



BOARD OF TRUSTEES MEETING

Thursday, October 10, 2024

Executive Session at 5:00 PM / Regular Meeting to follow (approximately 6 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 & Roll Call

Convene to Executive Session

A) 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) – negotiation of possible annexation for proposed travel center.

B) 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), and for the purpose of conferring with Town Attorney to receive legal advise on specific legal questions under C.R.S. 24-6-402(4)(b) relating to 1) update on litigation filed by former employee and 2) resolution to litigation filed by United Congregational Church.

Reconvene to Open Session – approximately 6 pm or later if executive discussion is longer

Roll Call

Pledge of Allegiance

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.*

1. Minutes from September 26, 2024 Meeting

Staff/Department Reports

2. Water
3. Public Works including Roads & Park Maintenance
4. Police
5. Fire
6. Administration

7. Attorney
8. Administrator/Clerk

Business Items

- [9.](#) Set Public Hearing for Proposed 2025 Budget; Distribute Proposed Draft Budget
- [10.](#) Resolution 50-2024 to Award Demolition of Town Property (ER Structures); Schedule
- [11.](#) Resolution 51-2024 to Adopt Base Fee for Consultant Review of Land Use Application
- [12.](#) Consider Draft Ordinance to Amend Ch 8.28 Outdoor Burning
- [13.](#) Direction to Terminate MOU with Little League (Ballfield Improvement)
- [14.](#) Direction to Explore Single Hauler Collection (Trash Service)

Public Comment - *Public comments are encouraged to be emailed to the Town office at info@palmer-lake.org with subject line of Public Comment (24 hours prior to meeting) and shall be distributed and read 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 comment but may refer it to staff and/or a future meeting agenda. Public members are allowed up to 3 minutes for comments. Thank you!*

Board Reports**Next Meeting (Oct 24) and Future Items**

Convene to Executive Session – continue any unfinished discussion from above

Reconvene to Open Session

15. Action on Resolution to Litigation Filed by United Congregational Church

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.



BOARD OF TRUSTEES MEETING
Thursday, September 26, 2024
Executive Session following Retreat
Regular meeting at 6:00 PM

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

MINUTES

Call to Order & Roll Call. Mayor Havenar called the meeting to order at 5:36 pm, following the Retreat. Present: Mayor Glant Havenar; Trustees Nick Ehrhardt, Shana Ball, Kevin Dreher, Sam Padgett, Jessica Farr, Dennis Stern.

Convene to Executive Session. MOTION (Farr, Stern) to convene to executive session for:

A) For the purpose of a personnel matter, employment evaluation of Town Administrator, under C.R.S. 24-6-402(4)(f).

B) 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), and for the purpose of conferring with Town Attorney to receive legal advise on specific legal questions under C.R.S. 24-6-402(4)(b) relating to (1) threatened litigation and (2) resolution to litigation filed by United Congregational Church.

Roll call vote - aye 7; nay 0. Motion passed.

Reconvene to Open Session at 5:45 pm and Mayor Havenar called a recess until 6 pm. Mayor Havenar reconvened the meeting at 6 pm.

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

Pledge of Allegiance. Trustee Stern led the pledge.

Presentations

1. Proclamation for 11th Annual Creek Week 2024 - Fountain Creek Watershed District, Alli Schuch. Ms Alli Schuh was introduced, and Mayor Havenar read a proclamation announcing Creek Week 2024 the week of September 28 through October 6. Ms Schuh provided updates to the amount of clean-up projects over the years and over 50 events taking place this year. Parks and Trails Commission Chair Reid Wiecks mentioned the service day taking place Saturday, September 28 from 9 am to noon, meeting in Glen Park near the tennis courts.

Consent Agenda. MOTION (Padgett, Stern) to approve the consent agenda including 2) Minutes from September 12, 2024 Meeting; 3) Checks over \$15,000 - Community Matters Institute (\$21,082.50) for

Land Use Critical Rewrite (portion reimbursed by DOLA grant); CIRSA (\$35,602.73) quarterly payment; 4) Financials (August). Roll call vote - aye 7; nay 0. Motion passed.

Staff/Department Reports

5. Attorney - Attorney Krob stated that he attended the CML Attorney's conference and will provide a legislative update to the Board in October. He also offered an update on decisions that may impact the town.
6. Administrator/Clerk – Collins reported on the status of town positions; the expected increase for town insurance coverage; and the asbestos abatement work at Elephant Rock. Discussion took place about Fire Department training and follow up with new quotes for demolition. Collins stated the PLES roadway project is coming in under the adjusted estimate; that pickleball courts are open for public play; and she thanked Board members and staff for discussion to identify missions for town departments.

Business Items

7. Resolution 49-2024 to Approve Revision of Town Star Lighting Policy. Mayor Havenar explained the update to the star lighting policy, to include 9/11 remembrance. MOTION (Farr, Padgett) to approve Resolution 49-2024 to amend the star lighting policy. Roll call vote - aye 7; nay 0. Motion passed.
8. Ordinance 12-2024 to Amend Ch 12 Relating to Park Rules. Collins explained the purpose of Ordinance 12 to administratively correct the layout of the park rules, noting that no change was made to the content of the code. No comments from the public were made. MOTION (Ball, Dreher) to approve Ordinance 12-2024 amending the park regulations. Roll call vote - aye 7; nay 0. Motion passed.
9. Ordinance 13-2024 to Amend Ch 5.24 Relating to Liquor Licensing. Collins and Attorney Krob provided background to the ordinance amending and creating liquor licensing provisions. No public comments were made. MOTION (Padgett, Stern) to approve Ordinance 13-2024 amending and creating liquor license code. Roll call vote - aye 7; nay 0. Motion passed.
10. Consider Letter of Intent to Enter Agreement with Palmer Divide Soccer Club. Collins explained the purpose of the Letter of Intent (LOI) while the MOU with Palmer Divide Soccer Club is negotiated for draft form. Mr. Julian Drummond explained his involvement with the Soccer Club, and Reid Wiecks explained the partnership to improve the south end of the lake for a soccer field. The LOI is needed for the club to submit a grant application to fund the improvement. Mr. Drummond stated they are working on the application to Colorado Soccer Association due early October. Discussion took place about the field space. MOTION (Padgett, Farr) to authorize the LOI while the MOU is negotiated. Roll call vote - aye 7; nay 0. Motion passed.
11. Direction to Reallocate Funds for PLES Project and Subsequently Amend 2024 Budget. Collins explained the reallocation of the PLES grant monies to both the water fund and the general fund as well as the expenses for the project respectively. Board members agreed with the reallocation, and a 2024 budget amendment will come back prior to year-end.

Public Comment. None.

Board Reports. Trustee Shana Ball reported that the scope of work for the awarded EMS grant was received this week, anticipating that the Fire department will have the okay to proceed purchase in

coming weeks. Trustee Dennis Stern attended the PPRBD advisory committee meeting. Mayor Havenar attended the Board of Health meeting and mentioned that flu season is on the rise. She also reported about a high volume of teenage suicides.

Next Meeting (Oct 10) and Future Items. It was discussed to hold the legislative update prior to the regular meeting on 10/10.

Convene to Executive Session. MOTION (Farr, Dreher) to convene to executive session to complete the personnel matter at 6:37 pm. Roll call vote - aye 7; nay 0. Motion passed.

Reconvene to Open Session

Adjourn. MOTION (Padgett, Stern) to adjourn at 7:10 pm. Motion passed.

Mayor Glant Havenar

ATTEST: Dawn A. Collins, Town Clerk

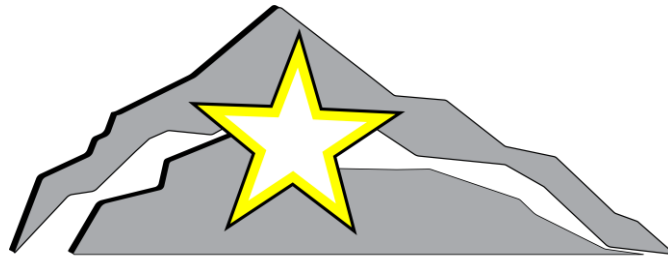
Town of Palmer Lake Monthly Water Usage

Month Year September 2024

	Gallons	Acre Ft
Surface Water	1,903,000	5.8
Well A2	0	0
Well D2	3,685,000	11.31
Total	5,588,000	17.11
Avg. Gal/Day	186,000	0.57

Release To Lake 0 AF Max Allowed = 0 AF / Month
Release Glen Park Evaporation 0 AF
Water system 0 AF

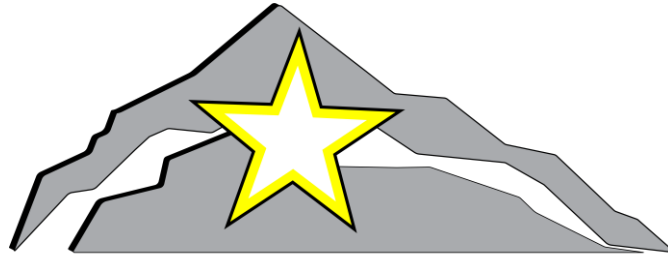
Total 0 Af



Town of Palmer Lake

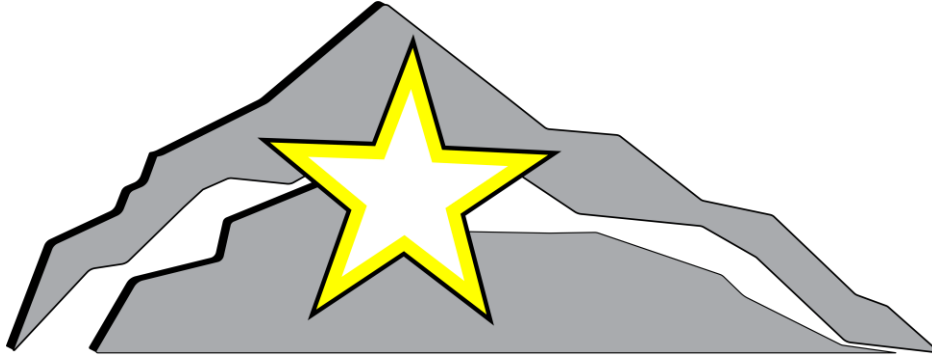
Board of Trustees Summary Sheet

	September 2024
Title	Public Works Monthly Report
Date	October 10, 2024
Contact	Stacy DeLozier
Summary	<p>Grade and Mag Roads Dust control Cut drainage ditches on roads around PL City Limits Cold Patch Asphalt Potholes Clean out various road culverts Cut tree limbs/ brush from roadways and parks Continue to add to large slash pile in PW yard and ERock Replace and repair applicable road signs Perform routine maintenance on all equipment Empty trash cans at Lake Rec area, parks and trailhead daily Fix and maintain split rail fences around lake and town Maintain Trailhead parking Kiosk daily Attended various meetings Bridge lighting has 2 bulbs out, messaged Porch electric for repair Bridge bathroom project is built, closed in and ready for roofing/ siding Town Pickleball Courts by lake are completed other than bench installations; courts are open to the public. Coordinate placement of Port A Potty's around town and move when needed for Parks Late summer cleaning around the shop/yard Helped with small projects at Town Hall, PLFD and PLPD Core EV chargers are being used quite frequently on a daily basis Several street-cut permits issued throughout PL City limits Monthly playground maintenance and inspection Work with parks and Awake The Lake on various projects Did the monthly repairs/ maintenance on all Parks lawn mowers/ equipment. Assist and supervise PLES roadway project. Project is going well and is ahead of schedule. No major setbacks and paving should start on 10/9.</p>
Training	Ongoing weekly/ monthly safety training and meetings



Town of Palmer Lake

<p>Other Activity</p>	<p>Working with John Chavez and CDOT on Upper Glenway/ Pie Corner road project. PLES project started on 7/29/24. Assisting contractor West Fork with project.</p> <p>CDOT cleaned out and dug a ditch on the south side of 105 for the “spring water issue” on 105.</p> <p>UMI worked two days cleaning out clogged gutters around town. They should be back next week to work on more.</p> <p>Paramount started the asbestos abatement on E-Rock structures and have one more cabin and the long building to complete.</p> <p>Fountain will be removed and EPC will winterize restroom the week of 10/8.</p>
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Town of Palmer Lake

Board of Trustees Summary Sheet

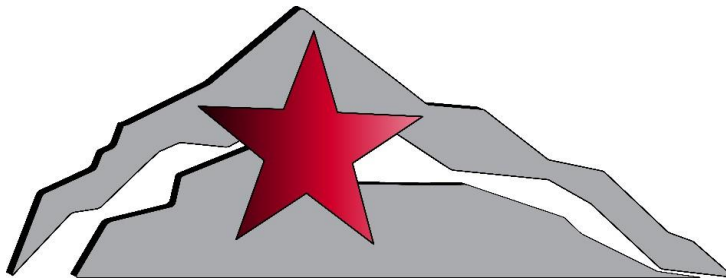
	August & September 2024
Title	PARKS Report
Date	10/10/2024 Board meeting; 10/8/2024 Parks meeting
Contact	Parks & Trails Commission
Summary of Volunteer Hours	Labor (clean up, maintenance) : 57 hr. Clerical (email, calls, grants, spreadsheets) : 27.50 hr. Miscellaneous Meetings (other than Parks) : 26.25 hr.
Total Volunteer Time	Total = 110.75 hours
Upcoming Activity	Parks Meeting 10/8 Workshop 10/22



Board of Trustees Summary Sheet

	October 2024
Title	Police Monthly Report
Action	N/A
Date	09/01-09/30/2024
Contact	*Chief A. Lundy
Summary	In the Month of September 2024 PLPD made 75 traffic stops and wrote 58 traffic citations. The PLPD made 18 citizen contacts, and 26 reports were taken. There were 3 traffic accidents and 4 domestic violence cases.
Training	All officers attended Driving and Firearms P.O.S.T. qualification courses. *Chief Lundy attended “School Safe” collaborative conference. Officer Bentley attended TPO training. Officer Olson and Corporal Barter recertified SFSTs.
Other Actions	In September PLPD successfully conducted blood drives with good attendance. PLPD began planning the 2025 budget.
Active investigations	PLPD officers are actively investigating drug activity in the 600 block of Hwy. 105. PLPD has begun surveillance in a troubled section of town to gain intelligence for current ongoing cases in that area.
Calls for service	PLPD officers responded to 608 calls for service this month. This is a major jump from the already high 355

	calls from the month of June.
S.T.E.P.	S.T.E.P. was instituted in March of 2021 and has made a great impact on police operations and overall street safety of Palmer Lake. Accidents are more infrequent and speeds through town have slowed dramatically during these shifts. This program has provided a consistent avenue for extra duty while keeping speeds down and the streets safer for residents. Proceeds from the S.T.E.P. program have been utilized to alleviate the PLPD fleet.



PALMER LAKE FIRE DEPARTMENT

Board of Trustees Summary Sheet

Title	Fire Department Report- September 2024
Date	9 October 2024
Contact	John Vincent, Chief
Summary	Elephant Rock mitigation continues. Fire department RMS on-boarding continues. Gas Leak on Pie Corner, Shelter in-place initiated until mitigated. Engine/Crew returned from 4 weeks in Northern California.
Training	No report
Photographs	Gas Leak
Other Action	
Code Enforcement	





Board of Trustees Summary Sheet

	Sep – Oct 2024																																										
Title	Administration																																										
Date	10/10/2024																																										
Contact	Admin personnel																																										
Kiosk Revenue	<p>September Collections for the Kiosk</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">\$ 5,612.70</td> <td style="width: 45%;">Gross Collections (1059 Transactions)</td> <td style="width: 15%;"></td> <td style="width: 25%;"></td> </tr> <tr> <td>\$ (317.70)</td> <td>Fees</td> <td></td> <td></td> </tr> <tr> <td style="border-top: 1px solid black;">\$ (70.00)</td> <td>Monthly T2 Svc charge</td> <td></td> <td></td> </tr> <tr> <td>\$ 5,225.00</td> <td>Net Collections</td> <td></td> <td></td> </tr> </table> <p>YTD Collections 2024 - YTD Transactions: 8512</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">\$ 45,113.60</td> <td style="width: 45%;">Gross Collections</td> <td style="width: 15%;"></td> <td style="width: 25%;"></td> </tr> <tr> <td>\$ (2,553.60)</td> <td>Fees</td> <td></td> <td></td> </tr> <tr> <td>\$ -</td> <td>Supplies (Kiosk Paper)</td> <td></td> <td></td> </tr> <tr> <td style="border-top: 1px solid black;">\$ (630.00)</td> <td>Monthly T2 Svc charge</td> <td></td> <td></td> </tr> <tr> <td>\$ 41,930.00</td> <td>Net Collections</td> <td></td> <td></td> </tr> <tr> <td>\$ (3183.60)</td> <td>Total Fees and Maintenance</td> <td style="text-align: right;">8%</td> <td></td> </tr> </table>			\$ 5,612.70	Gross Collections (1059 Transactions)			\$ (317.70)	Fees			\$ (70.00)	Monthly T2 Svc charge			\$ 5,225.00	Net Collections			\$ 45,113.60	Gross Collections			\$ (2,553.60)	Fees			\$ -	Supplies (Kiosk Paper)			\$ (630.00)	Monthly T2 Svc charge			\$ 41,930.00	Net Collections			\$ (3183.60)	Total Fees and Maintenance	8%	
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Land Use permits Issued	<p>September 2024</p> <p>Type: Single Family; Qty: 0 Other; Qty: 6 Total water taps issued: 1041</p>																																										

Business Licenses	BUSINESS LICENSE STATUS CHANGES BY BUSINESS TYPE	2024	2024
		Sep	Sep
	Business Type	STR	other
	New Licenses	2	4
	Licenses Renewed	0	12
	Licenses Expired	0	0
	Businesses Closed	0	0
	CURRENT BUSINESS LICENSES BY BUSINESS TYPE (New + Renewed)	37	158
	TOTAL CURRENT BUSINESS LICENSES (New + Renewed)	195	

*Note: this will likely reduce going forward due to change of business license regulations

SCHEDULED TO RENEW IN NOVEMBER:

BUSINESS NAME
Charles Lee Johnson dba Mountain Air Mechanical Services
Gun Cleaners of Colorado, LLC
Mountain Paws Grooming LLC
Native Sun Construction
Power PBC
Precision Light Fabrication, Inc.
Sundance Pit BBQ, LLC
Tri-Lakes Dent Clinic
Vogue Hair Studio
Wonders of Nature Forest School
Yak's Motorcycle Maintenance & Detail shop dba Yak's MMX, LLC

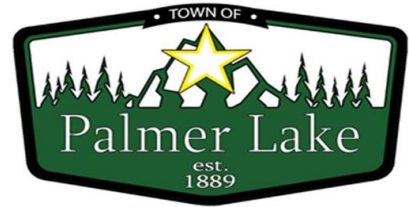
Water Billing	2024	Jan	1019	3,498,000	0
		Feb	1019	3,031,550	0
		March	1019	2,889,000	0
		April	1019	3,401,100	0
		May	1019	3,410,300	0
		June	1021	4,560,620	0
		July	1021	5,888,918	0
		August	1021	4,918,121	0
		September	1010	5,145,525	0
		YTD		36,743,134	0

Grant Activity Updates

Dept	Name	Grant Purpose	Grant Amount	Match/ Cost Sharing	STATUS/NEXT STEPS
<i>Police</i>	<i>Training</i>	training and expenses to gain CO POST certification	\$47,756	0	Submitted 10/4. Request to cover academy tuition, wages, uniform, equipment, exam, etc.
<i>Police</i>	<i>CRIMEWATCH Year 3</i>	continuation grant, year #3 of 3.	\$2,925	0	This is a continuation grant with quarterly reporting beginning 4Q 2024.
<i>Fire</i>	<i>El Pomar</i>	chipper	\$56,873	0	Awarded. Will confirm award amount mid October.

Staffing Activity

- Continued advertising for Accounting Clerk and Water Operator
- Interviews for Police Chief scheduled week of 10/14
- New hires: PW Maintenance Technician – Carson Wolla
Code Compliance – Jennifer Wilde



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

DATE: October 10, 2024	ITEM NO.	SUBJECT: Distribute Proposed Draft 2025 Budget and Set Public Hearing
Presented by: Town Administrator Collins		

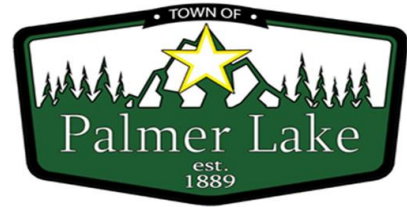
Background

Per statute, a draft of the proposed budget for the upcoming year must be distributed by October 15. The proposed draft budget will be reviewed in further detail with the Board and Departments on Fri., 10/11. The draft budget will continue to be reviewed and modified until considered for adoption, December 12.

As previously reviewed, staff requests that a public hearing be set for the Thursday, November 14 meeting. It is also suggested that a workshop be scheduled for 5 pm on the same date.

Recommended Action

Set a public hearing for the proposed 2025 budget for November 14.



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

DATE: October 10, 2024	ITEM NO.	SUBJECT: Resolution to Award Demolition of Specific Structures at ER
Presented by: Town Administrator Collins		

Background

As previously directed by the Board, initial quotes were reviewed and adjusted and an additional quote was solicited for the demolition of six cabins and one long building at elephant rock property. The following resulted –

Iron Mountain	\$76,940
West Fork Construction	\$75,000
Bradley Excavating	\$79,350

These quotes are good and all work confirmed to be completed by the end of December.

The current asbestos abatement of the six cabins is anticipated to be completed by October 18. The Fire Department will conduct the training, as described in the attached, for seven consecutive days to include crews of all three shifts following the abatement. With your approval, the contractor will begin the demolition process within three weeks to complete the demolition in approximately two weeks.

Recommended Action

Staff recommends award to West Fork for a total of \$75,000 and authorization to proceed with the demolition process.

Acquired Structure Training

Statement of Safety: Safety of personnel is the highest priority during all training. All structures and operational plans must be evaluated to ensure the highest possible level of safety for crews and equipment.

Mutual aid inclusion: It should be a primary objective of this training to optimize interoperability with our mutual aid partners. As such, whenever applicable neighboring agencies should be included in drills.

Training progressions should be planned to maximize use of each acquired structure.

Training objectives should include:

- Search and Rescue – looking for victims within limited visibility conditions.
- Hose movement – Advancing a variety of hose lines efficiently through a structure.
 - Hose movement operations will also allow for training in pumping, water operations to include, relay operations, and static water supply while under realistic fire ground operations.
- Horizontal vent – controlling smoke movement within a structure with fans, doors, and windows.
- Vertical Vent - controlling smoke movement within a structure by placing openings on the roof of a structure.
- Mayday operations – The rescue of a downed firefighter within a fire environment
- Firefighter survival - Firefighter escape and self-rescue in an adverse fire environment

TOWN OF PALMER LAKE, COLORADO**RESOLUTION NO. 50-2024****A RESOLUTION TO AWARD AND AUTHORIZE DEMOLITION OF SPECIFIC STRUCTURES AT ELEPHANT ROCK PROPERTY, PALMER LAKE, COLORADO**

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 Town Board of Trustees has authority over contract agreements for the Town; and

WHEREAS, the Town Board of Trustees initiated the demolition process for certain structures located on Town owned property known as the Elephant Rock Property, in December 2023; and

WHEREAS, asbestos testing and abatement were required to be completed for the demolition permit; and

WHEREAS, with completion of the abatement, the initial quotes were reviewed and new quotes were received and reviewed by staff and a recommendation has been made to award the lowest cost for demolition; and

WHEREAS, the Town Board of Trustees has considered the quotes received and the recommendation of staff.

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

1. The Town Board of Trustees hereby awards the work to the recommended contractor, West Fork Construction, as set forth in Exhibit A, attached hereto for a total amount not to exceed \$75,000 and authorize the Mayor to sign the contract reflecting such award.
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.

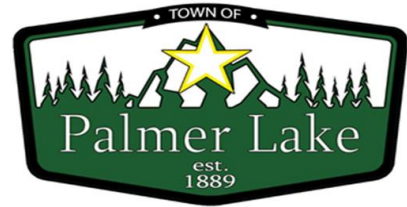
INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 10th DAY OF OCTOBER 2024.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor



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

DATE: October 10, 2024	ITEM NO.	SUBJECT: Resolution to Adopt Base Fee for Consultant Review of Land Use Application
Presented by: Town Administrator Collins		

Background

The adoption of Ch. 17 relating to the land use application submittal process, a cost reimbursement agreement is required to be signed by the applicant. This agreement is established to collect the fees incurred by town consultants reviewing the application submittal are reimbursed to the town by the applicant.

Some application submittals require only a brief completeness and technical review by one member of the development review team (ie., engineering or planning). An example of this is a replat of lot lines or resubdivision. In these situations, applicants are hesitant to sign a cost reimbursement agreement, not fully knowing what costs will be passed on.

The discussion and suggestion of the development review team is to establish a base fee for a brief review, so the applicant is aware of the fee. Only if issues with the submittal arise, and further reviews are needed, will a cost reimbursement agreement be further required.

A brief review may be up to 3 hours which equates to an estimated \$500 base fee for consultant review.

Recommended Action

Staff recommends the Board adopt the Resolution to establish a base fee of \$500 for an initial consultant review of smaller submittals. This will not apply to subdivision or more complex land use applications.

TOWN OF PALMER LAKE, COLORADO**RESOLUTION NO. 51-2024****A RESOLUTION ESTABLISHING A BASE FEE FOR CERTAIN
LAND USE APPLICATIONS INVOLVING LIMITED CONSULTANT REVIEW**

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 Town Board of Trustees recently adopted revised regulations for the review of land use applications in Chapter 17.12.055(b); and

WHEREAS, smaller single submittals may only require a limited review by engineering and other Town consultants and do not justify execution of a cost reimbursement agreement by the applicant; and

WHEREAS, a base fee will cover the cost of the consultant review for completeness and technical comments; and

WHEREAS, the Board desires to establish a base fee associated with receiving, reviewing, and approving certain land use applications that typically involve limited review by the Town's engineering and other consultants.

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

1. The Board of Trustees for the Town of Palmer Lake hereby adopts a \$500 fee for applications requiring a brief review for completeness and technical comments as determined by the Town Administrator, including but not limited to a minor resubdivision or replat, right of way vacation request, land use application for new construction; and directs that the Master Fee Schedule for 2024 be amended to reflect this change.
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.

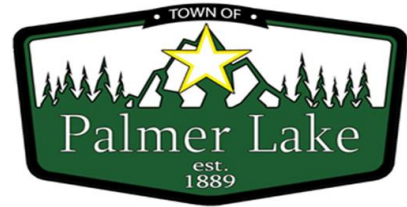
INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 10th DAY OF OCTOBER 2024.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor



Item 12.

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

DATE: October 10, 2024	ITEM NO.	SUBJECT: Consider Amending Ch 8 Outdoor Burning
Presented by: Town Administrator Collins		

Background

Chief Vincent has previously inquired about amending Ch. 8 relating to outdoor burning. Enclosed is the draft redline ordinance language with suggested revisions. It includes the addition of an annual burn permit. The recommended annual fee is \$25 per permit, approved by the Fire Dept.

Fees will be included with the master fee schedule draft to distribute in December.

Recommended Action

Provide any comments or suggestions for the amended code.

- CODE OF ORDINANCES
Title 8 - HEALTH AND SANITATION
CHAPTER 8.28. OUTDOOR BURNING, FIRE AND SMOKING RESTRICTIONS

CHAPTER 8.28. OUTDOOR BURNING, FIRE AND SMOKING RESTRICTIONS

8.28.010. 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:

Annual burn permit means a permit issued by the Palmer Lake Fire Department required for burning in a barrel or other containment. Before burning, a burn permit must be obtained.

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Attendant means an adult 18 years of age or older.

Attended means an attendant is within sight and near proximity to a fire until extinguished in order to timely respond in the event that a spark, flame or ember leaves the container in which the fire is located.

Burn barrel means a large metal drum or container, commonly a 55-gallon steel drum, used for open burning of various materials. Burn barrels are often used to dispose of natural materials like wood, paper, or yard waste in rural areas where other disposal methods may be limited.

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Camp lantern means a pressure lamp made to burn kerosene, gasoline, Coleman fuel (white gas) or propane and use one or two mantles to produce an intense white light.

Camp stove means a small portable stove fueled by liquid such as propane for cooking or heating, especially by campers or picnickers.

Combustible means any solid material that will eventually burn if exposed to enough heat for a long enough time such as, without limitation, branches, firewood, and framing lumber.

El Paso County stage 2 fire restrictions means El Paso County stage 2 restrictions as imposed within the unincorporated areas of El Paso County, Colorado, in accordance with El Paso County Ordinance 15-001, as may be amended from time to time.

Extinguish(ed) means no excessive heat, and no visible flames, smoke, or emissions exist or hot embers are present.

Extinguishing materials means a charged hose, a bucket with a minimum of two gallons of water, or a commercial fire extinguisher is nearby such that an attendant can readily access such materials to extinguish a fire.

Fire pit means a commercial container for the purpose of containing combustible and/or flammable materials, embers, flame and sparks of an outdoor fire (recreational fire) to keep the fire from spreading beyond the container.

Fireworks means a pyrotechnic device consisting of combustibles designed to burn or explode for the purpose of generating a loud noise, light, sparks, smoke or projectile propulsion for entertainment or display.

Flammable means any liquid material that can easily catch fire quickly under normal circumstances and with the help of minimal ignition source(s) such as, without limitation, oil, gas, or varnish.

Open burning means a type of open fire for (a) vegetation management that involves the combustion of one or more piles of clean, dry natural vegetative material on an open premises, or on any public street, alley or other land adjacent to such premises, (b) the prescribed burning offence lines or rows, fields, farmlands, rangelands, wild lands, and (c) the burning of trash and debris.

Open fire means an outdoor fire, including but not limited to open burning, recreational fires of all types, the use of explosives, outdoor welding or operating an acetylene or other torch with open flame or operating tools that produce flame or sparks, fireworks of all kinds or brands, or any other activity creating combustion or an open flame.

Outdoor commercial gas-fueled fire pit, ~~fire table~~ means a type of fire pit or table that is commercially manufactured and sold as an ornamental structure, the flame of which is fueled by natural gas or propane for outdoor fires, the medium of which is decorative, such as ceramic logs, fire glass, or lava rock, and that does not produce embers or sparks.

Recreational fire means an outdoor fire used for pleasure, religious, ceremonial, warmth or similar purposes, including, but not limited to, campfires, fire pits, warming fires, charcoal grill fires, fires in wood-burning stoves involving the burning of charcoal or clean firewood, as well as outdoor commercial gas-fueled fire pit fires. Outdoor cooking in other than a commercially manufactured appliance designed for the purpose of cooking of food outdoors shall be treated the same as a recreational fire.

Red flag warning means a forecast warning issued by the National Weather Service inclusive of the town to inform area firefighting, land use management agencies, municipalities and the public that conditions are ideal for wildland fire ignition and propagation either currently or within 24 hours.

Spark arrester means a screen covering with holes no greater than one-half inch that is placed on top of a source of and completely encapsulates flames, embers or sparks to prevent such flames, embers or sparks from exiting the container at all times when flames, embers or sparks are present.

Special town fire restrictions means any restrictions imposed in accordance with section 8.28.030(c) of this chapter, which may be in addition to or in lieu of any town fire regulations.

Town stage 1 fire restrictions means the minimum restrictions on burning, fires and outdoor smoking as set forth in this chapter ~~which are in effect at all times within the town.~~

Town stage 2 fire restrictions are additional restrictions (to the otherwise permanently applicable town stage 1 fire regulations) placed on outdoor burning, fires and smoking as and whenever in effect, as provided in this chapter.

Town property means all town-owned property to include parks, streets, open space and town facilities and surrounding grounds and includes the water system.

Undiluted wood means wood that is free of pesticides, fungicides, paint, varnish, glue, resin or other impregnated materials that produce noxious fumes or flames in excess of those that would be produced by wood that was not so impregnated.

Water system shall have the same meaning as the term "water system" as defined in section 13.20.040 of this Code and include any hiking trail or road thereto.

(Ord. No. 15-2018, § 1(8.10.010), 9-13-2018; Ord. No. 1-2021-, § 1(8.10.010), 1-28-2021; Ord. No. 10-2021-, § 1(8.10.010), 10-14-2021)

8.28.020. Applicability, violations and table of allowable activity.

- (a) It shall be unlawful to engage in any activity within the town in violation of any town fire regulations.
- ~~(b)~~ It shall be unlawful to burn debris without first obtaining a burn permit. Annual permit fee is set adopted by resolution by the Board of Trustees.
- ~~(b)~~ It shall be unlawful to engage in any activity within the town in violation of town stage 2 fire restrictions as may be imposed in accordance with section 8.28.030(b).

- (ed) It shall be unlawful to engage at any time in any activity within the town, including public, private, state and applicable federal lands, inclusive of the water system, involving outdoor fires, burning or smoking, unless such activity is allowed as set forth in Table 1 of this section and an approved burn permit has been obtained in advance.
- (d) It shall be unlawful to engage in any activity within the town in violation of any special town fire restrictions as may be imposed in accordance with section 8.28.030(c).
- (e) The restrictions and prohibitions in this chapter shall not apply to:
 - (1) Any federal, state, or local officer or member of an organized rescue or firefighting force, in the performance of an official duty; or
 - (2) Any town sponsored event approved by the board of trustees and permitted by the fire chief at which the fire department is providing oversight of the fire or burning; or
 - (3) Indoor fires, burning or indoor smoking (including within an enclosed motor vehicle or building).
- (f) The following chart outlines allowable and prohibited activities involving outdoor burning, fires and smoking by level of fire restrictions in effect (other than special town fire restrictions which are imposed by separate action in accordance with section 8.28.030(c)):

Table 1

<u>Activity</u>	<u>Town Stage 1 Restrictions</u>	<u>Town Stage 2 Restrictions</u>				
Open Open Burning.	Not allowed.	Not allowed.				
Sale, Possession, Use or Display of Fireworks, <u>approved by the Town Fire Chief.</u>	Not allowed. Commercial fireworks displays are only allowed if approved by the town board of trustees and permitted by the Fire Chief.	Not allowed.				
<u>Use of Burning Barrel.</u>	<u>Allowed with caution.</u>	<u>Not allowed.</u>				
<u>Use of Camp Stoves and Camp Lanterns.</u>	Allowed (including on wood decks and on town property) if: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">1.</td> <td>Attended until extinguished.</td> </tr> <tr> <td style="text-align: center;">2.</td> <td>Separated from flammables at least 15 feet in all directions.</td> </tr> </table>	1.	Attended until extinguished.	2.	Separated from flammables at least 15 feet in all directions.	Not allowed.
1.	Attended until extinguished.					
2.	Separated from flammables at least 15 feet in all directions.					
Open Fire Charcoal Grills for Cooking.	Allowed (including on wood decks and on town property) if: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">1.</td> <td>Attended until extinguished.</td> </tr> <tr> <td style="text-align: center;">2.</td> <td>Separated from flammables at least 15 feet in all directions.</td> </tr> </table>	1.	Attended until extinguished.	2.	Separated from flammables at least 15 feet in all directions.	Not allowed.
1.	Attended until extinguished.					
2.	Separated from flammables at least 15 feet in all directions.					
Open Fire Gas Grills for Cooking.	Allowed (including on wood decks and on town property) if: Separated from flammables at least 15 feet in all directions.	Allowed (including on wood decks and on town property) if: Separated from flammables at least 15 feet in all directions.				

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Outdoor welding or operation of acetylene or other torch with open flame or tools that emit flame or sparks.	Allowed if:	Not allowed.
	1. Attended until extinguished.	
	2. Extinguishing materials nearby.	
	3. Separated from flammables at least 15 feet in all directions.	
Recreational fires in other than outdoor commercial fire pit.	Allowed <u>with caution</u> if:	Not allowed.
	1. Attended until extinguished.	
	2. Extinguishing materials nearby.	
	3. Separated from flammables at least 15 feet in all directions.	
	4. Separated from combustibles at least 6 feet in all directions.	
	5. Spark arrester in use.	
	6. Only charcoal or unadulterated wood as fuel (temporary use of commercial fire starter logs allowed).	
	7. Flame height no greater than 2 feet.	
	8. Maximum size of chamber 3 feet wide by 2 feet high.	
	9. Not <u>allowed</u> on town property.	Not allowed.
Recreational fires in outdoor commercial fire pit.	Allowed (including on wood decks) if:	Not allowed.
	1. Attended until extinguished.	
	2. Separated from flammables at least 15 feet in all directions.	
	3. Flame height no greater than 2 feet.	

	4.	Maximum size of chamber 9 square feet.	
	5.	Only using fuel as intended by manufacturer.	
	6.	Not on town property.	
Outdoor Smoking:			
•	On residential property.	Allowed if smoking implements are fully extinguished prior to safe disposal.	Not allowed.
•	On town property.	Allowed only in designated smoking areas in accordance with state law on location restrictions and if proper receptacles for disposal of smoking implement, whether extinguished or not, are provided and used.	Not allowed.
•	On commercial restaurant and other property.	Allowed only in designated smoking areas in accordance with state law on location restrictions and if proper receptacles for disposal of smoking implement, whether extinguished or not, are provided and used.	Not allowed.
•	Outdoor disposal of smoking implement or any portion thereof, whether or not extinguished, onto the ground.	Not allowed.	Not allowed.
•	Outdoor flicking of embers from a lit smoking implement onto the ground.	Not allowed.	Not allowed.

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(Ord. No. 15-2018, § 1(8.10.020), 9-13-2018; Ord. No. 1-2021, § 1(8.10.020), 1-28-2021; Ord. No. 10-2021, § 1(8.10.020), 10-14-2021)

8.28.030. Implementation of fire restrictions and notice.

- (a) Town stage 1 fire restrictions. ~~Whenever the town Fire Chief imposes and advertises shall at all times be under~~ town stage 1 fire regulations, depending on fuel and weather, on all public and private property and on town owned property to include the water system.

- (b) Town stage 2 fire restrictions. Whenever El Paso County, Colorado, imposes and advertises El Paso County stage 2 fire restrictions within the unincorporated areas of El Paso County in accordance with El Paso County Ordinance 15-001, as may be amended, such action shall also mean that town stage 2 fire restrictions shall be automatically imposed within the boundaries of the Town of Palmer Lake on all public and private property and on town property. The town shall post notice of such town stage 2 fire restrictions on the town web site, ~~at town hall, the electronic town sign, and~~ at the Palmer Lake Post Office, ~~and at the major trailheads to the water system~~ within one business day of the date on which the town stage 2 fire restrictions are automatically effective. Upon a cessation of El Paso County stage 2 fire restrictions within the unincorporated areas of El Paso County, such town stage 2 fire restrictions shall also automatically cease to be applicable within the town, without limiting the ability of the town to impose additional or different special town fire restrictions in accordance with subsection (c). Upon a cessation of El Paso County stage 2 fire restrictions, and resulting cessation of town stage 2 fire restrictions, the town shall alter or remove the provided notices, as relevant. The failure of the town to post or remove the notices as set forth in this subsection shall ~~not~~ be a defense to a charge of violating this chapter.
- (c) Special town fire restrictions. In addition to the stage 1 fire restrictions and stage 2 fire restrictions as identified in subsections (a) and (b) above, in the event that the ~~mayor along with consultation with the fire chief,~~ determines that an emergency exists and the fire danger in the town or on town property, to include the water system, is above normal, then ~~the mayor or~~ the fire chief may declare that a fire danger exists and impose appropriate special town fire restrictions by written declaration. Such special town fire restrictions may be in addition to or in lieu of and may or may not be the same as either the town stage 1 fire restrictions or town stage 2 fire restrictions. Upon issuance of such emergency declaration and imposition of special town fire restrictions, the town shall post notice of such town imposed fire restrictions on the town web site, ~~at town hall, the electronic town sign, and~~ at the Palmer Lake Post Office ~~and at the major trailheads to the water system~~. Special town fire restrictions imposed hereunder shall remain in effect for the entirety of the time that such restrictions are posted in accordance with this section. Upon a change in or the cessation of special town fire restrictions, the town shall alter or remove the provided notices, as relevant. The failure of the town to post or remove the notices as set forth in this subsection shall be an affirmative defense to a charge of violating this chapter involving a violation of special town fire restrictions.
- (d) Red flag warnings. Whenever a red flag warning is issued which includes the Town of Palmer Lake, such action shall also mean that town stage 2 fire restrictions shall be automatically imposed within the boundaries of the Town of Palmer Lake on all public and private property and on town property.

In addition to the legally required notice as set forth in subsections (b) and (c) of this section, the town may pursue, as a courtesy only, additional notice of the applicable fire restrictions to the public through a general press release to newspapers, radio and television channels operating or distributed within the town. In addition, the town may pursue, as a courtesy only, a posting of notice of town stage 1 fire regulations or any town stage 2 fire restrictions or special town fire restrictions at designated sites.

(Ord. No. 15-2018, § 1(8.10.030), 9-13-2018; Ord. No. 1-2021, § 1(8.10.030), 1-28-2021; Ord. No. 10-2021, § 1(8.10.030), 10-14-2021)

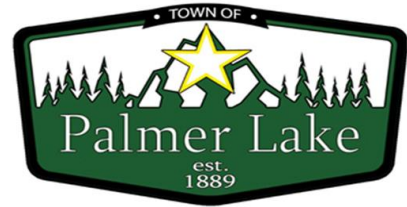
8.28.040. Penalty for violations.

Any person found guilty of violating any provision of this chapter, with each violation constituting a separate and distinct offense, shall be punished as ~~adopted by resolution in the town master fee schedule follows:~~

- ~~(1) For any violation involving fireworks, open burning or an open fire, to include without limitation prohibited or unlawful recreational fires, a minimum fine amount of \$1,000.00.~~
- ~~(2) For any violation involving prohibited smoking during town stage 2 fire restrictions, a minimum fine amount of \$500.00.~~

~~(3) — For any violation other than a violation set forth in subsection (a) or (b) above, a maximum fine of \$2,650.00.~~

(Ord. No. 15-2018, § 1(8.10.040), 9-13-2018; Ord. No. 1-2021, § 1(8.10.040), 1-28-2021; Ord. No. 10-2021, § 1(8.10.040), 10-14-2021)



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

DATE: October 10, 2024	ITEM NO.	SUBJECT: Consider Termination of MOU for Ballfield
Presented by: Town Administrator Collins		

Background

The Board previously approved an MOU with Little League for improvement and maintenance of the ballfield. After multiple requests, staff have not received an improvement plan. The Parks and Trails Commission have discussed the concern about lack of improvement and maintenance of the ballfield. It was discussed to establish rental fees for use; thereby, terminating the current MOU with Little League.

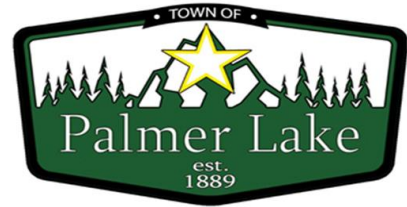
Per the MOU:

This agreement may be terminated at any time by either the Town Board of the Town of Palmer Lake and the Little League, of El Paso County, Colorado with a written notice of a minimum of thirty days.

Fees will be researched and suggested with the review and consideration of the master fee schedule, draft to distribute in December.

Recommended Action

Authorize staff to provide written notice of termination of the agreement to the Little League and proceed with establishing fees for use.



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

DATE: October 10, 2024	ITEM NO.	SUBJECT: Direction to Explore Single Hauler Collection (Trash Service)
Presented by: Town Administrator Collins		

Background

Per request of Mayor Pro Tem Stern and Mayor Havenar, note the following proposed for single hauler collection.

What has changed?

Wage and Cost inflation will lead to far higher prices and Open Market; subscription customers will be impacted the hardest in the months to come. Price increases are still in the early innings and will continue in an effort to catch up with rising costs. Expect to see consistent price increases over the next several quarters in open market that are not price protected by HOA, single hauler agreements. These increases are not temporary... more a reset on new normal.

Continued driver labor challenges and rapid cost inflation has led solid waste collection companies to shrink their residential operating footprint and prioritize HOA/Dense service areas higher than open market, less dense work. This will limit competitive service options in open market communities for the foreseeable future. Consistent service levels will continue to be a challenge until labor markets improves (duration unknown and may never swing back) .

Given today’s market uncertainty, a single hauler, long-term collection agreement will provide significant savings to your community and improve service levels by providing haulers dense, efficient routes.

Why act now? Benefits to Single Hauler HOA Collection

Single hauler will greatly reduce cost of collection, price protect, and improve service levels for the HOA. Collection day will be a top priority due to density and size of community. Individual subscription pricing can be increased at any time/for any reason and due to the recent labor challenges, many haulers are moving away from this type of hard to service, inefficient work (lack of density) or dramatically increasing the price on the back of the resident. Recommend notifying community now and offering a 3-month transition period for residents to convert from open market subscription to single hauler collection. Typically, subscription customers pay for an entire quarter. This will allow for smooth transition and no double payment of services during the transition period.

Haulers will prioritize HOA collection higher than individual subscription leading to fewer collection delays and it promotes investment in technology to improve customer experience and have a single point of contact when delays occur.



Fewer collection vehicles will reduce wear and tear on the roads and traffic in your community. More efficient and timely routing on a single day of collection. Individual subscription is unorganized, and collection may occur on any given day of the week by 5-7 different companies. Significant more traffic and increased risk with this type of collection. Uniformity at the curb on collection. Carts are to be provided by the hauler to keep the street clean, deter rodent issues, and free of litter/torn bags at the curb.

Safety – Less trucks in your community and one-day of collection per/week will keep our streets less congested and safer. Expand service levels for the residents within the HOA. Example: bulky item collection, spring clean-up, community events, HOA discount for Roll off.

Good for the environment: Single hauler will reduce vehicle miles traveled in HOA reducing greenhouse gas emissions and fuel consumption, while allowing HOA/hauler to communicate specific education campaigns to boost recycling efforts in the HOA.

Recommended Action

Staff supports this initiative to explore options for single hauler collection of trash in the town. It will entail collecting proposals from multiple sources, as interested. If the Board supports this, staff will proceed with soliciting proposals.