Checks: \$270,563.08

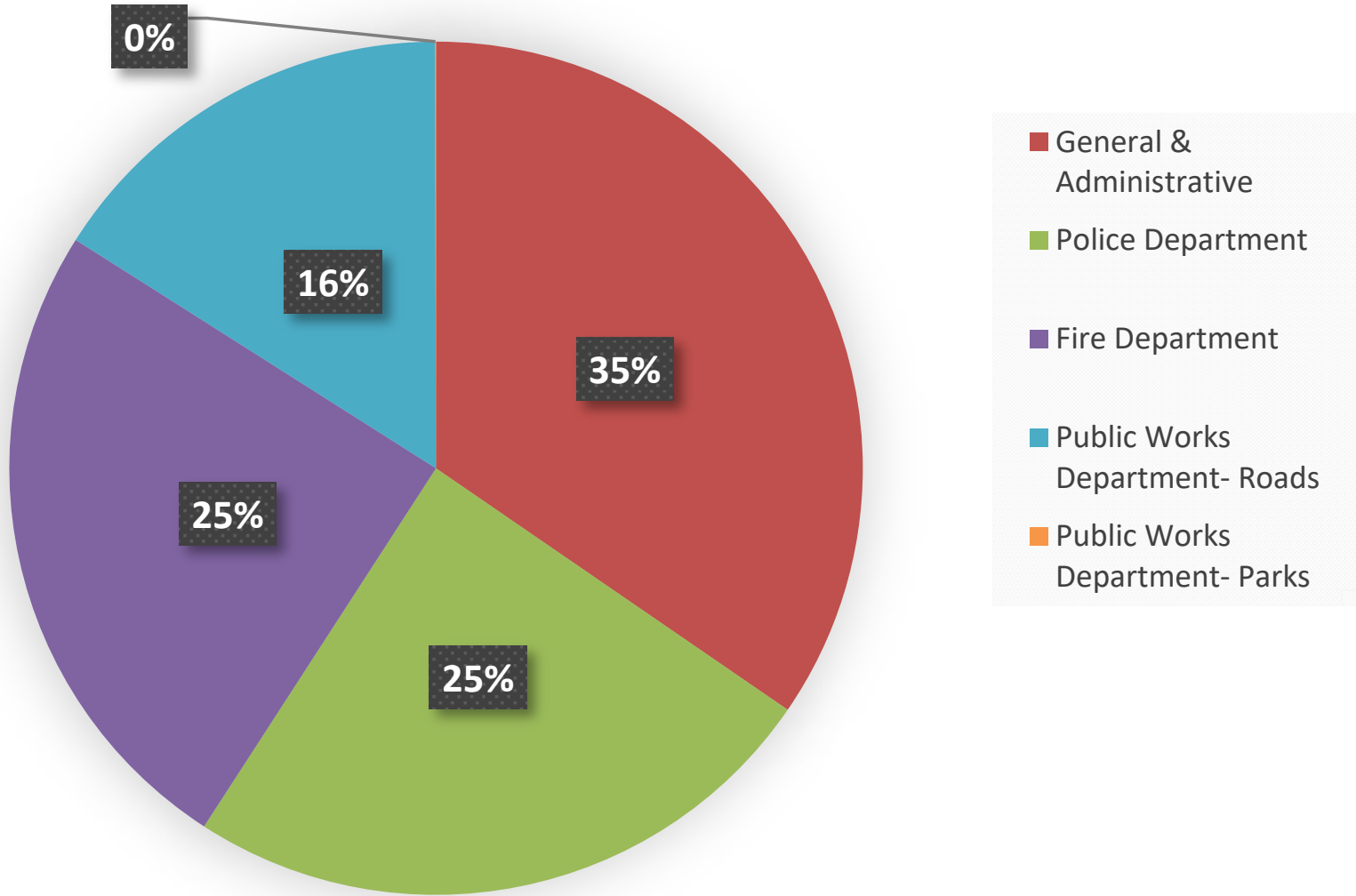
CHARTS
January 2023



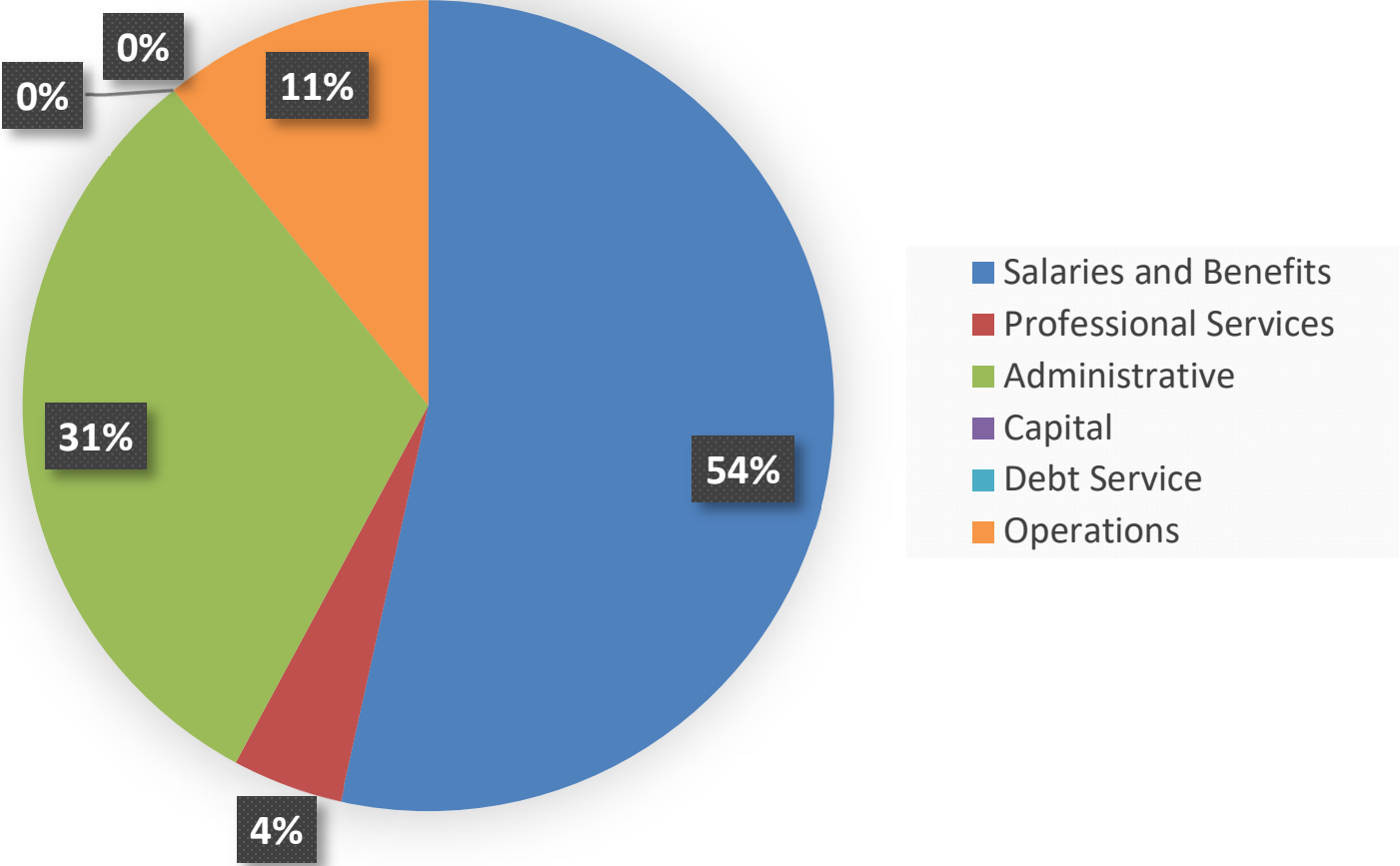
General Fund Revenue Breakdown January 2023



General Fund Expenditure Breakdown January 2023



Water Enterprise Fund Expenditure Breakdown January 2023





42 Valley Crescent
PO Box 208
Palmer Lake, CO 80133
719-481-2953 - Office

Office Use Only	
Case Number:	PC 2115
Date:	
Fees	\$250 + \$10 per acre: 500-
Check #:	2210
Rec'd By:	PAT
Application Complete:	

Vacation & Replat Application Form

Name of Applicant/Property Owner: Arlon and Sylvia Martin
 Address: 215 Canon Dr Santa Barbara, CA 93105 Phone#: 805-698-8551
 Email: arlon.martin@gmail.com
 Name of Proposal: Lakeview West Subd.
 Tax Schedule #: Assessor's Parcel #: 7105212005

This is a Vacation Plat – A map indicating a proposed elimination of a dedicated street, road easement or subdivision. It shall be prepared by a Colorado Registered Land Surveyor in accordance with a Subdivision Regulations. If approved, it shall be recorded with the County Clerk and Recorder's Office.

This is a Replat – A map which indicates an alternation from an approved Subdivision Final Plat. Such a proposal shall abide by the same regulations which affect a Final Plat submittal.

Please fill out the appropriate submission checklist to complete the application.

Location of Property: 253 Milton St.
 Nearest Street Intersection: Park Existing Subdivision: Blk 63, Lots 1-11
 Current Zoning and Uses of Surrounding Property: N: _____
 E: _____
 S: _____
 W: _____

Signature of Owner: Arlon Martin Date: Sept 7, 2022
 Applicants Name: Arlon Martin Sylvia Martin Address/Location: 215 Canon Drive
Santa Barbara, CA
93105

To: Planning Commission and Board of Trustees for Palmer Lake, CO
Attn. Ms. Dawn Collins, Town Administrator and Clerk
42 Valley Crescent
P.O. Box 208
Palmer Lake, CO 80133

January 27, 2023

From: Arlon and Sylvia Martin
215 Canon Ave.
Santa Barbara, CA 93105

Re: Lakeview West Subdivision, 253 Milton Street

Dear Ms. Collins, Planning Commission and Board of Trustees

We are requesting to Replat all of Block 63 and the Southerly One-Half of Brook Street from Viola Street to Park Street, in Palmer Lake Amended Filing, into three single Family Residential Lots.

Two of the three proposed lots will be larger than 10,000 square feet and noted on the Proposed Plat as being restricted from Future Replatting into smaller lots.

The generally flat Lot with the existing house at 253 Milton Street is to remain and currently has access from Park Street. This Lot would have the ability for future demolition of the existing structure and relocation of the access point.

The other two lots would have access from either Viola Street or Park Street for possible over-under parking. The approximate slope of these lots is 13%, sloping down from Viola Street to Park Street.

The portion of Brook Street to be vacated has not been used and has utilities shown on the Preliminary Plot. An Easement will be Platted for that utility. A portion of Brook Street has been previously vacated by PARKVIEW SUB Replat. The Northerly One Half of Brook Street would remain as access to the unimproved Alley adjacent to the rear of Lot 10 Block 58 in Palmer Lake Amended Filing.

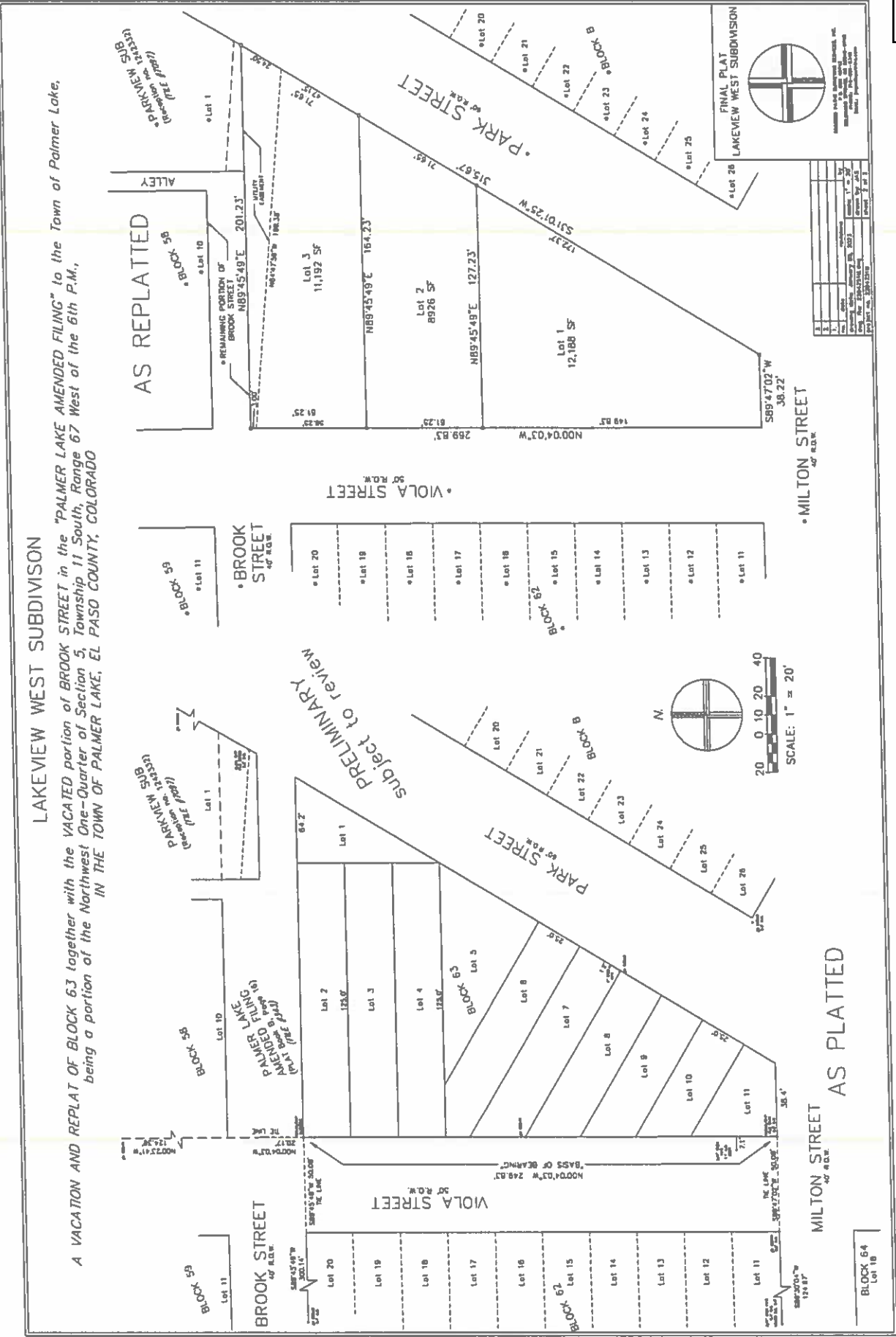
If you have any questions, please contact us at arlonmartin@gmail.com or by cell 805-698-8551.

Best Regards,



Arlon and Sylvia Martin

Cc: Dawn Collins, Town Administrator/Clerk, Palmer Lake, CO



A VACATION AND REPLAT OF BLOCK 63 together with the VACATED portion of BROOK STREET in the "PALMER LAKE AMENDED FILING" to the Town of Palmer Lake, being a portion of the Northwest One-Quarter of Section 5, Township 11 South, Range 67 West of the 6th P.M., IN THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO

LAKEVIEW WEST SUBDIVISION

AS REPLATED

AS PLATTED

LAKEVIEW WEST SUBDIVISION

A VACATION AND REPLAT OF BLOCK 63 together with the VACATED portion of BROOK STREET in the PALMER LAKE AMENDED FILING to the Town of Palmer Lake, Township 11 South, Range 67 West of the 6th P.M., being a portion of the Northwest One-Quarter of Section 5, Township 11 South, Range 67 West of the 6th P.M., IN THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO

BE IT KNOWN BY THESE PRESENTS:

That SYLVIA and ALVIN MARTIN being the owners of the following described tract of land to-wit: Block 63, in the amended One-Quarter of Section 5, Township 11 South, Range 67 West of the 6th P.M., in the City of Palmer Lake, El Paso County, Colorado, hereinafter as the "Block 63", in the City of Palmer Lake, El Paso County, Colorado.

DEDICATION:

The above-named SYLVIA and ALVIN MARTIN, do hereby dedicate and set apart the land and premises therein described to the use and enjoyment of the Town of Palmer Lake, Colorado, as a public street, to-wit: BROOK STREET, in the Town of Palmer Lake, El Paso County, Colorado.

IN WITNESS WHEREOF:

The above-named SYLVIA MARTIN, has caused this instrument to be signed by me, _____ day of _____, 2013, A.D.

SYLVIA MARTIN

NOTARIAL:

STATE OF COLORADO
COUNTY OF EL PASO

The above and aforementioned one acknowledged before me this _____ day of _____, 2013, A.D., by SYLVIA MARTIN

Whom my hand and seal

By commission expires _____

IN WITNESS WHEREOF:

The above-named ALVIN MARTIN, has caused this instrument to be signed by me, _____ day of _____, 2013, A.D.

ALVIN MARTIN

NOTARIAL:

STATE OF COLORADO
COUNTY OF EL PASO

The above and aforementioned one acknowledged before me this _____ day of _____, 2013, A.D., by ALVIN MARTIN

Whom my hand and seal

By commission expires _____

NOTICE IS HEREBY GIVEN:

That the work indicated in the attached plat is subject to the work of the Town of Palmer Lake, Colorado, and that the work of the Town of Palmer Lake, Colorado, is subject to the work of the State of Colorado, and that the work of the State of Colorado is subject to the work of the United States of America.

APPROVAL:

Heard and recommended for approval on the _____ day of _____, 2013 by the Planning Commission, Town of Palmer Lake.

Deak, Planning Commission

Heard and approved on the _____ day of _____ by the Board of Trustees for the Town of Palmer Lake.

Mayor, Board of Trustees

Attest by _____ Town Clerk

RECORDING:

STATE OF COLORADO
COUNTY OF EL PASO

I hereby certify that this instrument was filed for record in my office at _____ day of _____, 2013, A.D., and is duly recorded under

Book _____ Page _____ of the records of El Paso County, Colorado.

RECORDED:

FILED:

Permit Fee _____

Stamp Fee _____

SURVEYOR'S CERTIFICATION:

I, the undersigned, ALVIN MARTIN, being duly sworn, depose and say that the foregoing plat was prepared by me, and that the same is a true and correct copy of the original plat as shown to me by the said SYLVIA and ALVIN MARTIN, and that the same is a true and correct copy of the original plat as shown to me by the said SYLVIA and ALVIN MARTIN, and that the same is a true and correct copy of the original plat as shown to me by the said SYLVIA and ALVIN MARTIN.

PRELIMINARY
Subject to review

City File No.:

NOTES:

- 1. - Indicate the plat value with Surveyor's Co., P.L.S. #1787.
2. - Indicate the plat value with Surveyor's Co., P.L.S. #1787.
3. - Indicate the plat value with Surveyor's Co., P.L.S. #1787.
4. - Indicate the plat value with Surveyor's Co., P.L.S. #1787.
5. - Indicate the plat value with Surveyor's Co., P.L.S. #1787.
6. - Indicate the plat value with Surveyor's Co., P.L.S. #1787.
7. - Indicate the plat value with Surveyor's Co., P.L.S. #1787.
8. - Indicate the plat value with Surveyor's Co., P.L.S. #1787.
9. - Indicate the plat value with Surveyor's Co., P.L.S. #1787.
10. - Indicate the plat value with Surveyor's Co., P.L.S. #1787.

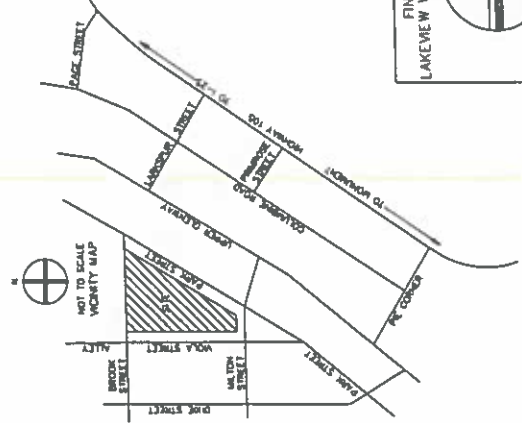
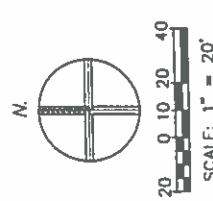
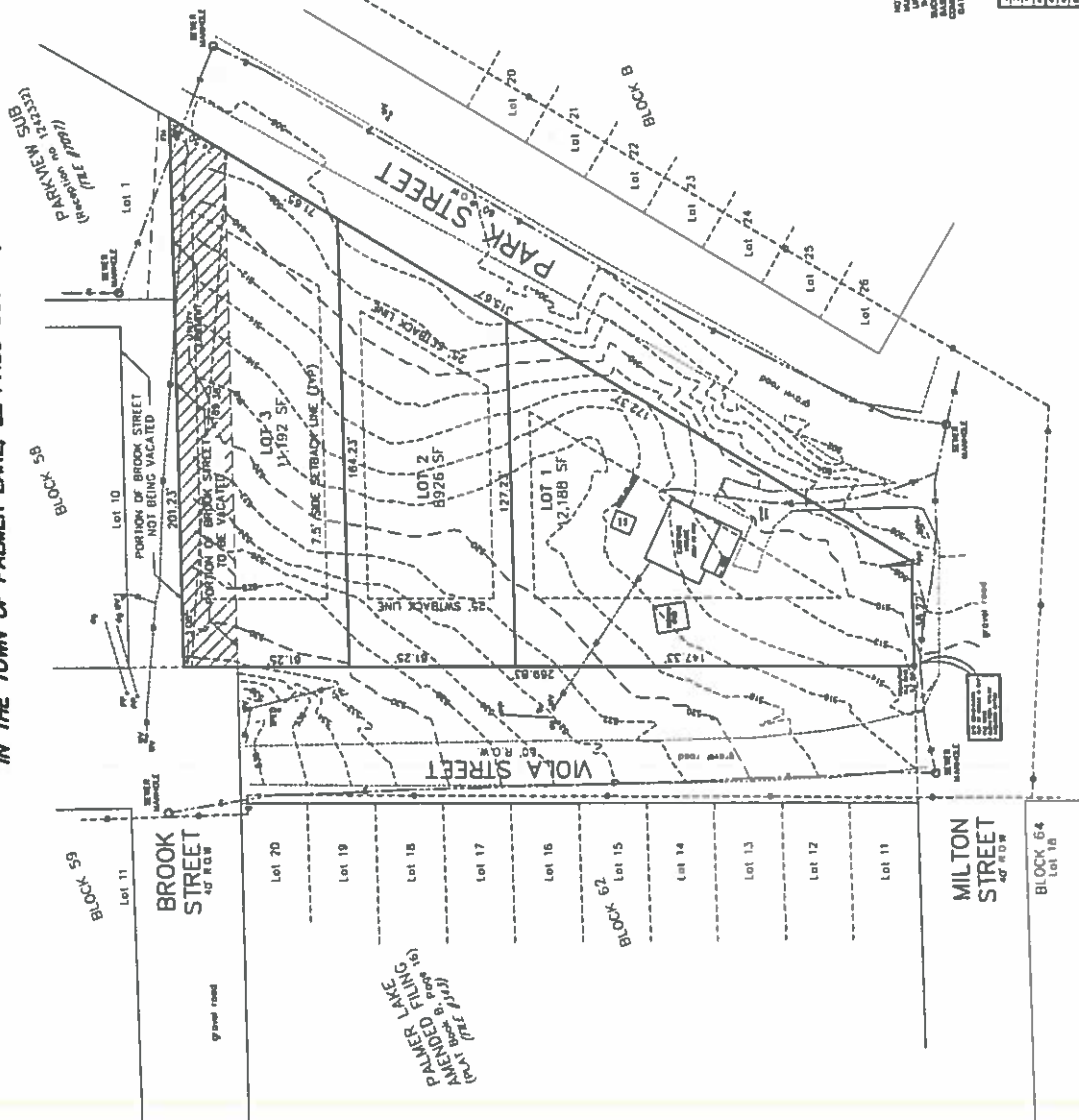


Table with columns for recording details: Date, Time, Book, Page, Fee, etc.

**PRELIMINARY PLAT
LAKEVIEW WEST SUBDIVISION**

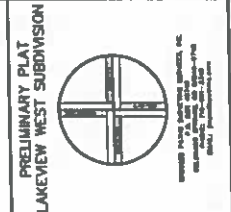
A VACATION AND REPLAT OF BLOCK 63 together with the VACATION of a portion of BROOK STREET in the PALMER LAKE AMENDED FILING* to the Town of Palmer Lake, being a portion of the Northwest One-Quarter of Section 5, Township 11 South, Range 67 West of the 6th P.M., IN THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO



NOTES:
1. Temporary based on deeded return.

LEGEND:
--- existing underground water line
--- existing underground gas line
--- existing fire hydrant
--- existing water main
--- existing sewer main
--- existing electric pipeline

NOTICE: ACCORDING TO COLORADO STATUTE, THE PRELIMINARY PLAT OF THIS SUBDIVISION IS NOT VALID UNLESS IT IS RECORDED WITHIN SIX MONTHS OF THE DATE OF THE CLOSING OF THIS OFFICE.



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26

NOTICE OF PUBLIC HEARING

TOWN OF PALMER LAKE

Notice is hereby given that Palmer Lake Planning Commission shall hold a public hearing on February 15, 2023, at 5 PM at the Town Hall at 28 Valley Crescent, Palmer Lake, to consider a request to replat tax schedule ID 7105212005, Lots 1 thru 11, located at 253 Milton Dr, to three (3) lots. A recommendation will be made to the Board of Trustees on the same matter scheduled to be heard on February 23, 2023, at 5 PM. A copy of the complete application is on file at the Town Clerk office, at 719-481-2953. /s/ Dawn A. Collins, Town Clerk

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO
COUNTY OF El Paso

**NOTICE OF PUBLIC HEARING
TOWN OF PALMER LAKE**

Notice is hereby given that Palmer Lake Planning Commission shall hold a public hearing on February 15, 2023, at 5 PM at the Town Hall at 28 Valley Crescent, Palmer Lake, to consider a request to replat tax schedule ID 7105212005. Lots 1 thru 11, located at 253 Milton Dr, to three (3) lots. A recommendation will be made to the Board of Trustees on the same matter scheduled to be heard on February 23, 2023, at 5 PM. A copy of the complete application is on file at the Town Clerk office, at 719-481-2953.

/s/ Dawn A. Collins, Town Clerk

Published in the Tri-Lakes Tribune February 1, 2023.

I, Haley Zinnel, being first duly sworn, deposes and says that he is the Legal Sales Representative of The Tri Lakes Tribune, LLC., a corporation, the publishers of a daily/weekly public newspapers, which is printed and published daily/weekly in whole in the County of El Paso, and the State of Colorado, and which is called Tri Lakes Tribune; that a notice of which the annexed is an exact copy, cut from said newspaper, was published in the regular and entire editions of said newspaper **1 time(s) to wit 02/01/2023**

That said newspaper has been published continuously and uninterruptedly in said County of El Paso for a period of at least six consecutive months next prior to the first issue thereof containing this notice; that said newspaper has a general circulation and that it has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879 and any amendment thereof, and is a newspaper duly qualified for the printing of legal notices and advertisement within the meaning of the laws of the State of Colorado.

Haley Zinnel

Haley Zinnel
Sales Center Agent

Subscribed and sworn to me this 02/01/2023, at said City of Colorado Springs, El Paso County, Colorado.

My commission expires June 23, 2026.

Karen Hogan

Karen Hogan
Notary Public
The Gazette

**KAREN HOGAN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20224024441
MY COMMISSION EXPIRES 06/23/2026**

Document Authentication Number
20224024441-997973



42 Valley Crescent
PO Box 208
Palmer Lake CO 80133
719-481-2953 – office

Office Use Only	
Case Number:	<u>PC 2/15</u>
Date:	<u>1/23/2023</u>
Fees:	<u>\$500.00</u>
Check #:	_____
Rec'd By:	<u>KAC</u>
<i>Note: A minimum of ten days are required to process this application</i>	

Right-of-Way Application

Name of Applicant/Property Owner: SYLVIA & ARLON MARTIN

Address: 215 CANON DR. SANTA BARBARA Phone#: 805-698-8551
CA 93105

Email: arlonmartin@gmail.com

Name of Proposal: Lakeview West Subdivision

Legal Description or Address: Block G3, PALMER LAKE AMENDED FILING
253 MILTON STREET

(If the applicant is someone other than the property owner, the applicant must provide a notarized letter from the property owner giving permission to be represented in this action).

This is a Right-of-Way Vacation – A Right of Way vacation is the termination of the public interest in a right-of-way (built or unbuilt); it extinguishes the easement for public travel that is represented by the right-of-way. The Right of Way is equally divided.

Criteria for approval of a Right-of-Way Vacation - In order to approve any Right-of-Way vacation, the Planning Commission must find, based upon evidence, both factual and supportive, provided by the applicant that the vacation sought will not leave any lands adjoining without an established right of way. and that the portion of the right of way sought to be vacated has now become useless to the property owners, the general public, and the Town of Palmer Lake, and that the Final Plat meets all of the criteria stated in Section 16 of the Palmer Lake Municipal Code.

By signing, Applicant agrees to the following:

- Town of Palmer Lake staff or its consultants may enter the property to inspect the property and evaluate the proposal.
- The applicant/petitioner is liable for all fees and costs associated with the Town's review of this application. These may include, but are not limited, to engineering and consultant fees, public notice / recordation fees, and any other fees paid by the Town in connection with or related to this application.

Payment of the above fees shall not relieve the applicant of any other fees incurred by the Town.

As owner/applicant, I understand and affirm the information contained in this application is accurate, and I agree to the above conditions.

Applicant Signature: *Robn Marti* Date: *Jan. 27, 2023*

Applicant Signature: *[Signature]* Date: *Jan 27, 2023*
(if needed)

If the applicant is not the owner:

As owner of the above property, I agree to the application.

Owner – Print: _____

Owner – Signature: _____ Date: _____

PROCEDURAL CHECKLIST FOR RIGHT-OF-WAY VACATION

Applicant: SYLVIA & ARLO MARTIN Address/Location: 253 MILTON STREET
(print or type)

- * Submitted on: JANUARY 24, 2023
- * Property will be posted & published by: _____
- * Planning Commission meeting: _____
- * Board of Trustees meeting: _____

Submittal Requirements:

X	Required Information:
X	Complete application form
X	Letter(s) of Intent - why you are making this request; adjoining property owner
	A map of the proposed right-of-way vacation prepared by a Colorado registered land surveyor. Each plan must include:
X	• Identify the right-of-way requested for vacation ✓
X	• All easements identified on right-of-way and abutting properties ✓
	Required Copies: (Proposed)
X	One (1) each 11x17 paper and electronic copy of proposed vacation
X	Copies of letters of notification to all property owners abutting proposed vacation
	A map of all properties effected by the right-of-way vacation, prepared by a Colorado registered land surveyor. Each plan must include:
X	• Name of the Proposal ✓
X	• Legal description of the Proposal ✓
X	• Date of preparation and Northpoint ✓
X	• A vicinity map ✓
	• Location of land intended to be for public use
	• All monuments
	•
	• Profiles of all roads
X	• Certificates for execution by Executor (s) – (Mylar)*
	•
	•
X	• All easements as required by public and quasi-public agencies ✓
X	• The right-of-way lines, widths, locations, and street names of existing and proposed streets ✓
	Required Copies: (Final)
X	• One (1) copy of final plat - Mylar* – Owner MUST record after approval
X	• One (1) paper copy (24x36) of final plat
X	• One (1) Electronic copy of final plat

To: Planning Commission and Board of Trustees for Palmer Lake, CO
Attn. Ms. Dawn Collins, Town Administrator and Clerk
42 Valley Crescent
P.O. Box 208
Palmer Lake, CO 80133

January 27, 2023

From: Arlon and Sylvia Martin
215 Canon Ave.
Santa Barbara, CA 93105

Re: Lakeview West Subdivision, 253 Milton Street

Dear Ms. Collins, Planning Commission and Board of Trustees

We are requesting to Replat all of Block 63 and the Southerly One-Half of Brook Street from Viola Street to Park Street, in Palmer Lake Amended Filing, into three single Family Residential Lots.

Two of the three proposed lots will be larger than 10,000 square feet and noted on the Proposed Plat as being restricted from Future Replatting into smaller lots.

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If you have any questions, please contact us at arlonmartin@gmail.com or by cell 805-698-8551.

Best Regards,

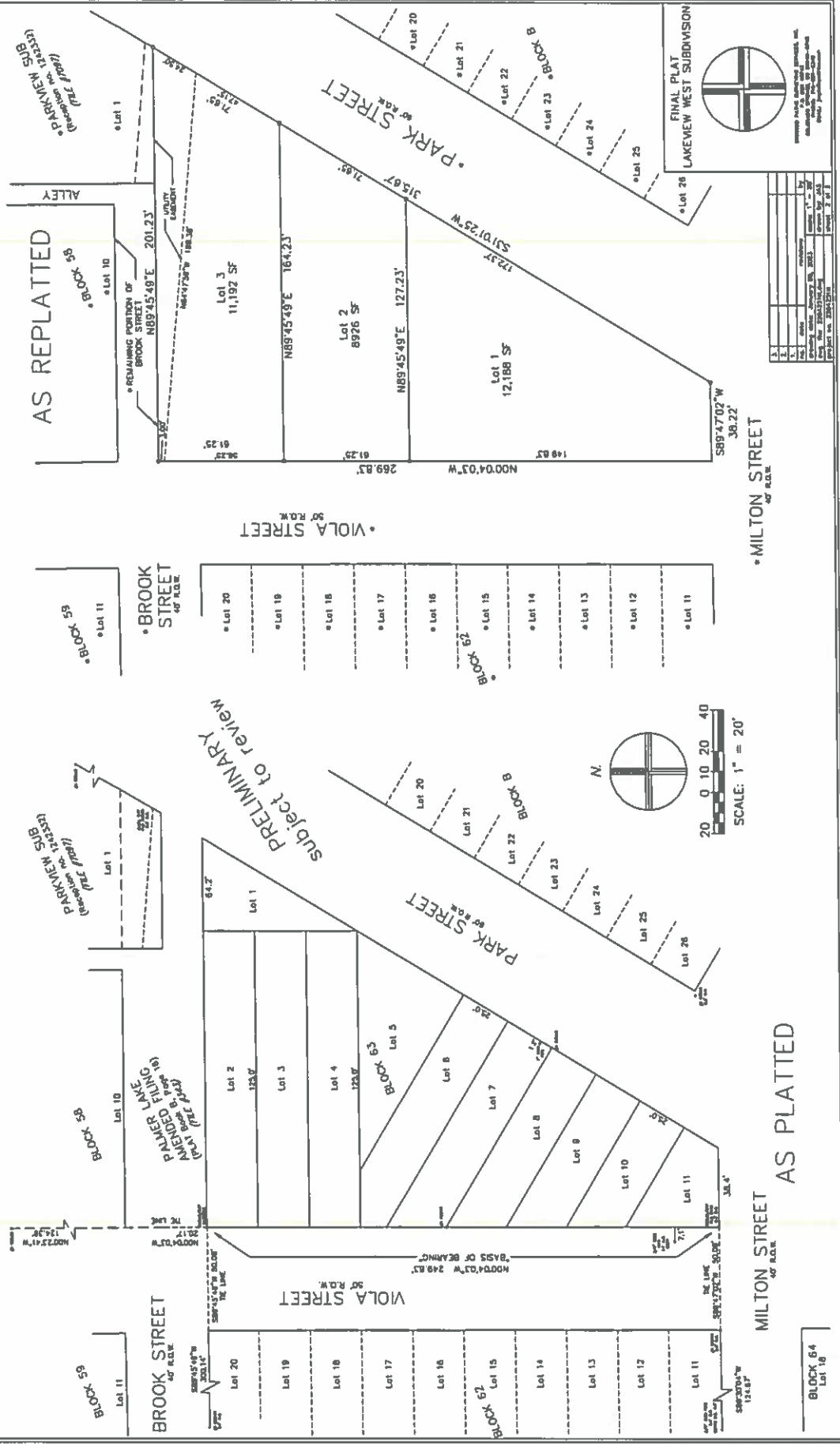


Arlon and Sylvia Martin

Cc: Dawn Collins, Town Administrator/Clerk, Palmer Lake, CO

LAKEVIEW WEST SUBDIVISION

A VACATION AND REPLAT OF BLOCK 63 together with the VACATED portion of BROOK STREET in the "PALMER LAKE AMENDED FILING" to the Town of Palmer Lake, being a portion of the Northwest One-Quarter of Section 5, Township 11 South, Range 67 West of the 6th P.M., IN THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO



LAKEVIEW WEST SUBDIVISION
A VACATION AND REPLAT OF BLOCK 63 together with the VACATED portion of BROOK STREET in the
"PALMER LAKE AMENDED FILING" to the Town of Palmer Lake,
being a portion of the Northwest One-Quarter of Section 5, Township 11 South, Range 67 West of the 6th P.M.,
IN THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO

BE IT KNOWN BY THESE PRESENTS:
That the undersigned, TRAVIS MARTIN, has executed this instrument
in accordance with the provisions of the laws of the State of Colorado,
and that the same is a true and correct copy of the original as the same
exists in the office of the undersigned, TRAVIS MARTIN, Notary Public,
El Paso County, Colorado.

DEDICATION:
The donor hereby dedicates and conveys to the Town of Palmer Lake, Colorado,
a portion of the Northwest One-Quarter of Section 5, Township 11 South,
Range 67 West of the 6th P.M., El Paso County, Colorado, containing
approximately 23,200 square feet of 6.7416 acres of land.

IN WITNESS WHEREOF:
The undersigned, TRAVIS MARTIN, has executed this instrument
on this _____ day of _____, 2023, A.D.

TRAVIS MARTIN
NOTARIAL:
STATE OF COLORADO
COUNTY OF EL PASO
The above and aforementioned are subscribed before me this _____ day of _____, 2023, A.D., by TRAVIS MARTIN

Witness my hand and seal
My commission expires _____

IN WITNESS WHEREOF:
The undersigned, TRAVIS MARTIN, has executed this instrument
on this _____ day of _____, 2023, A.D.

TRAVIS MARTIN
NOTARIAL:
STATE OF COLORADO
COUNTY OF EL PASO
The above and aforementioned are subscribed before me this _____ day of _____, 2023, A.D., by TRAVIS MARTIN

Witness my hand and seal
My commission expires _____

NOTICE IS HEREBY GIVEN:
That the area shown in the attached plat is subject to the provisions of the
Colorado Subdivision Map Act, C.R.S. 38-1-101, et seq., and that the same
is being filed for record in the office of the County Clerk, El Paso County,
Colorado, for the purpose of recording the same as a subdivision map.
The plat is subject to the provisions of the Colorado Subdivision Map Act,
C.R.S. 38-1-101, et seq., and that the same is being filed for record in the
office of the County Clerk, El Paso County, Colorado, for the purpose of
recording the same as a subdivision map.

APPROVAL:
Heard and recommended for approval on the _____ day of _____, 2023
by the Planning Commission, Town of Palmer Lake.

Chair, Planning Commission
Heard and approved on the _____ day of _____, 2023
by the Board of Trustees for the Town of Palmer Lake.

Mayor, Board of Trustees
Attest by: _____
Town Clerk

RECORDING:
COUNTY OF EL PASO
I hereby certify that this instrument was filed for record in my office on _____ day of _____, 2023, A.D., and is duly recorded under
Registration No. _____ of the records of El Paso County, Colorado.

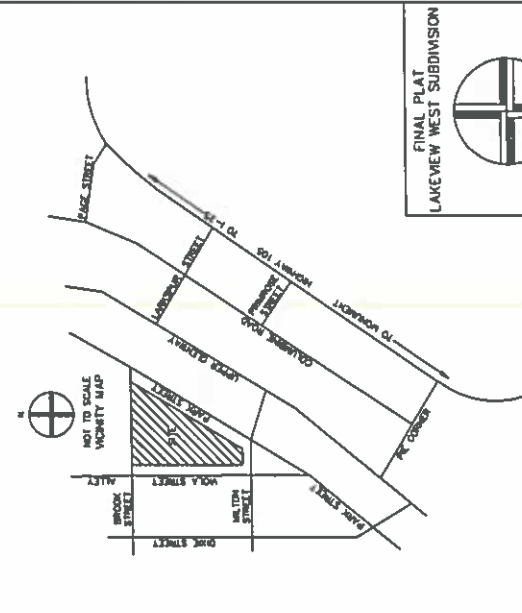
REC'D:
Fees:
Per Foot _____
Stamp Fee _____
Notary Fee _____

SURVYOR'S CERTIFICATION:
I, the undersigned, TRAVIS MARTIN, being duly sworn, depose and say that I am the
author of the above and aforementioned plat, and that the same is a true and
correct copy of the original as the same exists in the office of the
undersigned, TRAVIS MARTIN, Notary Public, El Paso County, Colorado.

PRELIMINARY
Subject to review

City File No. _____

- 1. - indicates a lot or lots with Surveyor's Co. P.L.S. #1234.
- 2. - indicates recorded survey instrument on which.
- 3. - indicates area "of record".
- 4. - indicates area "of record".
- 5. - indicates area "of record".
- 6. - indicates area "of record".
- 7. - indicates area "of record".
- 8. - indicates area "of record".
- 9. - indicates area "of record".
- 10. Lots 1 & 2, as shown herein, to contain final improvements that to be depicted in the additional plat.

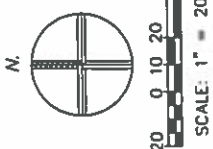
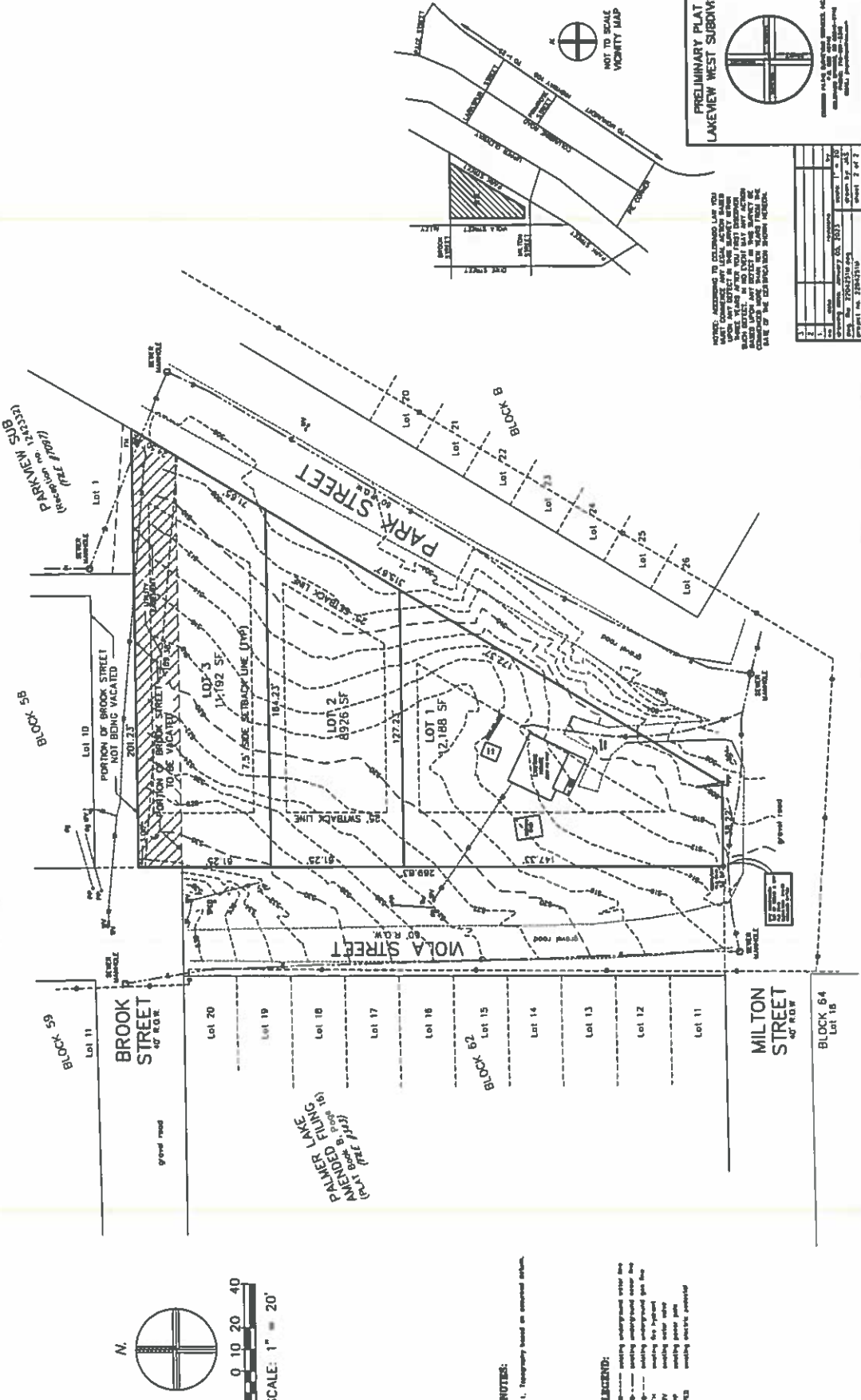


Lot	Area	Acres	Remarks
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

FINAL PLAT
LAKEVIEW WEST SUBDIVISION

**PRELIMINARY PLAT
LAKEVIEW WEST SUBDIVISION**

A VACATION AND REPLAT OF BLOCK 63 together with the VACATION of a portion of BROOK STREET in the "PALMER LAKE AMENDED FILING" to the Town of Palmer Lake, being a portion of the Northwest One-Quarter of Section 5, Township 11 South, Range 67 West of the 6th P.M., IN THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO



NOTES:
1. Topography based on contour method.

LEGEND:
 - - - - - existing underground water line
 - - - - - existing underground gas line
 - - - - - existing underground sewer line
 - - - - - existing electric power line
 - - - - - existing electric service

NOTES: ACCORDING TO COLORADO LAW YOU MUST OBTAIN A LOCAL ACTION BAKER BASED MAP FROM THE COUNTY ENGINEER'S OFFICE BEFORE YOU CAN REPLY TO THIS PLAT. THE COUNTY ENGINEER'S OFFICE IS LOCATED AT 1000 N. 10TH ST., DENVER, CO. 80202. THE BAKER BASED MAP MUST BE OBTAINED BEFORE YOU CAN REPLY TO THIS PLAT. THE BAKER BASED MAP MUST BE OBTAINED BEFORE YOU CAN REPLY TO THIS PLAT.

**PRELIMINARY PLAT
LAKEVIEW WEST SUBDIVISION**

Project No. 123456789
 Date: 12/31/2023
 Sheet 1 of 2

NOTICE OF PUBLIC HEARING

TOWN OF PALMER LAKE

Notice is hereby given that Palmer Lake Planning Commission shall hold a public hearing on February 15, 2023, at 5 PM at the Town Hall at 28 Valley Crescent, Palmer Lake, to consider a request to vacate a portion of right of way, Brooks Street, abutting parcel located at 253 Milton Dr. A recommendation will be made to the Board of Trustees on the same matter scheduled to be heard on February 23, 2023, at 5 PM. A copy of the complete application is on file at the Town Clerk office, at 719-481-2953. /s/ Dawn A. Collins, Town Clerk

To: Mr. Blake Menter
348 Park St.
Palmer Lake, CO 80133

January 27, 2023

From: Arlon and Sylvia Martin
215 Canon Ave.
Santa Barbara, CA 93105

Re: Notice of Intent to Vacate and Replat

Dear Mr. Menter,

As required by the Palmer Lake Municipal Code, we are providing you with notice of our intent to vacate and replat the portion of Brook Street that borders our property.

The Northerly One Half of Brook Street would remain as access to the unimproved alley adjacent to the rear of the property, officially described as Lot 10 Block 58.

A portion of the Southerly Half of Brook Street was previously vacated by PARKVIEW SUB Replat.

If you have any questions, please contact us at arlonmartin@gmail.com or by cell 805-698-8551.

Best Regards,



Arlon and Sylvia Martin

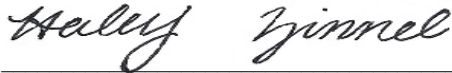
Cc: Dawn Collins, Town Administrator/Clerk, Palmer Lake, CO

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO
COUNTY OF El Paso

I, Haley Zinnel, being first duly sworn, deposes and says that he is the Legal Sales Representative of The Tri Lakes Tribune, LLC., a corporation, the publishers of a daily/weekly public newspapers, which is printed and published daily/weekly in whole in the County of El Paso, and the State of Colorado, and which is called Tri Lakes Tribune; that a notice of which the annexed is an exact copy, cut from said newspaper, was published in the regular and entire editions of said newspaper **1 time(s) to wit 02/01/2023**

That said newspaper has been published continuously and uninterruptedly in said County of El Paso for a period of at least six consecutive months next prior to the first issue thereof containing this notice; that said newspaper has a general circulation and that it has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879 and any amendment thereof, and is a newspaper duly qualified for the printing of legal notices and advertisement within the meaning of the laws of the State of Colorado.



Haley Zinnel
Sales Center Agent

Subscribed and sworn to me this 02/01/2023, at said City of Colorado Springs, El Paso County, Colorado.

My commission expires June 23, 2026.



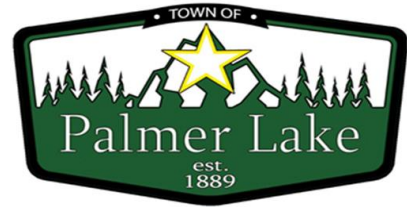
Karen Hogan
Notary Public
The Gazette

KAREN HOGAN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20224024441
MY COMMISSION EXPIRES 06/23/2026

Document Authentication Number
20224024441-997896

NOTICE OF PUBLIC HEARING
TOWN OF PALMER LAKE
Notice is hereby given that Palmer Lake Planning Commission shall hold a public hearing on February 15, 2023, at 5 PM at the Town Hall at 28 Valley Crescent, Palmer Lake, to consider a request to vacate a portion of right of way, Brooks Street, abutting parcel located at 253 Milton Dr. A recommendation will be made to the Board of Trustees on the same matter scheduled to be heard on February 23, 2023, at 5 PM. A copy of the complete application is on file at the Town Clerk office, at 719-481-2953.
/s/ Dawn A. Collins, Town Clerk
Published in the Tri-Lakes Tribune February 1, 2023.

Item 9.



Item 10.

**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - AGENDA MEMO**

DATE: February 23, 2023	ITEM NO.	SUBJECT: Resolution to Consider Request to Replat Milton Lots 1-11
Presented by: Town Administrator /Clerk		

Milton property owners, Martin, have requested to replat the Milton parcel, lots 1-11 to three lots, along with the request to vacate a portion of Brook right of way (ROW) between Park and Viola. Staff supports this replat as it reduces the density in the area. Water remains accessible and roadways appropriate for access to two additional lots.

The Planning Commission will review and make a recommendation on this request on 2/22. A revised agenda memo and resolution details will be forthcoming.

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 21 - 2023

A RESOLUTION APPROVING A REPLAT OF LOTS 1 THROUGH 11, LOCATED AT 253 MILTON DRIVE, PALMER LAKE

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado;

WHEREAS, the Owner of Lots 1 through 11, parcel 7105212005, located at 113 Highland Road, desires to replat to three lots, and filed an application for replat with the Town; and

WHEREAS, the proposed replat meets all the minimum requirements of Chapter 16 zoning code, and other applicable Town ordinances; and there are no requests for waivers of any of the requirements of the various Town regulations and resolutions; and

WHEREAS, on February 22, 2023, the Planning Commission reviewed the application for replat and found that it will be acceptable and recommended approval of the replat as presented.

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

1. The replat of parcel 7105212005, Lots 1-11, located at 253 Milton Dr, attached hereto as Exhibit A, and incorporated herein, evidencing the replat request by the Owner, as well as any and all easements thereon, is hereby approved.
2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
3. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

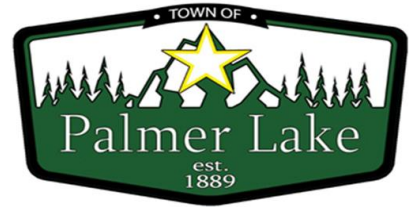
INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 23RD DAY OF FEBRUARY 2023.

TOWN OF PALMER LAKE, COLORADO

ATTEST:

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor



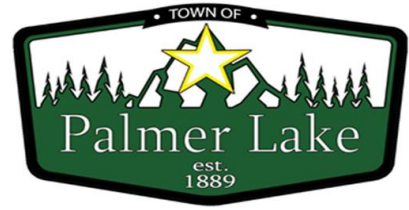
Item 11.

**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - AGENDA MEMO**

DATE: February 23, 2023	ITEM NO.	SUBJECT: Ordinance to Consider Request to Vacate ROW (Brook)
Presented by: Town Administrator /Clerk		

Milton property owners, Martin, have requested to vacate a portion of Brook right of way (ROW) between Park and Viola, along with the replat of lots 1-11 to three lots. The intent is to lessen the density and provide a standard 7.5 ft setback from lot 3 vs. 25 ft from a ROW.

The Planning Commission will review and make a recommendation on this request on 2/22. Additional details will be forthcoming.



Item 12.

**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - AGENDA MEMO**

DATE: February 23, 2023	ITEM NO.	SUBJECT: Resolution to Appoint New Parks Commission Member
Presented by: Town Administrator /Clerk		

The Parks and Trails Commission interviewed one candidate on 2/14 to fill the vacancy on the Commission. Ms. Samantha Deeder provided her background and the Commission moved with a 5-1 vote to recommend Samantha be appointed to the Commission.

**TOWN OF PALMER LAKE
EL PASO COUNTY
STATE OF COLORADO**

RESOLUTION NO. 22 - 2023

**A RESOLUTION TO APPROVE APPOINTMENT TO PARKS COMMISSION,
PALMER LAKE, COLORADO**

WHEREAS, Palmer Lake is a statutory town organized under Part 3 of Article 4 of Title 31 of the Colorado Revised Statutes; and

WHEREAS, pursuant to State Statute and the Palmer Lake municipal code, the Board of Trustees is authorized to fill the offices for the Town Parks Commission; and

WHEREAS, the Parks Commission reviewed an application for appointment on February 14, 2023, and moved to appoint the applicant to the Commission by a 5-1 vote.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE OF EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1. The following identifies the two-year term of appointment to the Parks Commission for the Town of Palmer Lake:

Samantha Deeder, Two-Year term (ending January 2025)

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

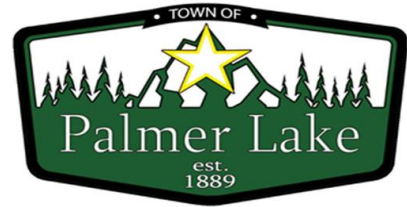
INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 23rd DAY OF FEBRUARY 2023.

TOWN OF PALMER LAKE, COLORADO

Glant Havenar, Mayor

ATTEST:

By: _____
Dawn A. Collins, Town Administrator/Clerk



**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - AGENDA MEMO**

DATE: February 23, 2023	ITEM NO.	SUBJECT: Resolution to Authorize Agreement with Radio Communications Division of Colorado Springs
Presented by: Town Administrator /Clerk		

The Fire Department has been without a contract for radio communication repair for approximately two years. Without a contract to repair, the cost is a minimum \$450 vs. with a contract, repair is covered at \$90 per radio. The repair contract is with the City of Colorado Springs Radio Communications Division.

The Fire Department currently has more radios than personnel and intends to reduce the number of radios. The inventory listed with the contract is the desired quantity for department needs, including a few spares in the event a radio is sent in for repair.

This agreement allows the Palmer Lake Fire Department to maintain and service its complement of radios.

User radio maintenance and repair (per radio per year)	\$90.00 x 21 radios
Console Radio Maintenance (per radio per year)	\$180.00 x 1 radio

This includes repairs, programming, and annual radio tune-up. No other costs are anticipated except what is stated above.

Staff recommends authorization of the service contract for Fire communications.

**TOWN OF PALMER LAKE
EL PASO COUNTY
STATE OF COLORADO**

RESOLUTION NO. 23 - 2023

**A RESOLUTION TO AUTHORIZE AGREEMENT FOR RADIO COMMUNICATIONS SUPPORT
WITH THE CITY OF COLORADO SPRINGS FOR PALMER LAKE, COLORADO**

WHEREAS, Palmer Lake is a statutory Town organized under Part 3 of Article 4 of Title 31 of the Colorado Revised Statutes; and

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado;

WHEREAS, the Fire Department requires support for the radio communications; and

WHEREAS, the City of Colorado Springs, Radio Communications Division offers such support.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE OF EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1. The Board authorizes Administration to sign the service level agreement for support of the Fire Department radio communication for the fees provided in the attached Exhibit.

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 23RD DAY OF FEBRUARY 2023.

TOWN OF PALMER LAKE, COLORADO

Glant Havenar, Mayor

ATTEST:

By: _____
Dawn A. Collins, Town Administrator/Clerk

SERVICE LEVEL AGREEMENT (SLA)

This Service Level Agreement (SLA) is entered into on the day of February, 2023, between the City of Colorado Springs, Radio Communications Division, a Colorado home rule municipality and the Town of Palmer Lake, Colorado (referred to herein as TOWN).

1. Duration of Agreement

From: January 1, 2023
To: December 31, 2023

2. Services Provided

The Radio Communications Division will provide the following services on all itemized radio equipment covered by this SLA:

- a. Repair, maintenance, and programming of trunked user equipment on 8x5 coverage schedule.
- b. In-shop repair of portable user equipment.
- c. In-shop repair of mobile (vehicle mounted) and on-site repair of fixed user equipment (consolettes).
- d. All parts and labor necessary to repair fair wear/tear equipment damage.
- e. Battery chargers included as replacement items.
- f. A loaner radio will be supplied if damaged equipment is down for more than 72 hours. The loaner radio will be available to TOWN until the damaged equipment is repaired or replaced.
- g. Repaired and loaner equipment will be programmed with correct templates and radio ID.
- h. Purchasing and inventory services.

3. Itemized Equipment Covered

Radio equipment as itemized in Appendix A.

4. Contact Procedures and Requirements

- a. In-shop service calls will be accepted at the Radio Shop during normal business hours (M-F, 7:00 – 3:30);
- b. On-site services can be scheduled by contacting the Radio Communications Division Manager during weekday business hours of 7:00 AM to 3:30 PM at (719) 385-6700;
- c. Emergency service during all other hours can be arranged by contacting one of the following (only for customers with Dispatch Consoles on their contract):
 - i. Page the On-Call Specialist at 719-442-3135.
 - ii. Colorado Springs Police Department at 719-444-7000 and asking them to have the On-Call Radio Communications Technician contact you.
- d. Radio Communications Division personnel will respond by telephone within 1/2 hour of notification of a request for service.

5a. Allocated Charges

- a. The allocated charges for services offered in Section 2 apply to equipment itemized in Appendix A and will be charged according to a per-unit per-year fee schedule as outlined in appendix B.
- b. Services to non-itemized equipment may be provided at a non-allocated, fee for service basis as listed in 5b.
- c. Allocated charges will be invoiced directly to TOWN for payment into account 42886-506-8145.

5b. Non-Allocated Charges

- a. Non-allocated fee-for-service charges applies to services provided for non-itemized equipment and time will be charged depending on the service specialist providing the repair services as outlined in appendix B.
- b. Labor charges will include the following: labor, travel time, engineering, and planning.
- c. Vehicle and unit overhead costs are already included in the time rates.
- d. Overtime charges will apply to any services provided outside of Radio Communications normal business hours (M-F, 7 – 3:30). Overtime will be assessed to the base fee-for-service charge at time and a half.
- e. Materials will be supplied at purchase or exchange cost to the TOWN plus shipping. (Motorola parts are generally supplied at WSCA discount price.) Radio Communications will not apply a charge to recover ordering and handling costs.
- f. All non-allocated charges will be invoiced directly to TOWN for reimbursement into the account 42886-506-8145 or for direct payment to vendor.
- g. Radio Communications service technicians may repair radios rejected from Motorola flat rate repair with the approval of TOWN representative for the cost of time and materials involved.
- h. Installation of additional or replacement equipment and relocation of existing equipment is not included but can be provided on a fee-for-service basis for time and materials.

6. Removal and Addition of Equipment under this Contract

- a. TOWN may withdraw any item of equipment removed from service from this SLA upon giving thirty (30) days prior written notice.
- b. Additional equipment can be added to the Contract by mutual written agreement between the parties to the contract, provided that costs for such service will be subject to the rates set forth in this SLA.
- c. Annual allocated rate can be pro-rated monthly for pieces of equipment added or removed from service.
- d. Any piece of equipment in service for part of a month shall be considered in service for the whole month, unless it is a replacement item for a piece of equipment being removed from service.
- e. Adjustments for equipment added or removed after the annual billing is paid will be made in the following year's billing.

7. Warranty

Radio Communications Division expressly warrants that all goods and services furnished under this Contract shall conform to all specifications and appropriate industry standards, will be new or refurbished to perform like new if authorized in advance by TOWN and will be free from defects in material or workmanship.

8. Exceptions

- a. Support for equipment not identified in this memo shall be arranged in advance on a piece-by-piece basis with the Communications Division Manager.
- b. Emergency 24-hour support for TOWN equipment is not included in this SLA.

- c. Batteries are excluded as a replacement item. (Replacement batteries are available at City cost.)
- d. Damage considered excessive damage, water damage, or damage caused by Acts of God is not included under this SLA.
- e. Motorola Radio Support Center's (MRSC) flat-rate-repair rejection policy will determine if excessive damage, water damage, or Acts of God criteria apply to radio repair.
- f. MRSC will generally provide a quote for depot level repair/replacement of excessively damaged equipment.
- g. If equipment owner elects to repair excessively damaged equipment at quoted price, owner is responsible for cost of repair, less shipping and handling costs.
- h. If equipment owner elects not to repair excessively damaged equipment, owner is responsible for the MRSC cost to provide quote, plus return shipping and handling costs. Unrepaired equipment will be returned to the equipment owner.
- i. Radio Communications service specialists may repair radios rejected from Motorola flat rate repair with the approval of TOWN's representative for the cost of time and materials involved.
- j. Installation or relocation of additional, replacement or existing vehicle or fixed equipment is not included, but may be provided on a fee-for-service basis as outlined in Appendix B.
- k. This SLA does not include the services of any third-party subcontractors unless directly subcontracted by the Radio Communications Division with the consent of TOWN.
- l. Either party may rescind this SLA with ninety (90) days prior notice.
- m. This SLA may be renewed on a yearly basis with the consent of both parties.
- n. The City of Colorado Springs and the Radio Communications Division shall not be liable for damages caused by communications failures.

9. LAW

This agreement is subject to and shall be interpreted under the law of the State of Colorado, and the Charter, City Code, Ordinances, Rules and Regulations of the City of Colorado Springs, Colorado, a Colorado Home Rule City. Court venue and jurisdiction shall exclusively be in the Colorado District Court for El Paso County, Colorado

10. APPROPRIATION OF FUNDS

In accordance with the City Charter, performances of the City's obligations under this agreement are expressly subject to the appropriation of funds by the City Council. Further, in the event that funds are not appropriated in whole or in part sufficient for performance of the City's obligations under this understanding, or appropriated funds may not be expended due to City Charter spending limitations, then the City may terminate this understanding without compensation to TOWN.

11. LOCAL CONCERN

The parties agree and acknowledge that the activities contained in this agreement are matters of local concern only, and that the Parties have mutually joined together for the performance of the matters of local concern, and that nothing in this understanding shall or be construed as making any of the local concerns covered herein matters of mixed concern or statewide concern.

12. EXPENDITURES AND FEES OF EACH PARTY DEEMED EXPENDITURES OF THAT PARTY

The parties to this agreement agree that the purpose of this understanding is to jointly accomplish pursuant to C.R.S. Section 29-1-203 activities which could be performed separately by each Party. Accordingly, it is agreed and understood for purposes of the Colorado Constitution, Article X Section 20, and the Colorado Springs City Charter, that any

fees contributed or paid, or otherwise provided by any Party to this Understanding are and remain an expenditure of the contributing, paying, or otherwise providing Party, and are not revenue or expenditures of the receiving party.

AUTHORIZATION SIGNATURES

IN WITNESS WHEREOF, the City of Colorado Springs and TOWN have executed this service level agreement, as above written.

TOWN OF PALMER LAKE, COLORADO

By: _____

Date: _____

City of Colorado Springs,
Radio Communications Division

By: _____
Radio Division Manager

Date: _____

APPENDIX A

Itemized list of included Trunked User Equipment:

	Serial Number	Description	ID	Model Number
1	755CNV0045	APX6000	2011-4	APX 6000
2	755CNV0043	APX6000	2011-1	APX 6000
3	755CNV0041	APX6000	2045-4	APX 6000
4	755CNV0039	APX6000	2011-3	APX 6000
5	755CNV0038	APX6000	2011-2	APX 6000
6	481CSB4502	APX6000	SPARE	APX 6000
7	481CQV3908	APX6000	2015-2	APX 6000
8	481CMF0013	APX6000	2015-4	APX 6000
9	481CSB4262	APX6000	2045-2	APX 6000
10	481CQV4038	APX6000	2002	APX 6000
11	481CSB4507	APX6000	2045-3	APX 6000
12	481CQV4282	APX6000	2015-3	APX 6000
13	482CSB3605	APX6000	2000A	APX 6000
14	481CQV4041	APX6000	2015-1	APX 6000
15	514CKF2786	XTL2500	SPARE	XTL 2500
16	514CJD0819	XTL2500	2015	XTL 2500
17	514CMH2877	XTL2500	2011	XTL 2500
18	624CJD0819	XTL2500	2045	XTL 2500
19	514CHV0896	XTL2500	2000	XTL 2500
20	514CKF2786	XTL2500	SPARE	XTL 2500
21	514CGT2662	XTL2500	SPARE	XTL 2500
22	761AAY0085	SPECTRA A7	BASE	SPECTRA A7
23				
24				
25				
26				

Appendix B

Radio Communications Non-City Service Pricing 2023

Non-City Trunked User Service Level Agreement (SLA)	
User radio maintenance and repair (per radio per year)	\$ 90.00
Console radio maintenance (per radio per year)	\$180.00
Repeater maintenance and repair (per item per year)	\$270.00
Includes repairs, programming and annual radio tune-up. Does not include installation, batteries, antenna, or excessive damage that would be rejected for flat rate repair.	

MCC7500 / MCC7500E Console	\$3044.16
Includes repairs, programming, PC and monitor maintenance (if included). Does not include installation.	

Fee-For-Service - Maintenance may be provided without a Service Level Agreement

Radio Installations	T&M (4-Hour minimum)
Radio Programming	T&M or \$ 25.00 per radio
Radio Programming template revision or creation	\$100 per template
Radio Repairs	T&M or depot flat rate**
Materials at City cost (no mark-up)	
Portable Radio Tune-up Special (may include programming)	\$ 49.95

Radio Communications Hourly Rates

Communications Engineer (On-Site or In-Shop)	\$ 86.90 per hour
Communications Technician (In-Shop only)	\$ 71.52 per hour
Communications Installer (In-Shop or On-site)	\$ 49.36 per hour

Depot Flat Rate Repairs – (effective 12/31/2011) **

Consolette: XTL5000	\$465.00
Mobile Radios: XTL5000	\$465.00
Portable Radios: XTS2500, XTS5000	\$393.00
APX6000	\$600.00
Portable/Mobile Radios: Johnson	\$475.00

* Depot repair charge shall also include shipping, plus ½ hr labor for repair validation.

** The Depot Flat Rate Repair charge is subject to change without notice. Flat Rate charges will be actual invoiced cost.* A copy of invoice will be available.

Note: Astro/XTS3000 & Astro 25 (XTS & XTL) series radios are no longer eligible for Depot Flat Rate Repair.

Maintenance Service Conditions

- a) Radio equipment requiring depot repair are submitted to the Motorola Radio Support Center (RSC) for flat rate repair and are subject to Motorola's criteria for rejection.
 - i) These criteria include, but are not limited to, excessive physical damage or abuse, water damage, or Acts of God (lightning, etc).
 - ii) A copy of Motorola's rejection criteria can be supplied upon request.
- b) Radio Communications' Service Specialists may repair radios that have been rejected by Motorola's depot repair for the cost of time and materials involved. **CUSTOMER** approval is required. An estimate of time and materials may be provided upon request.
- c) If the defective radio is not depot repairable, the **CUSTOMER** will be charged for the radio's replacement or may elect to pay the depot shipping charges and return the spare radio.
- d) Fee-For-Service charges depend on the service specialist providing the repair services.
- e) On-site service calls will include travel time to and from the on-site location. On-site service calls by installers can be arranged in advance and will also include ½ hr labor for in-shop-staging time.

Appendix C

MCC7500 / MCC7500E Console Services

1. Additional Services Provided

The Radio Communications Division will provide the following services on all itemized MCC7500 / MCC7500E Console radio equipment covered by this SLA:

- i. Repair, maintenance, and programming of **MCC7500 / MCC7500E Console** radio equipment on 24x7 coverage schedule.
- j. Items included are: Operator Equipment (**VPM / AIM**. Computer, LCD display, Headset jack, and foot pedal), **MCC** network equipment (Router, switch and wiring), as applicable.
- k. Items excluded are: Headset, Wireless headset system, and commercial leased T1/**Ethernet** service and equipment. **PPRCN Provided network link equipment.**
- l. Installation or relocation of additional, replacement of existing CentraCom equipment is not included, but may be provided on a fee-for-service basis.

2. Contact Procedures and Requirements

- a. In-shop service calls will be accepted at the Radio Shop during normal business hours (M-F, 7:00 – 3:30),
- b. On-site services can be scheduled by contacting the Radio Division Manager during weekday business hours of 7:00 AM to 3:30 PM at (719) 385-6700.
- c. Emergency service during all other hours can be arranged by contacting one of the following:
 - i. Page the On-Call Radio Communications Specialist at 442-3135.
 - ii. Colorado Springs Police Department at 444-7000 and asking them to have the On-Call Radio Communications Specialist to contact you.
 - iii. Motorola System Support Center at 800-221-7144 and open a service-call for system SZ01E3 Z4.
- d. Radio Communications Division personnel will respond by telephone within 1/2 hour of notification of a request for service.

3. All other terms and conditions of the SLA continue to apply.

Appendix D

XTS3000/Astro Radio End of Life

As of December 31, 2011, Motorola has declared End-of-Service on the Astro mobile and XTS-3000 portable radios. These radios will continue to work and parts may continue to be available, but after that date they will no longer provide repair services on these radios.

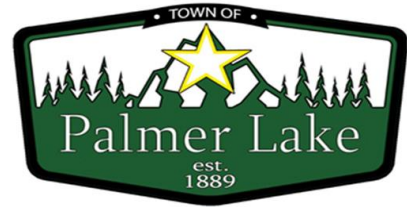
As of April 1, 2021 the Advance System Key does not function for allowing reprogramming of Astro mobile and XTS-3000 portable radios. As a result, the radios will function as currently programmed but cannot be reprogrammed.

Astro25 series radios XTS & XTL 1500, 2500, 5000 etc. End of Life

As of October 31, 2013, Motorola has declared End-of-Service on the Astro25 series mobile and portable radios. These radios will continue to work and parts may continue to be available, but after that date they will no longer provide repair services on these radios.

As your service provider, we will continue to repair and maintain these radios as long as parts are available. However, the ability to repair certain failures that would normally have been shipped back to the vendor for depot repair will no longer be available. This may make the radio unrepairable and in need of replacement. As radio replacement is not included in your Service Level Agreements, replacement would be at your expense and discretion.

Under provision 2f of the SLA, a loaner radio will be supplied if damaged equipment will be down for more than 72 hours. The loaner radio will be available to the **CUSTOMER** until the damaged equipment is repaired or replaced.



**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - AGENDA MEMO**

DATE: February 23, 2023	ITEM NO.	SUBJECT: Resolution to Authorize Contract for Records Management Program for Fire
Presented by: Town Administrator /Clerk		

The Fire Department desires to combine programs for one records management platform. The contract with ESO allows the Palmer Lake Fire Department to move away from two different software databases to one database for Report Documentation, Maintenance, Inspections, Inventory and Training.

This contract allows for an annual step increase from zero dollars the first year to \$8000.00+ dollars by year three. The department currently spends \$6000.00+ dollars per year for two different databases that do not communicate with each other.

Staff recommendation is to authorize the contract with eco for 36 months..

**TOWN OF PALMER LAKE
EL PASO COUNTY
STATE OF COLORADO**

RESOLUTION NO. 24 - 2023

A RESOLUTION TO AUTHORIZE CONTRACT FOR RECORDS MANAGEMENT FOR THE FIRE DEPARTMENT, PALMER LAKE, COLORADO

WHEREAS, Palmer Lake is a statutory Town organized under Part 3 of Article 4 of Title 31 of the Colorado Revised Statutes; and

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado;

WHEREAS, the Fire Department is seeking one resource for records management; and

WHEREAS, the contract with ESO will accomplish this for 36 months.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE OF EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1. The Board authorizes Administration to sign the contract with ESO for 36 months for records management for the Fire Department as provided in the attached Exhibit.

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

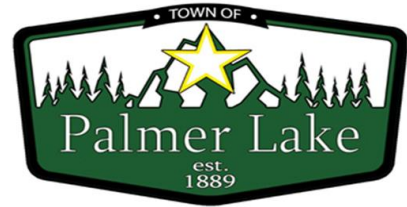
INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 23RD DAY OF FEBRUARY 2023.

TOWN OF PALMER LAKE, COLORADO

Glant Havenar, Mayor

ATTEST:

By: _____
Dawn A. Collins, Town Administrator/Clerk



**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - AGENDA MEMO**

DATE: February 23, 2023	ITEM NO.	SUBJECT: Ordinance to Affirm Wholesale MJ Excise Tax at 5%
Presented by: Town Administrator /Clerk		

The 2016 election resulted in voters approving an excise tax on marijuana cultivation operations for retail sale. It was laid forth, as noted below in town code, that the rate increases annually by one percent. The question on the ballot read and passed as follows:

Shall Town of Palmer Lake taxes be increased, commencing January 1, 2017, by \$150,000 annually in the first fiscal year ending December 31, 2017, and by whatever additional amounts are raised annually thereafter, by imposing a new excise tax of 5% of the average market rate for unprocessed marijuana as determined by the Colorado Department of Revenue when unprocessed retail marijuana is first sold or transferred by a marijuana cultivation facility located within the limits of the Town of Palmer Lake; with the rate of such excise tax being allowed to be decreased or increased by the Town Board without further voter approval so long as the rate of such tax does not exceed 10%, and shall all revenues derived from such excise tax be collected and spent, as a voter approved revenue change, notwithstanding any revenue or expenditure limitations contained in Article X, Section 20 of the Colorado Constitution, Article 1 of Title 29, Colorado Revised Statutes, or any other law?

The ordinance was subsequently adopted in 2017, current code found here - [https://library.municode.com/co/palmer lake/codes/code of ordinances?nodeId=COOR TIT3REFI CH3.24REMAEXTA](https://library.municode.com/co/palmer%20lake/codes/code_of_ordinances?nodeId=COOR_TIT3REFI_CH3.24REMAEXTA)

Although C.R.S. limits the wholesale tax to 5%, the question was written to allow the Town Board latitude to modify, if the statute allows any time in the future, up to 10%. This does not mean the Board can increase the tax to conflict with C.R.S. but, if statute changes, the Town is not required to bring it back for a vote of electors, to consider an increase up to 10%. Attorney Krob included a memo on this.

At the 2/9 meeting, the Board inquired about standard rates within the MJ industry of a 5% excise tax as well as quantity of municipalities that adopted a retail MJ cultivation tax. Of 64 licensed establishments, 49 have adopted code language for the excise tax at an average rate of 5% (a couple below and a few above the 5%). Note enclosed CML data.

Staff recommendation is to affirm the rate as laid forth in the table at a tax rate of 5% for retail cultivation beginning 3/1/2023. Execution of this ordinance will be distributed to licensed establishments.

Municipal Retail Marijuana Status									
	Sales	Cultivation	Manufacturing	Testing	Delivery	On-site Consumption	Tax Information	Notes	Site/Code
Aguilar									Aguilar Municipal Code
Akron									Akron Municipal Code
Alamosa				√			5% sales tax on retail sales (not currently allowed)		Alamosa Municipal Code
Alma	√	√	√	√					Alma Municipal Code
Antonito	√								Antonito Retail Store
Arriba								Permanent moratorium.	Link to Town Ordinances
Arvada									Arvada Municipal Code
Aspen	√	√	√	√					Aspen Municipal Code
Ault									Ault Municipal Code, Chapter 9.34
Aurora	√	√	√	√	√		5% excise tax, 4% sales tax on retail with authority up to 10%		Aurora Marijuana Enforcement Division Avon Municipal Code
Avon									Avon Municipal Code
Basalt	√						5% sales tax on retail marijuana		Basalt Municipal Code
Bayfield							\$10 per retail transaction (sales not currently allowed)		Bayfield Municipal Code
Bennett									Bennett Municipal Code
Berthoud	√						7% sales and excise tax on retail sales		Berthoud Municipal Code (Retail marijuana not yet codified)
Bethune									
Black Hawk	√						5% sales on retail and medical		Black Hawk Municipal Code
Blanca		√	√				5% excise on sale or transfer of unprocessed retail marijuana		in CML files Blue River Municipal Code
Blue River									
Boone									
Boulder	√	√	√	√			5% excise tax, 3.5% sales tax		Boulder Municipal Code
Bow Mar									Bow Mar Municipal Code
Branson									
Breckenridge	√	√	√				5% excise tax on all sales of marijuana		Breckenridge Municipal Code
Brighton								Rejected by voters November 2021	Brighton Municipal Code
Brookside									Brookside Marijuana Ordinance
Broomfield	√			√	√		5% excise tax	Prohibition ordinance for cult and mfg set to repeal on 4/1/25	Broomfield Municipal Code
Brush									Brush Municipal Code
Buena Vista	√						5% sales tax with authority up to 15%	Approved by voters November 2020	Buena Vista Municipal Code
Burlington								Rejected by voters April 2022	Burlington Municipal Code
Calhan									Calhan Zoning Code
Campo									CML Files
Cañon City							5% excise and sales, authority up to 10%	Moratorium with Ordinance 7-2014	Canon City Ordinances
Carbonate									
Carbondale	√	√	√	√			sales tax 5%, excise tax 5%		Carbondale Municipal Code
Castle Pines									Castle Pines Zoning Ordinance Section 206
Castle Rock									Castle Rock Municipal Code
Cedaredge	√						5% sales tax	Approved by voters November, 2020	Cedaredge Municipal Code
Centennial									Centennial Municipal Code
Center								Defeated by voters 11/19	
Central City	√						5% on retail sales		Central City Municipal Code

Municipal Retail Marijuana Status									
	Sales	Cultivation	Manufacturing	Testing	Delivery	On-site Consumption	Tax Information	Notes	Site/Code
Cheraw									
Cherry Hills Village									Cherry Hills Municipal Code
Cheyenne Wells									CML Files
Coal Creek									CML Files
Cokedale									
Collbran								Permanent moratorium	Collbran Municipal Code
Colorado Springs						√			Colorado Springs Municipal Code
Columbine Valley									
Commerce City	√	√	√	√			7% sales tax, 5% excise tax		Commerce City Municipal Code
Cortez	√	√		√					Cortez Municipal Code
Craig	√	√	√	√			up to 4% sales tax	Approved by voters 11/19	Craig Municipal Code
Crawford							5% sales with authority up to 10, 5% excise (sales not currently allowed)		Crawford Marijuana Ordinances
Creede									Creede Ordinance 375
Crested Butte	√		√	√					Crested Butte Municipal Code
Crestone	√						5% sales tax		CML Files
Cripple Creek									Cripple Creek Municipal Code
Crook									
Crowley									
Dacono									Dacono Municipal Code
De Beque	√	√	√	√			5% excise tax on sale and cultivation		Marijuana Page on De Beque Website
Deer Trail									
Del Norte									Del Norte Municipal Code
Delta							5% excise, 2% sales (sales not currently allowed)		Delta Municipal Code
Denver	√	√	√	√	√	√	5.5% sales tax, authorized up to 15%	approved delivery 4/21 to start by summer	Link to Denver's Marijuana Business Licenses Page
Dillon	√						5% sales tax; 5% excise		Dillon Municipal Code
Dinosaur	√	√	√	√			5% excise, 10% sales		Dinosaur Ordinance 3
Dolores	√	√	√	√			\$5 occupation tax per sales transaction; 5% excise	Approved by voters 4/20	
Dove Creek									
Durango	√			√			3% sales tax		Durango Municipal Code
Eads									
Eagle	√	√	√	√			2.5% sales and 2.5% excise each increasing .5%/year up to 5%		Link to Eagle Marijuana Regulations Page
Eaton									Eaton Municipal Code
Eckley								Voted down 11/2020	
Edgewater	√	√	√	√					Edgewater Municipal Code
Elizabeth									Elizabeth Municipal Code
Empire	√	√	√				\$5/transaction		Empire Ordinance 238
Englewood	√						3.5% with authority up to 5%		Englewood Municipal Code
Erie									Erie Municipal Code
Estes Park								Voted down 12/19	Estes Park Municipal Code
Evans									Evans Municipal Code
Fairplay									Fairplay Municipal Code
Federal Heights	√	√	√	√			5% sales tax with authority up to 10%, 5% excise tax with authority up to 10%		Federal Heights Marijuana Ordinance
Firestone									Firestone Municipal Code
Flagler									Prohibited (per email)
Fleming									

Municipal Retail Marijuana Status									
	Sales	Cultivation	Manufacturing	Testing	Delivery	On-site Consumption	Tax Information	Notes	Site/Code
Florence				√			5% excise tax on wholesale		Florence Municipal Code
Fort Collins	√	√	√	√					Link to Fort Collins Marijuana Page
Fort Lupton	√						3.1% sales tax with authority up to 10%	Approved by voters November, 2020	Fort Lupton Marijuana Ordinance
Fort Morgan									Fort Morgan Municipal Code
Fountain									Fountain Municipal Code
Fowler									Fowler Municipal Code
Foxfield									Foxfield Municipal Code
Fraser	√						5% sales tax		Fraser Municipal Code
Frederick									Frederick Municipal Code - Chapter 6
Frisco	√	√	√				5% sales tax		Frisco Taxation Code
Fruita							5% excise tax		Fruita Ordinance 2013-13
Garden City	√	√	√	√					Garden City Municipal Code
Genoa									
Georgetown	√		√				\$5/transaction		Georgetown Municipal Code
Gilcrest									Gilcrest Municipal Code
Glendale	√	√	√	√		√	1.85% sales tax		Glendale Municipal Code
Glenwood Springs	√	√	√	√			sales tax: 5% up to 15%, excise tax: 5%		Glenwood Springs Municipal Code
Golden	√						6% sales tax	Approved by voters November 2021	Golden Municipal Code
Granada									
Granby									Granby Municipal Code - Chapter 16
Grand Junction	√	√	√	√			5% sales tax, up to 15%; 3% excise tax, up to 10%	Approved by voters April 2021	Grand Junction Marijuana Licensing Page
Grand Lake									Grand Lake Municipal Code - Chapter 7
Greeley									Greeley Municipal Code
Green Mountain Falls									Green Mountain Falls Ordinance 01-2013
Greenwood Village									Greenwood Village Municipal Code
Grover									
Gunnison	√	√	√	√			5% sales tax, 5% excise tax		Gunnison Municipal Code
Gypsum									Gypsum Municipal Code
Hartman									
Haswell									
Haxtun									
Hayden	√	√					7.5% excise tax with authority up to 15%		Hayden Municipal Code
Hillrose									
Holly									Holly Marijuana Prohibition Ordinance
Holyoke									Holyoke Ord. 7-2016
Hooper								Rejected by voters April 2022	
Hot Sulphur Springs									Hot Sulphur Springs - Ordinance
Hotchkiss							2% sales tax (up to 10%) in event sales are permitted by election		CML Files
Hudson									Hudson Land Development Code - Chapter 16
Hugo									Hugo Ordinance 237
Idaho Springs	√	√					5% excise tax		Idaho Springs Municipal Code
Ignacio								Rejected by voters April 2022	Ignacio Ordinance 308 - Permanent Ban
Iliff									

Municipal Retail Marijuana Status									
	Sales	Cultivation	Manufacturing	Testing	Delivery	On-site Consumption	Tax Information	Notes	Site/Code
Jamestown								Permanent moratorium	Jamestown Ordinance 2013-01
Johnstown									Johnstown Ordinance 2016-143
Julesburg									
Keenesburg									Keenesburg Municipal Code
Kersey									Kersey Municipal Code
Kim									
Kiowa								Voted down 11/2020	Kiowa Municipal Code - Chp. 6
Kit Carson									
Kremmling									
La Jara									
La Junta									La Junta Municipal Code
La Salle									CML Files
La Veta	√	√	√	√				Rejected by voters April 2022	La Veta Municipal Code
Lafayette	√	√	√	√			sales and excise tax 5%; up to 10%		Lafayette Municipal Code
Lake City									Lake City Municipal Code
Lakeside									
Lakewood	√	√						Approved by voters November 2020	Lakewood Municipal Code
Lamar								Approved by voter initiative November 2021; Election results nullified in March 2022 because petition requirements were not met	Lamar Municipal Code - Chp. 6
Larkspur									Larkspur Municipal Code
Las Animas	√	√	√	√			5.75% sales tax; 5% excise tax, up to 10%		Approved November 2018 election
Leadville	√	√	√	√			5% excise tax, up to 10%		Leadville Municipal Code
Limon									Limon Municipal Code
Littleton	√						Special 3% sales tax on retail	Approved by voters November 2020	Littleton Municipal Code - Chp. 21
Lochbuie									Lochbuie Municipal Code
Log Lane Village	√	√	√	√			5% excise tax		
Lone Tree									Lone Tree Municipal Code
Longmont	√						3.5% sales tax; 3% excise tax with authority up to 15%		Longmont Marijuana Ordinance
Louisville	√	√		√			5% excise tax on cultivation		Louisville Municipal Code
Loveland								Defeated by voters 11/19	Loveland Municipal Code - 7.65.20
Lyons	√	√	√	√			3.5% sales; 5% excise tax; both up to 10%		Lyons Municipal Code
Manassa									
Mancos	√	√	√	√			occupation tax up to \$10/transaction		Mancos Municipal Code
Manitou Springs	√			√			6%, authority up to 10%	cultivation and manufacturing prohibited	Manitou Springs Municipal Code
Manzanola									
Marble									Marble Ordinance 8-2014
Mead								Defeated by voters 11/19, 11/21	Mead Municipal Code
Meeker									Meeker Municipal Code
Merino									
Milliken	√	√	√	√			occupation tax up to \$10/transaction		Milliken Municipal Code
Minturn									Minturn Municipal Code
Moffat	√	√	√				2% sales tax first year, increasing to 5% in year two		CML Files

Municipal Retail Marijuana Status									
	Sales	Cultivation	Manufacturing	Testing	Delivery	On-site Consumption	Tax Information	Notes	Site/Code
Monte Vista							18% excise tax, 18% sales tax		Monte Vista Municipal Code
Montezuma									Montezuma Ordinance 3-2014
Montrose									Montrose Ordinance 2321
Monument									Monument Municipal Code
Morrison	√						6.25% sales tax, with authority up to 11.25%		Morrison Municipal Code
Mountain View	√	√	√	√			5% sales tax		Mountain View Marijuana Ordinance
Mountain Village									CML Files
Mt. Crested Butte									Mt. Crested Butte Chp. 21
Naturita	√	√	√	√			2% sales tax, with authority up to 10%; excise tax of 5%		
Nederland	√	√	√				3.75% sales tax		Nederland Municipal Code
New Castle									New Castle Municipal Code
Northglenn	√	√	√		√		4% sales tax, up to 10%	Delivery approved June 2021	Northglenn Municipal Code
Norwood	√		√	√			2% sales tax, up to 10%; 5% excise tax	Approved by voters 4/20	
Nucla									
Nunn		√					5% excise tax		CML Files
Oak Creek	√	√	√	√					Oak Creek Municipal Code
Olathe									Olathe Municipal Code, Title IV, Chapter 4
Olney Springs									CML Files
Ophir									
Orchard City							up to 5% sales tax, up to 5% excise tax, up to \$10 occupation tax for each sale transaction		Orchard City July 2017 Minutes
Ordway	√		√	√					Ordway Municipal Code
Otis									Otis Ordinance 173
Ouray							5% with authority up to 10%		Ouray Council Minutes
Ovid									
Pagosa Springs	√	√							Pagosa Springs Municipal Code
Palisade	√	√	√	√			5% excise tax; Occupation tax of \$5.00 for each sales transaction that is less than \$100, \$10.00 for each sales transaction between \$100.00 and \$500.00 and \$25.00 for each sales transaction of \$500.00 or more		Link to Palisade Marijuana Information
Palmer Lake		√					5% sales tax with authority up to 10% (sales not currently allowed); 5% excise tax with authority up to 10%		Palmer Lake Municipal Code, Section 5.40
Paoli									
Paonia	√						excise and sales tax of 5%, both with authority up to 10%; \$5.00 occupation tax per sales transaction	Approved by voters November 2020	Paonia Ordinance 2021-01
Parachute	√	√	√	√	√	√	5% excise tax		Parachute Municipal Code
Parker									Parker Municipal Code
Peetz									CML Files
Pierce									CML Files
Pitkin									CML Files
Platteville									Platteville Municipal Code

Municipal Retail Marijuana Status									
	Sales	Cultivation	Manufacturing	Testing	Delivery	On-site Consumption	Tax Information	Notes	Site/Code
Poncha Springs							5% sales tax; 5% excise tax (sales not currently allowed)		Poncha Springs Ordinance 2013-1
Pritchett									
Pueblo	√	√	√	√			8% excise tax with authority up to 15%		Pueblo Municipal Code
Ramah									
Rangley									
Raymer									
Red Cliff	√	√	√	√			5% sales tax, 15% excise tax		CML Files
Rico	√	√	√	√			10% sales and 10% excise on unprocessed retail marijuana sold or transferred from cultivation facility to retail facility		Rico Marijuana Ordinance Ridgway Municipal Code
Ridgway	√	√	√	√					Rifle Municipal Code
Rifle	√	√					5% excise tax		
Rockvale									
Rocky Ford	√						6% sales tax with authority up to 8%		Rocky Ford Municipal Code
Romeo	√	√	√	√				Approved by voters November 2020	
Rye									
Saguache									Saguache Ordinance 2013-1
Salida	√								Salida Municipal Code
San Luis	√	√	√						San Luis Municipal Code
Sanford									
Sawpit									
Sedgwick	√	√	√	√			5% sales tax; 2% excise tax on cultivation; occupation tax of \$5-\$25 per wholesale manufacturing transaction		In CML files
Seibert									
Severance							7% sales tax (sales not currently allowed)		Severance Municipal Code
Sheridan							5% excise		Sheridan Municipal Code
Silt	√	√	√	√			3.5% retail sales		Silt Municipal Code
Silver Cliff									
Silver Plume	√						4% and no greater than 8%		Silver Plume Ordinance 335/336
Silverthorne	√	√					5% excise tax on mj and products		Silverthorne Municipal Code
Silverton	√	√	√	√			1% sales tax and 3% excise tax		Silverton Municipal Code
Simla									Simla Municipal Code - Chp. 2
Snowmass Village	√						5% sales tax, up to 15%		Ordinance 3, Series 2019
South Fork							5% sales tax		South Fork Ordinance 15-06
Springfield									
Starkville									
Steamboat Springs	√	√	√	√					Steamboat Springs Municipal Code
Sterling									
Stratton									CML Files
Sugar City	√								
Superior									Superior Municipal Code
Swink									
Telluride	√	√	√	√					Telluride Municipal Code
Thornton	√			√	√		5% sales tax	Approved delivery April 2021	Thornton Municipal Code
Timnath									Timnath Municipal Code
Trinidad	√	√	√	√			5% sales tax		Trinidad Marijuana Licensing Application

Municipal Retail Marijuana Status									
	Sales	Cultivation	Manufacturing	Testing	Delivery	On-site Consumption	Tax Information	Notes	Site/Code
Two Buttes									
Vail									Vail Municipal Code
Victor									Victor Municipal Code
Vilas									
Vona									
Walden									CML Files
Walsenburg	√	√	√	√			5% excise tax		Link to Walsenburg's Marijuana Page
Walsh									
Ward									
Wellington	√						3.5% sales tax, up to 5%	Approved by voters November 2021	
Westcliffe									Westcliffe Municipal Code
Westminster								voters approved businesses in 11/21 but will not go into effect because was contingent on tax that failed	Westminster Municipal Code
Wheat Ridge	√	√	√	√			3.5% sales tax		Wheat Ridge Municipal Code
Wiggins									Wiggins Marijuana Ordinance
Wiley									
Williamsburg									Prohibited by Chapter 2 Article II of Code
Windsor									Windsor Municipal Code
Winter Park	√						5% sales tax	sales approved by ordinance 7/2021 to begin 2022	Winter Park Municipal Code
Woodland Park									Woodland Park Municipal Code
Wray								voters rejected mfg 11/21	
Yampa									
Yuma							5% sales tax with authority up to 10 (sales not currently allowed)		Yuma Municipal Code

√	Permitted					
Totals:	93	64	58	57	7	4



KROB LAW OFFICE, LLC
Attorneys at Law

MEMORANDUM

**To: Town of Palmer Lake
Board of Trustees**

From: Matthew Z. Krob

Date: February 20, 2023

Re: Maximum Excise Tax Rate on Marijuana

The question presented is whether the Board may impose an excise tax on marijuana greater than 5%. Although the Voters approved an excise tax of up to 10% in the November 2016 election, pursuant to State Statute, as well as Town Code, the maximum excise tax on marijuana is 5%.

The controlling statute is Colorado Revised Statute §29-2-114(2)(a), which reads:

In addition to any sales tax imposed pursuant to section 29-2-102 and articles 26 and 28.8 of title 39, and in addition to the excise tax imposed pursuant to article 28.8 of title 39, each municipality in the state is authorized to levy, collect, and enforce a municipal excise tax on the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility at a rate of **up to five percent** of the average market rate, as determined by the department of revenue pursuant to section 39-28.8-101(1), of the unprocessed retail marijuana if the transaction is between affiliated retail marijuana business licensees and at a rate of **up to five percent** of the contract price, as defined in section 39-28.8-101(2.5), for unprocessed retail marijuana if the transaction is between unaffiliated retail marijuana business licensees; The tax shall be imposed at the time when the retail marijuana cultivation facility first sells or transfers unprocessed retail marijuana from the retail marijuana cultivation facility to a retail marijuana product manufacturing facility, a retail marijuana store, or another retail marijuana cultivation facility

Section 3.24.100 of the Town code also controls. It reads:

3.24.100. - Maximum rate for retail marijuana excise tax.

In accordance with the town voter approval provided at the election held November 8, 2016, the initial retail marijuana excise tax rate imposed pursuant to this chapter is one percent increasing annually until it reaches five percent, and the maximum retail marijuana excise tax rate that may be imposed pursuant to such voter approval is ten percent if C.R.S. § 29-2-114(2)(a), is amended to so permit. If C.R.S. § 29-2-114(2)(a), is amended to so allow, the town board of trustees may, by ordinance:

- (1) Establish another retail marijuana excise tax rate to be imposed pursuant to this chapter that is equal to or less than the maximum ten percent tax rate provided in this chapter; or
- (2) After establishing a retail marijuana excise tax rate that is lower than ten percent, increase the tax rate to be imposed pursuant to this section.

Simply put: if C.R.S. 29-2-114 is amended, the Board would then have the ability to increase the total excise tax collected up to 10% without having to go back to the Voters. But, as it sits now, pursuant to State Statute and supported by the Town Code, the maximum excise tax the Town may assess is 5%.

PALMER LAKE, COLORADO

ORDINANCE NO. 4 - 2023

AN ORDINANCE AMENDING CHAPTER 3.24 OF TITLE 3 OF THE PALMER LAKE TOWN CODE RELATING TO THE RETAIL MARIJUANA EXCISE TAX ON RETAIL MARIJUANA SALES WITHIN THE TOWN OF PALMER LAKE

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado; and

WHEREAS, previously the Board of Trustees adopted regulations relating to excise tax on retail marijuana facilities within the Town, said regulations appearing in Chapter 3.24 of the Town Code; and,

WHEREAS, the excise tax established by the Town's electors on the retail marijuana cultivation facility authorized the excise tax rate of five percent (5%) initially, but was established as a tax that increased by one percent (1%) each year, beginning in July of 2017, phasing up to five percent (5%) in July of 2021; and,

WHEREAS, although the Town's electors approved the maximum excise tax rate of ten percent (10%) and the timing for the phasing up to five percent (5%) has passed, the rate being remitted currently is neither the five percent (5%), nor the maximum ten percent (10%).

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE AS FOLLOWS:

1. Section 3.24.020 of Chapter 3.24 of Title 3 of the Palmer Lake Town Code is hereby amended by adding the underlined language as indicated below, with said amended Section 3.24.020 to read in its entirety as follows:

3.24.020. Imposition and rate of tax; taxes collected held in trust; tax constitutes lien.

(a) In accordance with the authority provided in C.R.S. § 29-2-114, as may be amended, in addition to any other tax imposed by law including any sales and use tax levied, there is levied by the town and shall be paid and collected an excise tax at the rate set forth in the table below on the average market rate of unprocessed retail marijuana upon its first sale or transfer from a retail marijuana cultivation facility located within the town:

Commencement Date	Rate
July 1, 2017	1%
July 1, 2018	2%
July 1, 2019	3%
July 1, 2020	4%
July 1, 2021	5%
<u>March 1, 2023</u>	<u>5%</u>

The excise tax shall be levied and owed irrespective of where delivery takes place. Each retail marijuana cultivation facility shall collect, remit and pay the excise tax on the first sale or transfer of unprocessed retail marijuana.

(b) All sums of money paid by a person as the excise tax on unprocessed retail marijuana imposed by this chapter are public monies that are the property of the town. The retail marijuana cultivation facility shall hold such monies in trust for the sole use and benefit of the town until paying them to the town.

(c) The tax imposed by this chapter shall be a first and prior lien upon the goods and business fixtures of such person, or used by, any person with an obligation to remit tax under this chapter under lease, title-retaining contract or other contract arrangement, excepting stock of goods sold or for sale in the ordinary course of business, and shall take precedence on all such property over other liens or claims of whatsoever kind or nature except as to pre-existing claims or liens of a bona fide mortgagee, pledgee, judgment creditor or purchaser whose rights shall have attached prior to the filing of the notice on property of the taxpayer, other than the goods, stock in trade and business fixtures of such taxpayer. Upon default of payment thereof, the town after demand upon the person owing such tax may bring an action in attachment, and seize any property to secure the payment of said tax, interest and penalties.

2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

3. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

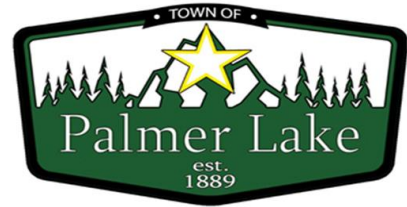
INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 23RD DAY OF FEBRUARY 2023.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor



**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - AGENDA MEMO**

DATE: February 23, 2023	ITEM NO.	SUBJECT: Ordinance to Establish Retail MJ Additional Sales Tax
Presented by: Town Administrator /Clerk		

The 2016 election resulted in voters approving an additional sales tax of 5% on retail marijuana (MJ) sales. The question on the 2016 ballot read and passed as follows:

Shall the Town of Palmer Lake taxes be increased by five hundred thousand dollars (\$500,000.00) in the first fiscal year and by whatever additional amounts are raised annually thereafter, by imposing an additional sales tax of 5% on the sale of retail (recreational) marijuana and retail (recreational) products as defined in the Colorado retail marijuana code, with the rate of such tax being allowed to be decreased or increased without further voter approval, so long as the rate of the tax does not exceed 10%, provided that the rate shall not exceed 7% on or before January 1, 2019, with the revenues derived from such tax to be collected and spent to promote the general purposes of the Town of Palmer Lake as a voter approved revenue change notwithstanding any revenue or expenditure limitations contained in Article X, Section 20 of the Colorado Constitution?

The ordinance before the Board is to establish the additional sales tax rate. Staff recommends an additional 5% sales tax on MJ/product retail sales, as directed by voters in 2016.

It is difficult to establish exactly the portion that the Town will realize. Note the CDOR reference below:

Local governments receive 10% of the 15% retail marijuana state sales tax. The 10% is divided among the local governments. The calculation is based on the amount of retail marijuana sales taxes in the local jurisdiction. The city or town share is apportioned according to the percentage of retail marijuana sales tax revenues collected by the Department of Revenue within the boundaries of the city or town. Counties do not receive any retail marijuana sales tax revenue unless there is a retail marijuana store in an unincorporated area. The distribution is monthly. This is similar to cigarette tax distributions to local governments. Please note that since the distribution is based on a percentage of retail marijuana sales tax revenue collected within the boundaries of a city, town, or unincorporated area of a county versus the total retail marijuana sales tax revenues collected, the monthly percentage to each eligible jurisdiction is not a static amount but varies based on total retail marijuana sales tax revenues and the amount of retail marijuana sales tax collected in each jurisdiction.

The reference to C.R.S. chapter is corrected.

TOWN OF PALMER LAKE, COLORADO

ORDINANCE NO. 5-2022

**AN ORDINANCE AMENDING TITLE 3 OF THE PALMER LAKE TOWN CODE
BY ADDING A NEW CHAPTER, CHAPTER 3.25 ESTABLISHING A SPECIAL
RETAIL MARIJUANA SALES TAX ON RETAIL MARIJUANA AND
MARIJUANA PRODUCTS SOLD BY RETAIL MARIJUANA STORES WITHIN
THE TOWN OF PALMER LAKE**

WHEREAS, on November 6, 2012 the voters of the State of Colorado approved Amendment 64 adding Section 16 to Article XVIII of the Colorado Constitution a limited exemption from criminal liability under Colorado law for people 21 and over to possess and cultivate marijuana for recreational use, and to establish the licensing and regulation of marijuana establishments in a manner similar to alcohol as described in Amendment 64; and

WHEREAS, the Palmer Lake Board of Trustees (the “Board of Trustees”) subsequently passed Regulations in Title 5 of the Town Code relating to the licensing and regulation of marijuana establishments pursuant to the authority granted by Article XVIII, Section 16 of the Colorado Constitution, allowing for medical marijuana facilities but not retail marijuana facilities; and

WHEREAS, the Board of Trustees then submitted to the Voters of the Town of Palmer Lake asking the Voters of the Town whether they want to permit up to two marijuana stores in existing marijuana business locations and the Voters voted in favor of permitting such retail marijuana stores; and

WHEREAS, the Voters have previously voted to approve a tax on the sale of retail marijuana and the Board now desires to adopt regulations establishing such sales tax.

**NOW THEREFORE BE IT ORDAINED BY THE TOWN BOARD OF
TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO AS FOLLOWS:**

1. Title 3 of the Town of Palmer Lake Municipal Code is hereby amended by adding a new Chapter, Chapter 3.25, with such new Chapter to read in its entirety as indicated below.

3.25.010. - Administration and enforcement.

The special retail marijuana sales tax imposed pursuant to this Chapter 3.25 shall be administered and enforced in accordance with the provisions of this Title 3, and in a manner consistent with the administration and enforcement of other Town sales taxes, including, without limitation, any penalties for failure to make any return or to collect or pay any tax.

3.25.020. - Definitions.

(a) The following words and phrases when used in this Chapter, unless the context otherwise requires, shall have the meanings given to them below:

(1) "Consumer" means a person twenty-one (21) years of age or older who purchases retail marijuana or retail marijuana products for personal use be person twenty-one (21) years of age or older but not for resale to others.

(2) "Retail marijuana" means all or parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. "Retail marijuana" does not include industrial hemp, nor does it include fiber produced from the stalks, oil, cake made from the seeds of the plant, sterilized seed of the plant that is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.

(3) "Retail marijuana products" means concentrated retail marijuana products and retail marijuana products that are comprised of retail marijuana and other ingredients and are intended for use or consumption, such as but not limited to, edible products, ointments, and tinctures.

(4) "Retail marijuana sales tax" means the tax imposed on the sale of retail marijuana and retail marijuana products pursuant to this Chapter 3.25.

(5) "Retail marijuana store" means an entity licensed by the Colorado Department of Revenue to sell retail marijuana and retail marijuana products to consumers pursuant to section 16 of article XVIII of the Colorado Constitution and the "Colorado Retail Marijuana Code," Article 10 of Title 44, C.R.S., and licensed pursuant to Chapter 5 of the Palmer Lake Town Code.

3.25.030. - Imposition of tax.

(a) In addition to the sale tax imposed elsewhere by the Town of Palmer Lake Code, beginning March 1, 2023 there is imposed upon all sales of retail marijuana and retail marijuana products to a consumer by a retail marijuana store a special marijuana sales tax at the rate of five percent (5%) of the amount of the sale.

(b) Nothing in this section shall be construed to impose a tax on the sale of marijuana or marijuana products to any person by a medical marijuana center licensed by the Colorado Department of Revenue to sell medical marijuana and medical marijuana-infused products pursuant to the Colorado Medical Marijuana Code, article 10 of Title 44, C.R.S., and licensed by the Town pursuant to Chapter

5 of the Town Code. To the extent any retail marijuana store exists at the same location and under common ownership with a licensed medical marijuana center, the retailer shall strictly segregate and account for sales of retail marijuana distinct from medical marijuana in accordance with all applicable state and city laws and regulations governing collocation of retail marijuana stores and medical marijuana centers.

2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Board of Trustees hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

3. Repeal. Existing ordinances or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

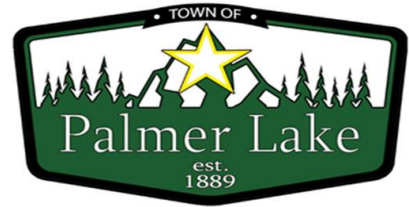
INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 23RD DAY OF FEBRUARY 2023.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor



**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - AGENDA MEMO**

DATE: February 23, 2023	ITEM NO.	SUBJECT: Ordinance to Prohibit Placing Snow on Town ROW
Presented by: Town Administrator /Clerk		

Town staff has experienced increased snow deposited on roadways or across the roadway on town right of way with snow accumulation. Colorado law prohibits depositing snow on or next to a public highway; however, the town does not have a local ordinance to enforce this on town right of way. To enforce a rule prohibiting the plowing, pushing, blowing, shoveling or other placement of snow on a public right of way, staff suggests the Board consider this ordinance.

Pushing snow on roadways can cause a variety of hazards with each snow accumulation. Staff recommendation is to adopt the ordinance to prohibit placement of snow on town right of way or roadway with a general penalty.

PALMER LAKE, COLORADO

ORDINANCE NO. 7 - 2023

**AN ORDINANCE AMENDING TITLES 12 OF THE TOWN OF
PALMER LAKE MUNICIPAL CODE REGULATING SNOW REMOVAL
WITHIN THE TOWN OF PALMER LAKE**

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado; and

WHEREAS, the Board desires to establish regulations relating to the removal of snow and ice within the Town of Palmer Lake to ensure snow and ice removed from private property do not create a nuisance; and

WHEREAS, the Board of Trustees has determined that it is in the best interest of protecting the health, safety, and general welfare of the citizens of the Town of Palmer Lake to adopt such regulations.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO, THAT:

Section 1.

Title 12 of the Palmer Lake Municipal Code shall be amended by creating a new Chapter, Chapter 12.22, with such new Chapter to read in its entirety as follows:

**Chapter 12.22
SNOW REMOVAL**

12.22.010 Maintenance.

All sidewalks shall be maintained with an even surface and in good repair and in conformity with the established grade of the streets along which they are constructed. It shall be unlawful for any person to place salt or harmful chemicals upon the sidewalks or clear the sidewalks utilizing a method that damages the sidewalks or in any fashion to damage the sidewalks, curbs, or trees located in the sidewalks or street lights of the Town.

12.22.020 Duty to keep sidewalks and adjacent areas clean.

It shall be the duty of all owners or occupants of every premises to keep the entire area between (a) the edge of the sidewalk closest to the building and (b) the gutter free and clear of **snow**, ice, mud, dirt, debris, rubbish, and filth. The area to be cleared shall include, but not be limited to, the sidewalks and curbs in front of the building, graveled areas, bricked areas, and areas around planters, benches, trees and bushes. The area to be

cleared shall not include flowerbeds, elevated planting areas, or other similar elevated areas. The area to be cleared shall be cleared of **snow** and ice within 24 hours following the snowfall or accumulation of a snowdrift or ice. **Snow** and ice from the area to be cleared may be shoveled into the streets.

The property owner or occupant shall be liable to the Town for any amounts paid or incurred in connection with claims, judgment or settlement, including but not limited to all investigation costs, attorney fees, and expenses relating in any manner from the property owner's or occupant's failure to comply with the provisions of this section.

12.22.030 Placement of snow.

It shall be unlawful for any person to place **snow** or ice, or cause or direct the placement of **snow** or ice, from any portion of private property upon any sidewalk, street, roadway, alley, or any public property, including the nontraveled or undeveloped portion of any public right-of-way, in the Town of Palmer Lake.

It shall also be unlawful for any person to place **snow** or ice, or cause or direct the placement of **snow** or ice, from private property upon the private property of another without the express consent of the owner or lawful occupant of such private property on which the **snow** or ice is placed.

12.22.035 Snow removal impediments and obstructions.

It shall be unlawful for any person to leave a garbage receptacle, garbage dumpster, motor vehicle, trailer, camper, recreational type vehicles motorized or nonmotorized, or any other impediment, obstacle in or on the Town's right-of-way, street, alley, or parking lot that causes a hazard or impediment during **snow** plow operations. **Snow** plow operations are from 2:00 a.m. and 7:00 a.m. between November 1st to May 1st.

12.22.040 Penalty.

It shall be unlawful for any person to violate, disobey, omit, neglect, refuse, or fail to comply with this chapter; the violation of this chapter shall be punished by a fine not exceeding the maximum penalty set forth in Chapter 1.12. Every day a violation of this chapter continues shall constitute a separate offense. In addition to any other penalties, if a person damages the Town sidewalks, curbs, trees in sidewalks or street lights, he or she shall be totally responsible for all costs to the Town in repairing said sidewalks, curbs, trees in the sidewalks, or street lights, and shall promptly pay the costs thereof upon notification by the Town of the cost. In the event that a person does not pay, the Town at its sole option may sue for the cost, together with reasonable costs of collection including attorney's fees, or certify to the county assessor the amount due which shall become a lien against the property if the person involved is the owner or tenant which shall be certified to the El Paso County treasurer for collection in the same manner as other general property taxes are collected.

Section 2.

Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Board hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3.

Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

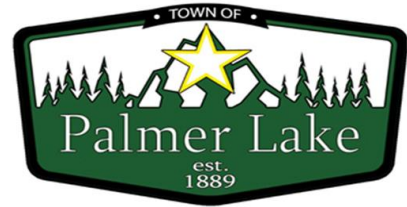
INTRODUCED, READ AND PASSED AT A FIRST READING AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS _____ DAY OF _____, 2023.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor



**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - AGENDA MEMO**

DATE: February 23, 2023	ITEM NO.	SUBJECT: Review/Direction on Short Term Rental Status and STR Code
Presented by: Town Administrator /Clerk		

It is one year of data collected since implementing the Short Term Rental code and permitting in the town of Palmer Lake. Following is a summary of the collection of a total of 49 STR licensed in the town –

22 owner occupied w/ 9 accessory:

Walkout basement
Garage & storage area conversion
Loft over garage
Apartment above garage
Cottage behind the main home
Bunk House
Garage conversion apartment
Tiny home
Cottage on the backside of the property

26 non-owner-occupied w/ 3 conditional use w/ 1 accessory:

Apartment above garage

An area of concern is primarily accessory use, as the zoning code does not define/speak to accessory dwellings. It is recommended that any accessory dwelling requires a conditional use permit going forward. Multiple units for non-owner-occupied property follow the process of conditional use. It is recommended that *any parcel with more than one dwelling should require a conditional use permit.* The idea of this is to review any accessory dwelling that may hinder a neighborhood. Are setbacks adhered to? For example, on accessory use (ie., shed smaller than 200sf per PPRBD), property setbacks have not historically been applied. Further definition of accessory dwelling can be addressed with Planning Commission as land use code is reviewed.

It is also recommended to consider a cap on both type of license. Currently there is a 10% cap on non-owner-occupied rentals, meaning a limit of approximately 112 licenses within the town. Staff recommendation is to reduce this number overall and establish a cap/limit for owner-occupied rentals as well. A suggested cap to consider is 5% for non-owner and 10% for owner occupied.



A draft code amendment is included reflecting some of these suggestions with Board direction.

- CODE OF ORDINANCES
Title 5 - BUSINESS LICENSES AND REGULATIONS
CHAPTER 5.08. SHORT-TERM RENTALS

CHAPTER 5.08. SHORT-TERM RENTALS

5.08.010. Purpose.

The purpose of this chapter is to safeguard the public health, safety and welfare by establishing regulations to control the licensing, use, occupancy, and maintenance of short-term rental dwellings in the town.

(Ord. No. 12-2021, § 1(5.10.010), 12-9-2021)

5.08.020. Applicability and interpretation.

This chapter applies to short-term rental only, as that term is hereinafter defined, within any zone district where such use is permitted. This chapter does not apply to hotels, motels, lodges, bed-and-breakfast establishments, or long-term rental units. This chapter does not supersede any private covenants or restrictions prohibiting short-term rental units. This chapter shall not regulate a short-term rental unit during periods when the property is not being used as a short-term rental unit and is instead being used solely for personal use by the owner of such property. This chapter shall not be construed to prohibit the leasing of property within the town for more than 30 days.

(Ord. No. 12-2021, § 1(5.10.020), 12-9-2021)

5.08.030. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Local agent means a management company or individual who is identified by an applicant as the responsible agent in the application for a short-term rental license and who is available 24 hours per day, seven days per week to respond as the initial point of contact for the short-term rental unit and who is able to respond to emergencies at the short-term rental unit within one hour of the agent's receipt of notice of the emergency. The local agent may be the owner of the short-term rental unit and must have access to the short-term rental unit, authority to assume management of the short-term rental unit, and the ability to take remedial measures as necessary.

Owner means the owner of a property within the town who intends to lease or leases the property or a portion thereof as a short-term rental unit.

Owner-occupied means a property on which an owner uses a dwelling unit of any kind, or portion thereof, as the owner's legal, primary residence.

Parcel means an area of land which is capable of being described with such specificity that its location and boundaries may be established and which has been or may be developed as a single unit of land.

Renter means the party to a lease that has obtained the temporary right to use and occupy a short-term rental unit.

Short-term rental means charging overnight lodging fee that is in increments less than 30 days.

(Ord. No. 12-2021, § 1(5.10.030), 12-9-2021)

5.08.040. License required.

It is unlawful to lease, advertise for lease, or permit the leasing of any short-term rental unit within the town without a valid license issued by the town pursuant to this chapter. A person who has obtained a license pursuant to this chapter is not required to obtain a general business license pursuant to chapter 5.04 for the same business activity.

(Ord. No. 12-2021, § 1(5.10.040), 12-9-2021)

5.08.050. Classes of licenses.

An owner must obtain a license for each short-term rental unit within the town. There shall be two separate classes of licenses available for owners to operate short-term rental units within the town:

- (1) *Class 1.* A Class 1 license is required to operate any dwelling unit, or portion thereof, as a short-term rental unit on an owner-occupied property within the town.
- (2) *Class 2.* A Class 2 license is required to operate any dwelling unit, or portion thereof, as a short-term rental unit on a property within the town that is not owner-occupied.

(Ord. No. 12-2021, § 1(5.10.050), 12-9-2021)

5.08.060. Application requirements.

- (a) *Contents of application.* A complete application for a short-term rental license must be submitted to the town. The application shall be in writing on forms provided and approved by the town. The following documents and information must be included with the application for the application to be considered complete:
 - (1) The name, address and other contact information of the owner of the short-term rental unit;
 - (2) The address of the proposed short-term rental unit;
 - (3) A description of the property and dwelling unit or portion thereof that will be available for lease;
 - (4) The name, address, and contact information of the local agent for the proposed short-term rental unit;
 - (5) A site plan that identifies the location of the trash receptacles and available parking for the proposed short-term rental unit;
 - (6) An acknowledgement, signed by the owner and local agent, that the owner and local agent have read and understand all regulations pertaining to the operation of short-term rental units within the town and that, following issuance of a license, the town may contact the owner if the town deems it necessary or appropriate even if there is a separate local agent for the short-term rental unit;
 - (7) Proof of ownership of the proposed short-term rental of a lawful dwelling unit;
 - (8) For owners that are business entities, proof of authorization signed by all applicable members of the business entity showing the applicant may submit a short-term rental license application on behalf of the business entity;
 - (9) A copy of a current and valid state sales tax license issued to the owner or local agent for the proposed short-term rental unit;
 - (10) A copy of a current and valid state and county sales tax and, if applicable, lodging tax license issued to the owner or local agent for the proposed short-term rental unit;

- (11) Proof that all property tax payments for the property on which the proposed short-term rental unit is located are current;
 - (12) An affidavit, on forms provided and approved by the town, signed by the owner attesting that the short-term rental unit has appropriate safety features;
 - (13) Proof of insurance covering the proposed short-term rental unit sufficient to operate a short-term rental unit;
 - (14) A copy of a conditional use permit issued by the town, if required by zoning use;
 - (15) The applicable fees as set forth in the town's fee schedule; and
 - (16) Such other information determined necessary or desirable by the town to evaluate the compliance of the application, licensed premises or proposed short-term rental activity with the requirements of this Code, including, but not limited to, proof of primary residence acceptable to the town for Class 1 license applications.
- (b) *License fee.* All fees and fines set forth in this chapter shall be set by the town board by resolution and shall be included in the town's fee schedule.
- (c) *Parking.* Each site plan must show the parking available for the short-term rental unit, which may be on-street parking, off-street parking, or a combination of both, for the purpose of indicating to renters where parking is available during their stay. The requirement to include available parking in the site plan does not obligate the owner to provide off-street parking for renters.
- (d) *Application meeting.* The town may require a meeting with the applicant prior to approval or denial of the license to address any issues or questions regarding the application and assist the applicant in resolving any application deficiencies.

(Ord. No. 12-2021, § 1(5.10.060), 12-9-2021)

5.08.070. Application approval.

- (a) *Approval criteria.* Short-term rental license applications shall be reviewed and approved administratively by the town designee. The town designee is the town staff person designated by the town board and/or administrator to review applications and administer short-term rental licenses.
- (b) *Limitations.* The town designee shall not approve an application for a short-term rental license or issue a short-term rental license unless:
- (1) The applicant has submitted a complete application, including the payment of all applicable fees, as set forth in the town fee schedule;
 - (2) The proposed short-term rental unit is within a zone district that allows short-term rental units;
 - (3) The site plan and other information provided with the application show that the property is in compliance with all applicable town ordinances and all applicable regulations regarding safety, parking and trash collection; and
 - (4) The applicant has obtained a conditional use permit, if and as required by zoning code.

(Ord. No. 12-2021, § 1(5.10.070), 12-9-2021)

5.08.080. Term of license, renewal, and show cause hearings.

- (a) *Term.* Short-term rental licenses are effective from May 1 until April 30 each year. Applicants who apply for and obtain a short-term rental license any time on or after May 1 shall be responsible for paying the entire license fee. Any license issued after May 1 shall expire on ~~the~~ April 30 following the date of issuance regardless of the issuance date.
- (b) *Renewal.* All short-term rental licenses must be renewed annually. All renewal applications must be submitted prior to April 30 each year on forms provided and approved by the town. For short-term rental licenses subject to the annual cap set forth in section 5.08.090(k), all renewal applications meeting the requirements herein and submitted by the deadline set forth in this subsection, with applicants who are in good standing, will be approved. Notwithstanding the foregoing, any license renewal applications received after the deadline set forth in this subsection will be considered on a first-come, first-served basis. The town shall approve a renewal application if:
- (1) The renewal form is complete and does not omit any required information;
 - (2) The renewal fee has been paid;
 - (3) The owner or local agent has submitted a new, current safety affidavit;
 - (4) Neither the owner, the local agent, nor the short-term rental unit is currently in violation of any applicable law, rule, or regulation, including the provisions of this Code;
 - (5) The owner has not been cited by the town for, or convicted by municipal court or other court of, competent jurisdiction of more than one violation related to the owner's short-term rental unit in the last 12 months; and
 - (6) For any licenses subject to the annual license cap set forth in this chapter, the short-term rental unit was rented for at least 14 days during the previous license term. If the short-term rental unit was not rented for at least 14 days during the previous term, the renewal application shall not be approved. Notwithstanding the foregoing, an owner or local agent may complete an affidavit of non-use declaring the reasons for failing to rent the short-term rental unit as required in this subsection. If a renewal application including such affidavit meets all other requirements of this Code, then the town will approve the renewal application. Affidavits of non-use will not be allowed for subsequent renewal applications.
- (c) *Show cause hearings.*
- (1) At any time during the term of a license, if the town's records show that a licensee has had at least three complaints, with each complaint related to a separate incident, concerning the operation or maintenance of the short-term rental unit brought to the attention of the town during the current license term, which complaints would each constitute a violation of this Code and have been substantiated or verified by the town, the town may notify the licensee in writing of the date and time established for a show cause hearing before the town board. At the show cause hearing, the licensee shall be required to show cause why its license should not be suspended or revoked. Notice of such hearing shall contain a brief description of the grounds for conducting the hearing, which shall include the list of code violations charged. The hearing shall be held no sooner than ten business days after notice has been delivered to the licensee.
 - (2) At the hearing, the town shall present matters into evidence, and the licensee shall have an opportunity to present evidence on the licensee's behalf and to comment upon the evidence. The town shall furnish the licensee its decision in writing within 30 days following the hearing. In the event of suspension or revocation of the license, no portion of any licensing fees paid shall be refunded.

- (3) In all cases where the evidence presented at a show cause hearing demonstrates that a violation of this Code occurred, the town shall consider evidence and statements in mitigation and in aggravation of the violation prior to determining the appropriate penalty. Such evidence and statements may relate to and include, but shall not be limited to, the following factors:
- a. Seriousness of the violation;
 - b. Corrective action taken by the licensee after the violation;
 - c. Prior violations at the short-term rental unit by the owner, local agent or renters and the effectiveness of prior corrective action;
 - d. Whether the violation is part of a repeated course of conduct or is an isolated occurrence;
 - e. Likelihood of recurrence;
 - f. All circumstances surrounding the violation;
 - g. Willfulness of the violation;
 - h. Length of time the license has been held by the licensee;
 - i. Previous sanctions imposed against the licensee; and
 - j. Other factors making the situation with respect to the licensee or the licensed premises unique.
- (4) The licensee shall be permitted to give evidence and statements in defense, explanation and mitigation at the show cause hearing if then prepared to do so. If such evidence is not available at the show cause hearing but can be obtained by the licensee, the licensee shall state the substance of such evidence and, upon the licensee's request, the hearing may be continued for not more than ten business days to a date certain.

(Ord. No. 12-2021, § 1(5.10.080), 12-9-2021)

5.08.090. Limitations and requirements.

- (a) *Local agent.* The local agent for a short-term rental unit shall have access to and authority to assume management of the short-term rental unit and take remedial measures as necessary. The local agent shall be available to respond to tenant or neighbor concerns regarding the property 24 hours a day, seven days a week. Local agents must respond to complaints, regardless of the source of the complaint, involving the short-term rental unit within 24 hours.
- (b) *Renter information notice.* Each short-term rental unit shall have a sign displayed in a conspicuous place within the short-term rental unit that contains the following information:
- (1) Name and contact information of the local agent;
 - (2) The short-term rental license number;
 - (3) The physical address of the short-term rental unit;
 - (4) The occupancy limit for the short-term rental unit;
 - (5) The available parking for the short-term rental unit;
 - (6) A statement that all vehicles must be parked in the indicated available parking spaces unless such spaces are unavailable;
 - (7) Contact information for police, fire and ambulance service in case of an emergency; and

- (8) The location of all fire extinguishers, fire escape routes, and contact information for renters to report safety concerns.
- (c) *Occupancy limits.* The occupancy limit for each short-term rental unit shall be two persons per bedroom available for lease within the short-term rental unit and two additional persons. By way of example and not limitation, a short-term rental that has three bedrooms available for lease has an occupancy limit of six persons plus two additional persons for a total occupancy limit of eight persons.
- (d) *Parking.*
- (1) *Parking notice in advertising.* The owner shall include in all official listings of a short-term rental unit a reference to the available parking for the short-term rental unit and the location of any designated parking area or spaces.
 - (2) *Limitations.* Parking is prohibited in any landscaped area, in any manner that blocks ingress or egress for adjacent properties, or in any manner that blocks access to mailboxes of adjacent properties.
- (e) *Trash receptacles.* Each short-term rental unit shall provide trash receptacles to accommodate all garbage generated by renters. Owners shall be responsible for ensuring that all garbage is placed in covered, secured trash receptacles within 24 hours of the end of a rental period and shall ensure that all trash is collected from the short-term rental unit within seven calendar days of the end of any rental period, maintaining regular weekly trash removal.
- (f) *Safety features.* All short-term rental units must have an appropriate number of functional smoke detectors, carbon monoxide detectors, and fire extinguishers and must have adequate egress and other required safety features pursuant to applicable fire or building codes, as determined by the town fire department and set forth in the town's short-term rental safety checklist.
- (g) *Change in information.* An owner shall notify the town of any change in ownership of the property, a change in the owner's address or contact information, or any change in local agent or local agent name or contact information within five days of such change.
- (h) *Taxes.* Owners shall be responsible for making timely property tax payments for all short-term rental units, as applicable for each property. Owners shall also be responsible for keeping all applicable sales and lodging ~~tax fees and~~ licenses current.
- (i) *Notices.* Any notices or communications required or reasonably implied by this chapter may be sent to the owner and local agent by the town via U.S. mail or via electronic mail.
- (j) *Safety checks.* An owner or local agent of a short-term rental unit shall allow the town access to a licensed short-term rental unit once per year, ~~if requested,~~ for the purpose of verifying the information set forth in the safety features affidavit submitted with the owner's license application or renewal application. An owner or local agent shall also allow the town access to a short-term rental unit to investigate a safety complaint, ~~if needed,~~ about the short-term rental unit. ~~Each~~ A safety check ~~shall~~ ~~may~~ be subject to a fee set forth in the town's fee schedule. Following a safety check, the town may provide the owner or local agent instructions on how to bring the property into compliance with this Code and a deadline for such compliance. If the town determines that the owner or local agent has not complied with the instructions by the compliance deadline, the owner may be subject to the suspension or revocation or denial of a renewal application, as appropriate and in accordance with this Code, of the owner's short-term rental license.
- (k) *Maximum number of licenses per year.* There shall be a maximum number of certain licenses available per year (from May 1 through April 30), which shall not exceed ~~ten~~ ~~an established~~ percent of the total number of residential parcels within the town. The total number of residential parcels shall be as determined by the town using information from the El Paso County Assessor. The following types of licenses shall be subject to the cap set forth in this subsection:
- (1) ~~All~~ Class 2 licenses ~~shall not exceed 5%;~~ and

- (2) Class 1 licenses ~~for parcels with two or more short-term rental units on a single parcel shall not exceed 10%.~~

~~Class 1 licenses for parcels with only one short-term rental unit are not subject to the cap set forth in this subsection. Licenses issued for owner-occupied parcels with two or more short-term rental units on a single parcel will be considered through the conditional use permit process shall count as one license toward the license cap set forth in this subsection.~~ Notwithstanding the foregoing, owners or local agents must obtain a license for each proposed short-term rental unit in accordance with this section.

(l) *Maximum number of licenses per parcel.*

- (1) The town shall issue no more than one license per parcel, subject to the provisions of this chapter.
- (2) Parcels ~~may be~~ eligible for more than one license ~~on a case-by-case basis if the additional licenses are approved through the conditional use permit process set forth in this Code prior to issuance of a license in accordance with this chapter. Applicants seeking two or more licenses for a single owner-occupied parcel and applicants seeking three or more licenses for a single parcel that is not owner-occupied must obtain a conditional use permit from the town before the town will process any such short-term rental license application.~~
- (3) The operation of two or more short-term rental units on a single parcel that is not owner-occupied is ~~prohibited. In accordance with the requirements of this section, the town permits the operation and licensure of one short-term rental unit on a parcel that is not owner-occupied or may permit, following the issuance considered by of a the conditional use permit process as set forth in this section, the operation and licensure of three or more short-term rental units on a single parcel that is not owner-occupied. The operation of two or more short-term rental units on a single parcel that is owner-occupied is permitted.~~

- (m) *Large gatherings.* Short-term rental units shall not be used to host large social gatherings, which shall mean a gathering of people that exceeds the maximum occupancy limit set forth in this section (i.e., not allowed to host weddings or social/commercial events).
- (n) *Nuisances.* All owners, local agents, and renters are prohibited from creating, operating, maintaining, or conducting any nuisance, as defined in sections of this Code, meaning compliance to noise, safety and public health codes.
- (o) *Eligibility.* Lawful dwelling units, including accessory dwelling units, or guest units within a dwelling unit or accessory dwelling unit, may be eligible for a short-term rental license. No vehicle or other containment shall be eligible for a short-term rental license.
- (p) *Signs.* Signs installed on a property related to the operation or management of a short-term rental unit must comply with the requirements of the town sign code set forth in this Code.
- (q) *License nontransferable.* No license granted pursuant to this chapter shall be transferable from one person to another or from one location to another. An owner that is a business entity with a short-term rental license whose membership or ownership changes must notify the town of such change and apply for a new license within 30 days of such change.
- (r) *Limited application of certain regulations to condominium units.* Notwithstanding any provision to the contrary set forth in this chapter, the following regulations apply to condominium units:
- (1) Each condominium unit is eligible for one short-term rental license.
 - (2) Subsection (l) of this section does not apply to parcels containing condominium unit developments, and applicants seeking a short-term rental license for a condominium unit shall not be required to obtain a conditional use permit if other condominium units on the same parcel have obtained short-term rental licenses.

- (3) All condominium units licensed as short-term rental units ~~that are not owner-occupied~~ are subject to the maximum number of licenses available per year set forth in subsection (k) of this section.
- (4) Condominium units are subject to all other provisions of this Code, as applicable.

(Ord. No. 12-2021, § 1(5.10.090), 12-9-2021)

5.08.100. Denial of application.

- (a) The town designee shall deny a short-term rental license application or renewal application for any one or more of the following reasons:
 - (1) The applicable provisions of this Code have not been met;
 - (2) The required application fees have not been paid;
 - (3) The application is incomplete or contains false, misleading or fraudulent statements;
 - (4) The owner, local agent or other agent of the owner is currently in violation of this Code or has failed to comply with any applicable requirement of this Code; or
 - (5) For renewal applications only, the owner or local agent has been convicted of more than one code violation regarding the short-term rental unit within the 12 months preceding the renewal application.
- (b) Upon determining that an application must be denied, the town designee shall send a notice of denial to the address provided by the owner. Such notice of denial shall state the reasons for denial and inform the owner of his or her right to appeal the decision.

(Ord. No. 12-2021, § 1(5.10.100), 12-9-2021)

5.08.110. Suspension or revocation of license.

- (a) *Suspension.*
 - (1) The town designee may suspend a short-term rental license upon a determination that an owner or local agent has:
 - a. Been found guilty by the municipal court of violating any provision of this chapter on more than one occasion during the term of the current license; or
 - b. Operated a short-term rental unit during the term of the current license in violation of a building, fire, health or safety code adopted by the town, which finding of violation shall be determined by an investigation by the department, division or agency charged with enforcing said code, and has failed to timely cure such violation after receipt of and in accordance with a notice of violation issued by the town.
 - (2) Upon a determination that one or more of the reasons for suspension listed in subsection (a)(1) of this section has occurred, the town designee may suspend a short-term rental license for a period not to exceed one year. The town designee shall send the owner a notice of suspension. Such notice of suspension shall state the reasons for suspension, the dates during which the suspension will be effective, and inform the owner of his or her right to appeal the decision. The suspension shall remain in effect until and including the last day in the notice of suspension or until such time as the violation at issue has been corrected, whichever is later. No license shall be suspended past the license expiration date. Any owners whose licenses have been suspended until the expiration of the license must apply for renewal of the license per the renewal provisions of this chapter.

(b) *Revocation.*

- (1) The town designee shall revoke a short-term rental license upon determining that:
 - a. A short-term rental license has been suspended more than once during the preceding 12 months;
 - b. An owner or local agent gave the town false, misleading or fraudulent information in the materials submitted during the application process;
 - c. An owner or local agent knowingly operated a short-term rental unit during a time when the short-term rental license was suspended; or
 - d. Any fact or condition exists that, if it had existed or had been known to exist at the time of the application for the license or renewal of the license, would have warranted the denial of the license application.
- (2) When the town designee revokes a short-term rental license, the revocation shall continue for one year from the date of revocation, the owner shall not be issued a short-term rental license during the time such revocation is effective and must submit a new license application after the revocation expires. The town designee shall send the owner a notice of revocation. Such notice of revocation shall state the reasons for revocation, the time period which the revocation is effective, and inform the owner of his or her right to appeal the decision.

(Ord. No. 12-2021, § 1(5.10.110), 12-9-2021)

5.08.120. Appeal of denial, suspension or revocation.

- (a) *Appeal.* An owner may appeal a denial of his or her application or suspension or revocation of his or her short-term rental license to the town board and shall be entitled to a public hearing before the town board. An appeal must be made in writing, stating the grounds for appeal, and delivered to the town within five business days of the date of the notice of denial, suspension, or revocation by the town designee. In the event of an appeal of a suspension or revocation decision, the owner may continue to operate the short-term rental unit during the hearing process unless the continued operation of the short-term rental unit pending resolution of the appeal will endanger the public health, safety or welfare, as determined by the town.
- (b) *Hearing.* A public hearing on the appeal shall be held within 30 days of the date the appeal was submitted to the town. At the hearing, the town board shall hear such statements and consider such evidence as is offered that is relevant to the reasons alleged for denial, suspension, or revocation. The town board shall make findings of fact from the statements and evidence offered at the hearing as to whether such reasons exist. The town board shall issue a written order either affirming or overturning the denial, suspension or revocation and stating the findings on which the board's decision is based. A copy of the order shall be sent to the owner within 30 days of the date of the hearing.
- (c) *No refund.* In the event of suspension or revocation of a short-term rental license, no portion of the short-term rental license fee shall be refunded.

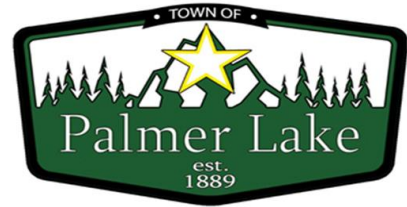
(Ord. No. 12-2021, § 1(5.10.120), 12-9-2021)

5.08.130. Violation, penalty and enforcement.

- (a) It is unlawful for any owner, local agent, other agent of the owner or renter to violate any provision of this chapter.

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- (b) In addition to the suspension and revocation actions set forth in this chapter, violations of this chapter are subject to the penalties set forth in this Code.
 - (c) Any violation of this chapter shall constitute a nuisance under this Code and may be subject to the abatement procedures set forth in municipal code.
 - (d) This section shall not be construed to prohibit the town from taking any action permitted by law or in equity to remedy a violation of this chapter, including, but not limited to, seeking an injunction in any court of competent jurisdiction.

(Ord. No. 12-2021, § 1(5.10.130), 12-9-2021)



**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - AGENDA MEMO**

DATE: February 23, 2023	ITEM NO.	SUBJECT: Direction to Prioritize Town Business
Presented by: Town Administrator /Clerk		

Town staff has several items requiring attention by the Board of Trustees. We are also aware of the Board’s interest in addressing items. To be efficient with planning and organizing the Board meeting time, it is requested to review the following to prioritize items (no particular order and add as needed) –

- Direction on water system improvement – planning for the future
- Direction on possible water rate adjustment (following completion of the analysis, Q2)
- Direction on drainage issues – planning for the future
- Amend short term rental regulations
- Amend sign code (following recommendation from Planning Commission, Q1)
- Direction and parameters on elephant rock property use – plan for the future
- Town code review by section – plan for the future
- Amend land use code (following recommendations from Planning Commission after diagnosis, Q2)
- Town Department -
 - strategic planning for Public Works
 - strategic planning for Police
 - strategic planning for Fire
 - strategic planning for Administration

Once a list is compiled, roughly prioritize by quarter or upcoming month.