



BOARD OF TRUSTEES MEETING

Thursday, October 26, 2023

Executive Session at 5:00 PM / Regular Meeting at 6:00 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 & Roll Call

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) – potential sale of public property; and for the purpose of conference with Town Attorney(s) for the local body to receive legal advice on specific legal questions under C.R.S. 24-6-402(4)(b) - PD complaint.

Reconvene to Open Session by 5:45 PM to start regular meeting at 6 PM

Roll Call

Pledge of Allegiance (led by Sarah "Buddy" Caldwell)

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 October 12, 2023 Meeting
- [2.](#) Financials (September)

Staff/Department Reports

3. Attorney
4. Administrator/Clerk

Public Hearing

Chair will introduce the item and hear the applicant request. Chair will ask if any public member wishes to speak for or against the request. Public should address the Commission members directly while members listen. Applicant may provide closing remarks and members may ask questions of the applicant. Chair will close the hearing and members will discuss the item, move a recommendation, and/or continue the hearing to a particular date.

- [5.](#) Application for Conditional Use for Motorcycle Maintenance/Repair in CC Zone, 84 Hwy 105 (Yak's)
- [6.](#) Application for Replat of Interior Lot Line, 84 Hwy 105 (Wilson)
- [7.](#) Application for Replat of Glen Park Properties (Duran Walton Ventures)

Business Items

- [8.](#) Resolution 69-2023 to Approve Conditional Use for Motorcycle Maint/Repair in CC Zone, Hwy 105
- [9.](#) Resolution 70-2023 to Authorize Replat of Interior Lot Line, Hwy 105 (Wilson)
- [10.](#) Resolution 71-2023 to Authorize Revised Replat of Glen Park Parcels (Duran Walton Venture)
- [11.](#) Special Event Application - Funky Little Theater, Stinky Cheese Man (11/11)
- [12.](#) Resolution 72-2023 to Authorize MOU with Awake Palmer Lake for Pickleball Court Project
- [13.](#) Ordinance 22-2023 to Extend Moratorium for Sign Permits
- [14.](#) Consider Rate Study for Stormwater Enterprise, GMS Proposal
- [15.](#) Information Relating to Roadway Standards (Discussion of Undeveloped Town Right of Way)
- [16.](#) Petition for Annexation, United Congregational Church
- [17.](#) Request to Install EV Charger (CORE)

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 (joint workshop on 11/1 with Planning Commission; 11/9 regular meeting) and Future Items

Convene to Executive Session (unfinished discussion from above)

Reconvene to Open Session

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, October 12, 2023

Executive Session at 5 PM / Regular Meeting at 6 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 pm. Present: Mayor Glant Havenar; Trustees Shana Ball, Jessica Farr, Sam Padgett, and Kevin Dreher. Excused: Trustees Nick Ehrhardt, Dennis Stern.

Convene to Executive Session. MOTION (Padgett, Farr) to convene to executive session at 5:02 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) – potential sale of public property; and for the purpose of conference with Town Attorney(s) for the local body to receive legal advice on specific legal questions under C.R.S. 24-6-402(4)(b) - PD complaint; HR complaint. Roll call vote – aye 5; nay 0. Motion passed.

Reconvene to Open Session. MOTION (Ball, Farr) to reconvene to open session at 5:49 pm and open doors for the regular meeting. Roll call vote – aye 5; nay 0. Motion passed.

A short recess was taken.

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

Pledge of Allegiance

Consent Agenda. MOTION (Farr, Ball) to approve the consent agenda including 1) Minutes from September 28, 2023, Meeting; 2) Minutes from October 4, 2023, Special Meeting; 3) Checks over \$15,000 - Meyer & Sams (\$24,480.90); Trojan Technologies (\$29,816.19). Roll call vote – aye 5; nay 0. Motion passed.

Staff/Department Reports

4) Water; 5) Public Works including Roads & Park Maintenance; 6) Police; 7) Fire; 8) Administration; 9) Attorney

10. Administrator/Clerk – Collins reported on status of new hires – Equipment Operator, Firefighter, Accounting Clerk and the hold on other new hires. She provided an update on the finance activity and thanked staff and volunteer assistance. The CDOT work to replace the French drain on Hwy 105 was noted and that CDOT will return to complete a larger overlay. A sewer line repair will take place for about a month at the end of Vale to the creek. Collins inquired about the bridge design and construction expected by the Parks Commission and will request a recommendation from Parks.

Business Items

11. Special Event Application - 2nd Annual Town Christmas Tree Lighting (12/2). Mayor recused herself from the Board table to present the tree lighting event on December 2 including music, kids craft, ugly sweater contest inside town hall for the tree lighting at dusk. MOTION (Farr, Padgett) to approve the event and waive the special event fee. Roll call vote – aye 4; nay 0; abstain 1 (Havenar). Motion passed.

12. Special Event Application - Christmas Musical Review, Arts Council (12/15-16). Collins presented the musical review the weekend of December 15-16 in Town Hall by the Arts Council. MOTION (Padgett, Dreher) to approve the event and waive the event fee. Roll call vote – aye 5; nay 0. Motion passed.

Attorney Krob suggested taking item 14 prior to item 13.

14. Discussion/Direction on Ordinance Relating to Motor Vehicles on Undeveloped Right of Ways. Attorney Krob explained the legal concerns of liability relating to general use of an undeveloped right of way (ROW) being a different matter than an accepted developed roadway under different or old roadway standards. Discussion ensued about some ROW being in better condition than some older dedicated roadways. Attorney Krob explained the duty that each Trustee has for safety (noted in ordinance language). The minimum standards for undeveloped ROW were discussed specifically for residential access. Discussion took place about considering modification to lessen the standards. The Board directed staff to investigate the modification with Engineering (GMS). Mayor Havenar opened the floor for comment.

Mr. Dan Berkenkotter and Brenda Woodward approached the Board about driveway agreements which place the liability on the landowner. Attorney Krob explained the liability and that the town insurance legal counsel is not in favor of driveway agreements. Discussion took place about other mountain town roadway standards. Attorney Krob provided a few comments from other municipal codes. Chief Vincent addressed fire code requirements relative to the topic. It was agreed that upon additional information from GMS to bring the item back to the Board.

13. Discussion/Direction on Ordinance Relating to RV Storage and Use on Private Property. This item was not addressed and will follow item 14 when it returns to the Board.

15. Discussion/Direction Relating to Board Questions/Concerns of the Final Draft Sign Code. Attorney Krob reviewed various categories of signs – new sign regulations and exceptions, as well as confusion on what to do about old/current non-conforming signs, both legal and illegal. He reviewed options for amortization – accept and leave anything historic or upon the end of a useful life (up to 20 years), be compliant to sign code. Discussion took place about political sign regulations and temporary signs. The direction provided to staff was to pare down the code. The Board members expressed comments that they are generally good with the signs that exist in town. Discussion ensued about signs allowed in residential zoning and inquired about other neighboring municipalities. It was directed that signs in residential zones should be limited to quantity and size.

Ms Brenda Woodward inquired about getting a sign permit. Discussion took place and members directed staff to limit the exception procedure, so that there are few, and require a hardship. Discussion took place about possible wayfinding signs to assist businesses located off Hwy 105.

Mr. Creighton Smith inquired about getting his signs reviewed and approved prior to a planned opening in December.

16. Direction on Request to Waive Fees for Pickleball Court Meetings in Town Hall (APL). Board member consensus was to include the request in the draft Memo of Understanding (MOU) between the town and Awake Palmer Lake for the pickleball court project. Staff will incorporate town hall use.

Mayor Havenar announced that Dino will host a car show and barbeque at Dead Flowers on Sunday, 10/15 with proceeds donated to the Fire Department.

17. Distribute the Draft 2024 Budget, Review Schedule, & Set Hearing Date. Collins reviewed the proposed dates for budget meetings, hearings, and scheduled adoption. MOTION (Ball, Padgett) to set the budget hearing date for November 9, 2023.

Public Comment. Ms. Jina Brenneman asked the Board if all members received and reviewed the petition with 290 signatures submitted requesting that a legitimate master plan for the Elephant Rock property be completed. She inquired how the Board will proceed responding to the petition.

Board Reports. Trustee Shana Ball stated that she attended the 17th annual Town hall relating to disabilities in the State. Trustee Sam Padgett stated she will begin attending the CDAB in January. Mayor Havenar reported her attendance to PPACG in Park County.

Chief Vincent asked to address the Board about his department report. He explained the photo showing the amount of soot being washed off the firehouse walls. He also provided an extensive report of the Fire Department accomplishments since his hire as Fire Chief.

Next Meeting (10/26) and Future Items

Convene to Executive Session. MOTION (Farr, Padgett) to convene to executive session at 8:11 pm to complete the discussion 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) – potential sale of public property; and for the purpose of conference with Town Attorney(s) for the local body to receive legal advice on specific legal questions under C.R.S. 24-6-402(4)(b) - PD complaint; HR complaint. Roll call vote – aye 5; nay 0. Motion passed.

Reconvene to Open Session. MOTION (Padgett, Ball) to reconvene to open at 8:37 pm. Roll call vote – aye 5; nay 0. Motion passed.

Adjourn. MOTION (Ball, Padgett) to adjourn. Motion passed.

Mayor Glant Havenar

ATTEST: Dawn A. Collins, Town Clerk

TOWN OF PALMER LAKE
Financial Statements
September 2023
Unaudited



CASH POSITION
September 30, 2023



| TOWN OF PALMER LAKE | | | | | |
|---|------------------------|--------------------|-----------|---------|------------|
| Schedule of Cash Position | | | | | |
| September 30, 2023 | | | | | |
| FINANCIAL INSTITUTION | TYPE OF ACCOUNT | CHECKING / SAVINGS | BANK RATE | BALANCE | |
| OPERATING FUNDS: | | | | | |
| Community Banks of CO | General Fund Operating | Checking | n/a | \$ | 1,020,488 |
| * Restricted - Operating Reserve - 3 months (\$582,475) | | | | | |
| Community Banks of CO | Water Fund Operating | Checking | n/a | \$ | 1,489,516 |
| * Restricted - Operating Reserve - 3 months (\$224,600) | | | | | |
| Colorado Trust (ColoTrust) | General Fund | Savings | 5.51% | \$ | 1,479,292 |
| Subtotal - Operating Funds | | | | | |
| RESTRICTED FUNDS: | | | | | |
| Colorado Trust (ColoTrust) | Water Reserve 2010 | Savings | 5.51% | \$ | 188,432 |
| Colorado Trust (ColoTrust) | Water Loan Reserve | Savings | 5.51% | \$ | 208,754 |
| Colorado Trust (ColoTrust) | Water Savings | Savings | 5.51% | \$ | 209,403 |
| Colorado Trust (ColoTrust) | Police CIP Reserve | Savings | 5.51% | \$ | 7 |
| Colorado Trust (ColoTrust) | Fire CIP Reserve | Savings | 5.51% | \$ | 62,870 |
| Colorado Trust (ColoTrust) | CTF Reserve | Savings | 5.51% | \$ | 28,629 |
| Colorado Trust (ColoTrust) | Roads CIP Reserve | Savings | 5.51% | \$ | 10,470 |
| Subtotal - Restricted Funds | | | | | \$ 708,565 |
| TOTAL | | | | | \$ 708,565 |

GENERAL FUND

September 2023



TOWN OF PALMER LAKE

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

For the Nine Months Ended September 30, 2023
UNAUDITED

Item 2.

| | 2023 Amended Budget | Actual | Variance Favorable (Unfavorable) | Percent of Budget (YTD 75%) |
|--|---------------------------|----------------------------|--|-----------------------------------|
| REVENUE | | | | |
| Taxes | \$ 3,664,377 | \$ 2,015,684 | \$ (1,648,693) | 55% |
| Fees and Licenses | 261,435 | 203,160 | (58,275) | 78% |
| Intergovernmental | 6,000 | 6,929 | 929 | 115% |
| Fines | 90,000 | 55,880 | (34,120) | 62% |
| Interest income | 43,000 | 65,398 | 22,398 | 152% |
| Departmental | 49,500 | 49,643 | 143 | 100% |
| Grants and Donations | 395,182 | 279,453 | (115,729) | 71% |
| Miscellaneous income | 117,200 | 78,188 | (39,012) | 67% |
| Total Revenue | <u>\$ 4,626,694</u> | <u>\$ 2,754,335</u> | <u>\$ (1,872,359)</u> | <u>60%</u> |
| EXPENDITURES | | | | |
| General and Administrative | | | | |
| Salaries and Benefits | \$ 274,996 | \$ 151,659 | \$ 123,337 | 55% |
| Professional Services | 305,475 | 153,809 | 151,666 | 50% |
| General Administration | 585,317 | 251,795 | 333,522 | 43% |
| Total General and Administrative | <u>\$ 1,165,788</u> | <u>\$ 557,263</u> | <u>\$ 608,525</u> | <u>48%</u> |
| Police Department | | | | |
| Salaries and Benefits | \$ 781,175 | \$ 448,905 | \$ 332,270 | 57% |
| Professional Services | - | 5,093 | (5,093) | 0% |
| General Administration | 122,399 | 39,217 | 83,182 | 32% |
| Total Police Department | <u>\$ 903,574</u> | <u>\$ 493,215</u> | <u>\$ 410,359</u> | <u>55%</u> |
| Fire Department | | | | |
| Salaries and Benefits | \$ 867,644 | \$ 367,094 | \$ 500,550 | 42% |
| Professional Services | - | 3,378 | (3,378) | 0% |
| General Administration | 289,420 | 57,225 | 232,195 | 20% |
| Total Fire Department | <u>\$ 1,157,064</u> | <u>\$ 427,697</u> | <u>\$ 729,367</u> | <u>37%</u> |
| Public Works Department - Roads | | | | |
| Salaries and Benefits | \$ 315,186 | \$ 169,288 | \$ 145,898 | 54% |
| Professional Services | 30,000 | 7,172 | 22,828 | 24% |
| General Administration | 756,875 | 274,517 | 482,358 | 36% |
| Total Roads Department | <u>\$ 1,102,061</u> | <u>\$ 450,977</u> | <u>\$ 651,084</u> | <u>41%</u> |
| Public Works Department - Parks | | | | |
| General Administration | \$ 83,165 | \$ 50,391 | \$ 32,774 | 61% |
| Total Parks Department | <u>\$ 83,165</u> | <u>\$ 50,391</u> | <u>\$ 32,774</u> | <u>61%</u> |
| Grants & Donations | <u>\$ 395,182</u> | <u>\$ 314,014</u> | <u>\$ 81,168</u> | <u>79%</u> |
| Total Expenditures | <u>\$ 4,806,833</u> | <u>\$ 2,293,557</u> | <u>\$ 2,513,277</u> | <u>48%</u> |
| EXCESS OF REVENUE OVER (UNDER) | | | | |
| EXPENDITURES | <u>\$ (180,139)</u> | <u>\$ 460,778</u> | <u>\$ 640,918</u> | |
| FUND BALANCE - BEGINNING OF YEAR | | <u>\$ 2,880,403</u> | | |
| FUND BALANCE - END OF YEAR | | <u>\$ 3,341,181</u> | | |
| Less: | | | | |
| Restricted: | | | | |
| Operating Reserve - 3 months | | (582,475) | <i>Note 1</i> | |
| Fire and Roads - CIP Reserve | | (73,340) | | |
| FUND AVAILABLE - END OF YEAR - Unrestricted | | <u><u>\$ 2,685,366</u></u> | | |

Note 1: A 12 Month Operating Reserve would be Optimum

WATER ENTERPRISE FUND

September 2023



TOWN OF PALMER LAKE

SCHEDULE OF REVENUE, EXPENDITURES AND CHANGES IN FUNDS AVAILABLE - BUDGET AND ACTUAL WATER ENTERPRISE FUND

For the Nine Months Ended September 30, 2023
UNAUDITED

| | 2023 Amended Budget | Actual | Variance Favorable (Unfavorable) | Percent of Budget (YTD 75%) |
|---|---------------------------|--------------------------|--|-----------------------------------|
| REVENUE | | | | |
| Water Revenue | \$ 1,156,000 | \$ 884,013 | \$ (271,987) | 76% |
| Water Fees | 55,000 | 42,098 | (12,902) | 77% |
| Water Taps | 100,000 | 8,271 | (91,729) | 8% |
| Late Fees/Service Fees | 14,000 | 14,612 | 612 | 104% |
| Water Meters | 3,000 | 1,300 | (1,700) | 43% |
| ARP Funds | 259,238 | 91,113 | (168,125) | 35% |
| Interest | 14,000 | 22,658 | 8,658 | 162% |
| Miscellaneous | 10,200 | 730 | (9,470) | 7% |
| Total Revenue | <u>\$ 1,611,438</u> | <u>\$ 1,064,795</u> | <u>\$ (546,643)</u> | <u>66%</u> |
| EXPENDITURES | | | | |
| Salaries and Benefits | \$ 562,906 | \$ 278,934 | \$ 283,972 | 50% |
| Professional Services | 183,225 | 89,781 | 93,444 | 49% |
| Administrative | 200,570 | 113,628 | 86,942 | 57% |
| Operations | 222,270 | 178,863 | 43,407 | 80% |
| Capital | 388,525 | 135,936 | 252,589 | 35% |
| Debt Service | 183,229 | 91,570 | 91,659 | 50% |
| Total Expenditures | <u>\$ 1,740,725</u> | <u>\$ 888,712</u> | <u>\$ 852,013</u> | <u>51%</u> |
| EXCESS OF REVENUE OVER (UNDER) EXPENDITURES | <u>\$ (129,287)</u> | <u>\$ 176,083</u> | <u>\$ 305,370</u> | |
| FUND BALANCE - BEGINNING OF YEAR | | <u>\$ 958,494</u> | | |
| FUND BALANCE - END OF YEAR | | <u>\$ 1,134,577</u> | | |
| Less: | | | | |
| Restricted: | | | | |
| Operating Reserve - 3 months (CWR&PDA Loan Requirement) | | (224,600) | <i>Note 1</i> | |
| FUND BALANCE - END OF YEAR - Unrestricted | | <u><u>\$ 909,977</u></u> | | |

Note 1: A 12 Month Operating Reserve would be Optimum

CONSERVATION TRUST FUND

September 2023



TOWN OF PALMER LAKE

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

For the Nine Months Ended September 30, 2023

UNAUDITED

| | 2023 Adopted Budget | Actual | Variance Favorable (Unfavorable) | Percent of Budget (YTD 75%) |
|--|---------------------------|-------------------------|--|-----------------------------------|
| REVENUE | | | | |
| State Shared Revenue | \$ 36,140 | \$ 26,472 | \$ (9,668) | 73% |
| Interest/Miscellaneous income | 400 | 1,069 | 669 | 267% |
| Total Revenue | <u>\$ 36,540</u> | <u>\$ 27,541</u> | <u>\$ (8,999)</u> | <u>75%</u> |
| EXPENDITURES | | | | |
| Salaries and Benefits | \$ 20,866 | \$ - | \$ 20,866 | 0% |
| Administrative | 15,674 | 10,309 | 5,365 | 66% |
| Total Expenditures | <u>\$ 36,540</u> | <u>\$ 10,309</u> | <u>\$ 26,231</u> | <u>28%</u> |
| NET CHANGE IN FUND BALANCE | <u>\$ -</u> | <u>\$ 17,232</u> | <u>\$ 17,232</u> | |
| FUND BALANCE - BEGINNING OF YEAR | | <u>\$ 37,609</u> | | |
| FUND BALANCE - END OF YEAR - Restricted | | <u><u>\$ 54,841</u></u> | | |

GRANTS AND DONATIONS

September 2023



GRANTS & DONATIONS SCHEDULE*For Information Purposes Only*

Item 2.

| | 2023 Budget | 9.30.23 Actual |
|---|------------------------|---------------------------|
| REVENUE | | |
| Colo. State Historical Society ADA Door | \$ 42,000 | \$ - |
| Police Donations/ Grants | 5,000 | 12,331 |
| CDOT PL Elementary Road Improvement | 145,682 | 16,061 |
| Fire Mitigation Grant | - | 48,721 |
| CDOT Overlay Maint. | 200,000 | 200,000 |
| Parks Donations/ Grants | 2,500 | 2,340 |
| Total Revenue | <u>\$ 395,182</u> | <u>\$ 279,453</u> |
| EXPENDITURES | | |
| General Administrative | | |
| Colo. State Historical Society ADA Door | \$ 42,000 | \$ - |
| Total General Administrative Expenditures | <u>\$ 42,000</u> | <u>\$ -</u> |
| Police Department Expenditures | | |
| Grant Expense | \$ 5,000 | \$ 7,272 |
| Total Police Department Expenditures | <u>\$ 5,000</u> | <u>\$ 7,272</u> |
| Fire Department Expenditures | | |
| Grants Expense | \$ - | \$ - |
| Total Fire Department Expenditures | <u>\$ -</u> | <u>\$ -</u> |
| Roads Department Expenditures | | |
| CDOT Overlay Maint. | \$ 200,000 | \$ 244,842 |
| CDOT PL Elementary Road Improvements | 145,682 | 61,900 |
| Total Roads Department Expenditures | <u>\$ 345,682</u> | <u>\$ 306,742</u> |
| Parks Department Expenditures | | |
| Parks Committee (donations) | \$ 2,500 | \$ - |
| Total Parks Department Expenditures | <u>\$ 2,500</u> | <u>\$ -</u> |
| Total Expenditures | <u>\$ 395,182</u> | <u>\$ 314,014</u> |
| REVENUE OVER/(UNDER) EXPENDITURES | <u>\$ -</u> | <u>\$ (34,561)</u> |

Check Register

September 2023



Ranges: From: To: From: To:
Check Number First Last Check Date 9/1/2023 9/30/2023
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 |
|--------------|-----------------|--------------------------------|------------|-----------------|------------------|-------------|
| 49163 | AIRGAS | AIRGAS USA, LLC | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$116.48 |
| 49164 | AMCOBIIT | AMCOBI | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$3,872.50 |
| 49165 | AMYHUTSON | AMY HUTSON | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$355.00 |
| 49166 | BIGOTIRES | Big O Tires | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$1,339.47 |
| 49167 | BLUETREELLC | BLUE TREE, LLC | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$1,480.00 |
| 49168 | BRITTANYHELM | Brittany Helm | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$75.00 |
| 49169 | CENTURYLINK | CENTURYLINK | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$587.92 |
| 49170 | CHAVEZCONSULTIN | CHAVEZ CONSULTING INC., LLC | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$562.50 |
| 49171 | CHRISTINEBERGMA | Christine Bergman | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$75.00 |
| 49172 | CHRISTOPHERTICH | Christopher Tichenor | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$75.00 |
| 49173 | COREANDMAIN | CORE & MAIN LLP | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$2,745.96 |
| 49174 | DANAKEPNERCOMPA | DANA KEPNER COMPANY, LLC | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$1,052.89 |
| 49175 | DELANEYEVELO | Delaney Evelo | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$75.00 |
| 49176 | EMERGENCYNETWOR | EMERGENCY NETWORK SECURITY SYS | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$32.03 |
| 49177 | ECS | EMPLOYERS COUNCIL | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$86.25 |
| 49178 | ESO | ESO SOLUTIONS, INC. | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$208.53 |
| 49179 | EVOQUA | EVOQUA WATER TECHNOLOGIES LLC | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$1,463.00 |
| * 49180 | FOREMOST | Foremost Promotions | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$232.24 |
| 49181 | JENNIFERNAUMIEC | Jennifer Naumiec | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$575.00 |
| 49182 | CICCOLELLAJOH | JOHN CICCOLELLA | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$320.00 |
| 49183 | KELLYBOOKSLLC | KellyBooks LLC | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$6,787.50 |
| 49184 | TORWEIHE,LETICI | Leticia Torweihe | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$167.71 |
| 49185 | MUNICIPALTREATM | MUNICIPAL TREATMENT EQUIPMENT | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$29.16 |
| 49186 | OREILLY | O'REILLY | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$17.74 |
| 49187 | OASISLANDSCAPE | OASIS LANDSCAPE & IRRIGATION I | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$3,257.13 |
| 49188 | ORKIN | Orkin | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$236.00 |
| 49189 | PATRICIAMARTINE | Patricia Martinez | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$75.00 |
| 49190 | PIONEER | PIONEER | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$645.07 |
| 49191 | REPUBLICSERVICE | REPUBLIC SERVICES #653 | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$1,681.64 |
| 49192 | RHINEHARTOIL | RHINEHART OIL CO., LLC | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$3,832.15 |
| 49193 | SGS | SGS NORTH AMERICA, INC. | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$95.00 |
| 49194 | SPRINGSMOUNTAIN | Springs Mountain Water | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$21.18 |
| 49195 | T2SYSTEMS | T2 SYSTEMS CANADA INC. | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$70.00 |
| 49196 | GAZETTE | THE GAZETTE | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$790.06 |
| 49197 | UNCC | UTILITY NOTIFICATION CENTER OF | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$49.02 |
| 49198 | ALLWATERSUPPLY | ALL WATER SUPPLY LLC | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$3,170.56 |
| 49199 | AMCOBI | AmCobi | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$68.23 |
| 49200 | ANNEMARIEHASSTE | ANNE-MARIE HASSTEDT | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$75.00 |
| 49201 | BRADLEYEXCAVATI | BRADLEY EXCAVATING INC. | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$99,034.00 |
| 49202 | CITYOFCOLORADOS | CITY OF COLORADO SPRINGS | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$84.00 |
| 49203 | COMMUNITYMATTER | COMMUNITY MATTERS INSTITUTE | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$6,630.00 |
| 49204 | COREANDMAIN | CORE & MAIN LLP | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$1,792.56 |
| 49205 | EMBLEMAUTHORITY | EMBLEMS, INC. DBA THE EMBLEM A | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$225.00 |
| 49206 | ENVIROTECH | ENVIROTECH SERVICES, INC. | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$4,601.22 |
| 49207 | FULLSPEEDAUTOMO | FULLSPEED AUTOMOTIVE CORPORATE | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$77.11 |
| 49208 | HABITATMANAGEME | HABITAT MANAGEMENT | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$3,139.31 |
| 49209 | HOMEDEPOTCREDIT | HOME DEPOT CREDIT SERVICES | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$481.29 |
| 49210 | INTERSTATECHEMI | INTERSTATE CHEMICAL CO., INC | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$2,299.30 |
| 49211 | JANIESTEPHENS | JANIE STEPHENS | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$75.00 |
| 49212 | JEFFERYWHITCOMB | JEFFERY WHITCOMB | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$75.00 |
| 49213 | LYONGSADDIS | LYONS GADDIS | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$413.00 |
| 49214 | MEYER&SAMS,INC | MEYER & SAMS, INC. DBA GMS INC | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$26,236.40 |
| 49215 | OREILLY | O'REILLY | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$19.47 |
| 49216 | ORKIN | Orkin | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$574.90 |
| 49217 | PALMERLAKESANIT | PALMER LAKE SANITATION | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$1,595.00 |
| 49218 | PERLALOPEZ | PERLA LOPEZ | 12/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$75.00 |

* Voided Checks

| Check Number | Vendor ID | Vendor Check Name | Check Date | Checkbook ID | Audit Trail Code | Amount |
|--------------|-----------------|--------------------------------|------------|-----------------|------------------|-------------|
| 49219 | PIONEER | PIONEER | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$5,556.96 |
| 49220 | RODNEYTIMBY | RODNEY TIMBY | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$575.00 |
| 49221 | SGS | SGS NORTH AMERICA, INC. | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$646.82 |
| 49222 | SPRINGSMOUNTAIN | Springs Mountain Water | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$7.00 |
| 49223 | WATTSUPFITTINGI | WATTS UPFITTING INC. | 9/13/2023 | COBANK-CKG 9495 | PMCHK00000124 | \$200.00 |
| 49224 | BLUETREEELLC | BLUE TREE, LLC | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$3,000.00 |
| 49225 | BRADLEYEXCAVATI | BRADLEY EXCAVATING INC. | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$3,461.50 |
| 49226 | CENTURYLINK | CENTURYLINK | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$220.33 |
| 49227 | CIRSA | CIRSA | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$30,876.59 |
| 49228 | CITYOFCOLORADOS | CITY OF COLORADO SPRINGS | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$2,250.00 |
| 49229 | CKT | COMMON KNOWLEDGE TECHNOLOGY | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$1,505.00 |
| 49230 | COMMUNITYMATTER | COMMUNITY MATTERS INSTITUTE | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$11,615.00 |
| 49231 | COREANDMAIN | CORE & MAIN LLP | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$346.81 |
| 49232 | CRAIGSPOWEREQUI | CRAIG'S POWER EQUIPMENT LLC | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$73.51 |
| 49233 | CURTISCLAAR | CURTIS CLAAR | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$400.00 |
| 49234 | DPCINDUSTRIES | DPC INDUSTRIES, INC. | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$70.00 |
| 49235 | HICKSCONTRACTOR | HICKS CONTRACTOR SERVICES LLC | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$3,561.60 |
| 49236 | JAN-PROFRANCHIS | JAN-PRO FRANCHISE DEVELOPMENT | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$255.00 |
| 49237 | CICCOLELLAJOH | JOHN CICCOLELLA | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$320.00 |
| 49238 | PERRY,ROBERT | Robert Perry | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$179.48 |
| 49239 | SCHMIDTCONSTRUC | Schmidt Construction Company | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$481.76 |
| 49240 | SGS | SGS NORTH AMERICA, INC. | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$350.53 |
| 49241 | STERICYCLE | STERICYCLE, INC. | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$77.18 |
| 49242 | KNASTERTECHNOLO | THE KNASTER TECHNOLOGY GROUP | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$1,962.00 |
| 49243 | THESUPPLYCACHE | THE SUPPLY CACHE | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$172.44 |
| 49244 | TLECC | TIMBER LINE ELECTRIC & CONTROL | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$1,083.75 |
| 49245 | TYLERMICWILLIAM | TYLER MCWILLIAMS | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$75.00 |
| 49246 | VERITYSVILLAGE | VERITYS VILLAGE | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$75.00 |
| 49247 | WITMERPUBLIC | WITMER PUBLIC SAFETY GROUP INC | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$633.33 |
| 49248 | XEROX | XEROX BUSINESS SOLUTIONS SOUTH | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000125 | \$66.91 |
| 49249 | ABGROCKYMOUNTAI | ABGRM | 9/26/2023 | COBANK-CKG 9495 | PMCHK00000126 | \$597.38 |

Total Checks: 87

Total Amount of Checks: \$254,289.80

Voided Check Register

September 2023



System: 10/18/2023 9:29:09 AM
User Date: 10/18/2023

Town of Palmer Lake
VENDOR CHECK REGISTER REPORT
Payables Management

Page: 1
User ID: mkelly

Item 2.

| | | | | |
|--------------|-------|------|--------------|--------------------|
| Ranges: | From: | To: | From: | To: |
| Check Number | First | Last | Check Date | 9/1/2023 9/30/2023 |
| 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 |
|---------------|-----------|---------------------|------------|-------------------------|------------------|----------|
| * 49180 | FOREMOST | Foremost Promotions | 9/7/2023 | COBANK-CKG 9495 | PMCHK00000123 | \$232.24 |
| Total Checks: | 1 | | | Total Amount of Checks: | | \$0.00 |

ACH Register

September 2023



Town of Palmer Lake
ACH REGISTER REPORT
Payables Management

| | | |
|--------------|-----------------|-----------------|
| ACH Date | From: | To: |
| Checkbook ID | 9/1/2023 | 9/30/2023 |
| | COBANK-CKG 9495 | COBANK-CKG 9495 |

Sorted By: Date

| Trx Date | Orig. Audit Trail | Distribution Reference | Orig. Master Number | Orig. Master Name | Amount |
|-----------|-------------------|------------------------|---------------------|--------------------------|-----------|
| 9/6/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000826 | CORE Electric | 6,493.40 |
| 9/6/2023 | CMTRX00000088 | Bank Transaction Entry | WDL000000848 | WEX Fuel | 4,192.23 |
| 9/7/2023 | CMTRX00000087 | Bank Transaction Entry | WDL000000844 | Paycom | 56,344.45 |
| 9/7/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000825 | Humana | 1,024.50 |
| 9/11/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000823 | Health Equity | 5.00 |
| 9/11/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000828 | Black Hills Energy | 79.51 |
| 9/12/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000843 | Pinnacle Assurance | 8,272.00 |
| 9/13/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000829 | Black Hills Energy | 19.89 |
| 9/13/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000830 | Black Hills Energy | 33.07 |
| 9/13/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000831 | Black Hills Energy | 26.87 |
| 9/13/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000832 | Black Hills Energy | 19.89 |
| 9/13/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000833 | Black Hills Energy | 20.67 |
| 9/13/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000834 | Black Hills Energy | 19.89 |
| 9/13/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000835 | Black Hills Energy | 23.76 |
| 9/13/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000836 | Black Hills Energy | 19.89 |
| 9/14/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000839 | ABG | 2,223.98 |
| 9/15/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000841 | FPPA | 6,138.77 |
| 9/21/2023 | CMTRX00000087 | Bank Transaction Entry | WDL000000845 | Paycom | 60,303.49 |
| 9/21/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000812 | AMCOBI | 112.46 |
| 9/21/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000813 | AMCOBI | 797.09 |
| 9/21/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000814 | AMCOBI | 68.23 |
| 9/21/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000815 | AMCOBI | 379.64 |
| 9/21/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000816 | AMCOBI | 72.43 |
| 9/21/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000817 | AMCOBI | 73.27 |
| 9/21/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000818 | AMCOBI | 109.94 |
| 9/21/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000819 | AMCOBI | 72.43 |
| 9/21/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000820 | AMCOBI | 72.43 |
| 9/21/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000821 | AMCOBI | 92.30 |
| 9/21/2023 | CMTRX00000088 | Bank Transaction Entry | WDL000000847 | Visa Cardmember Services | 5,655.02 |
| 9/26/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000822 | Anthem | 6,407.71 |
| 9/29/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000840 | ABG | 2,582.30 |
| 9/29/2023 | CMTRX00000086 | Bank Transaction Entry | WDL000000842 | FPPA | 6,396.62 |

Total ACHs: 32

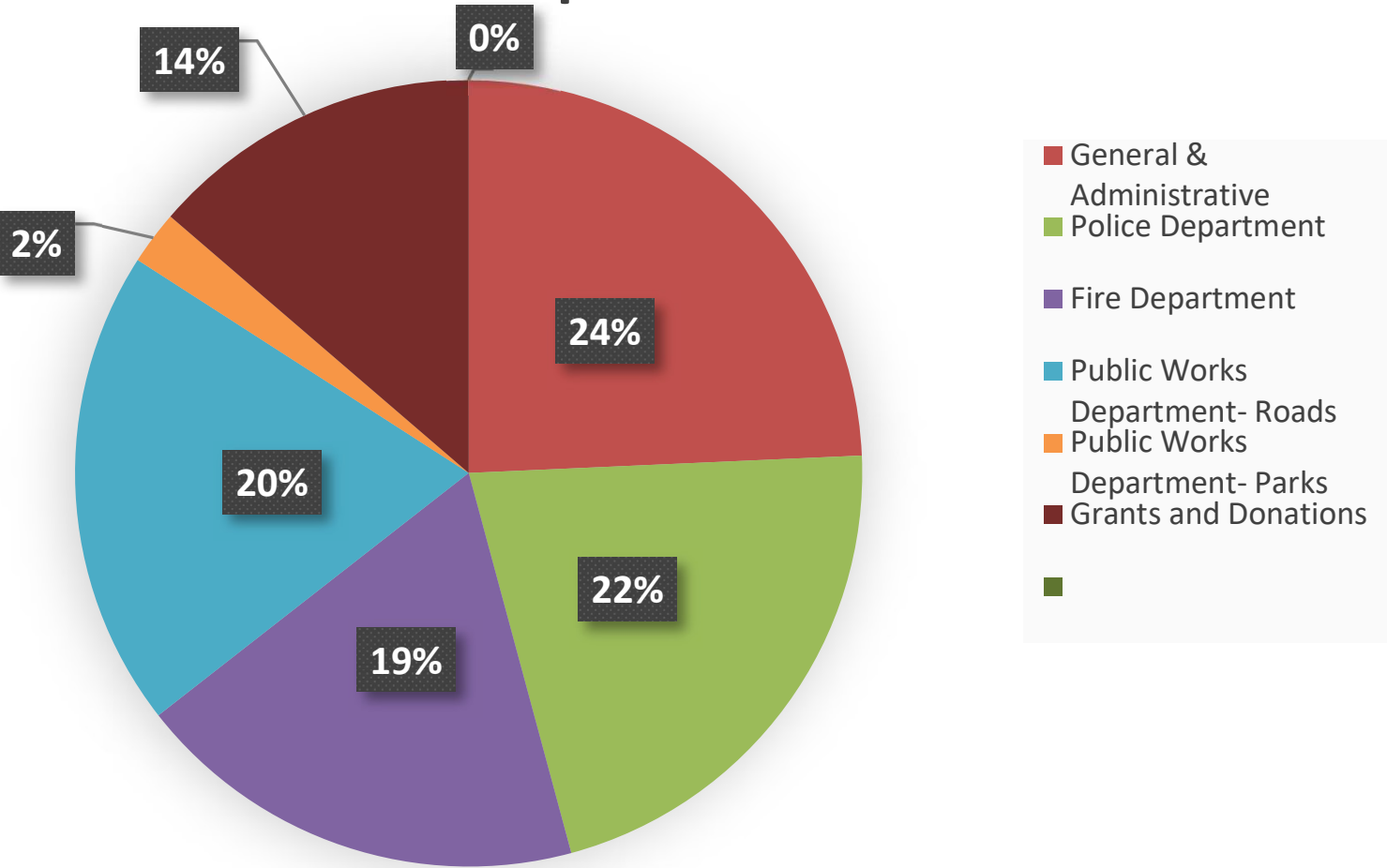
Total Amount of ACHs: \$ 168,153.13

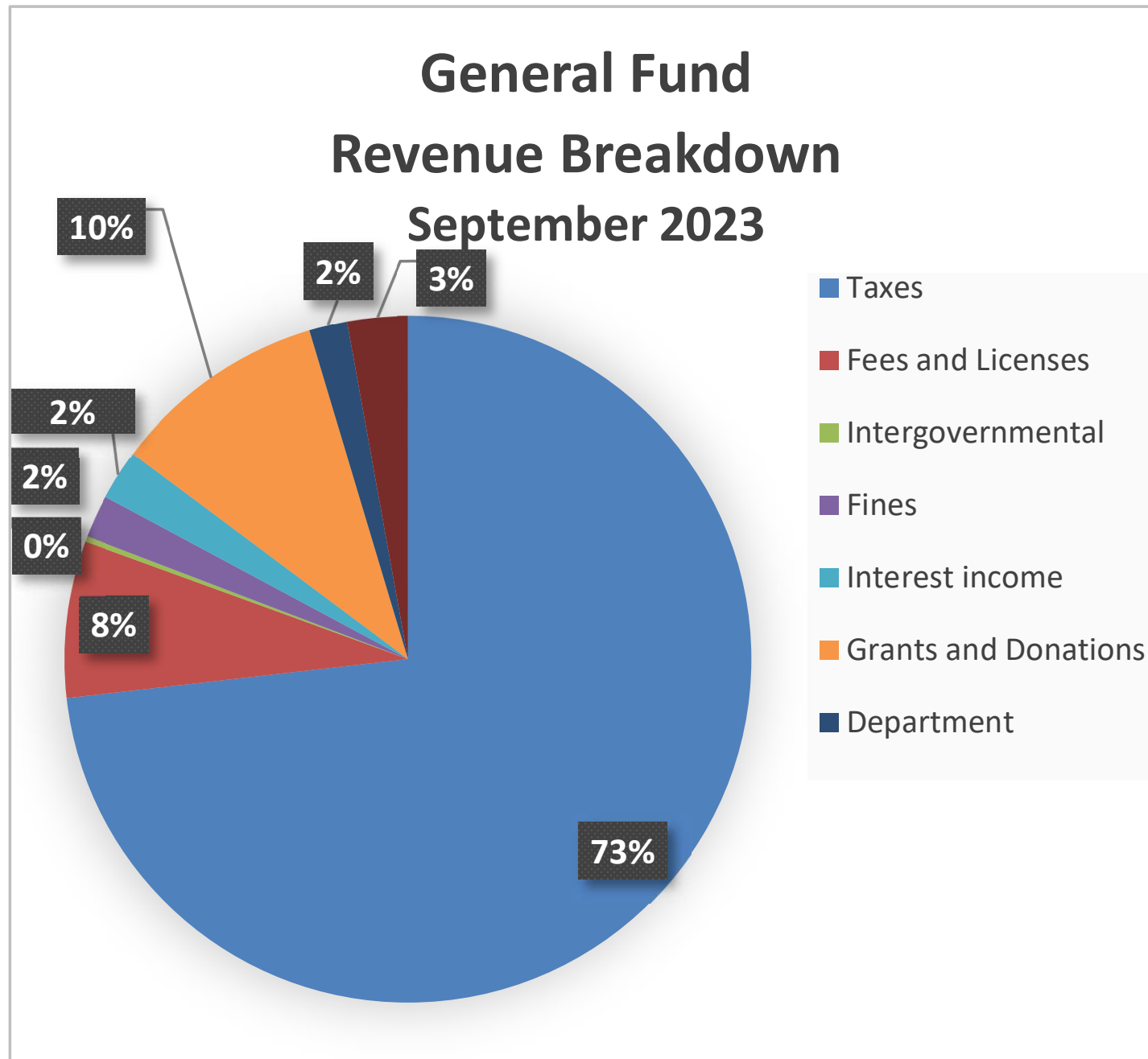
CHARTS

September 2023

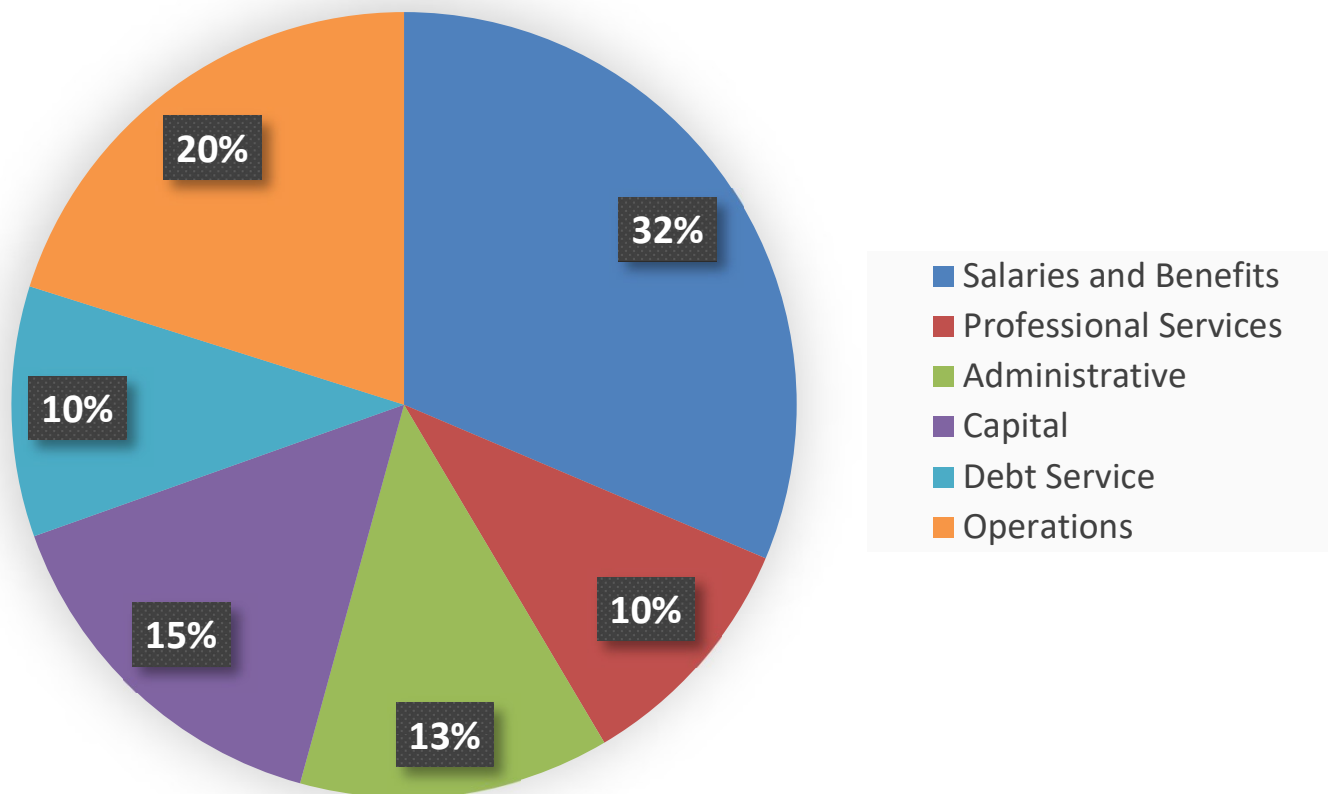


General Fund Expenditure Breakdown September 2023





Water Enterprise Fund Expenditure Breakdown September 2023





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

received
8/28/23

PAID
CK# 1329

Office Use Only

Item 5.

Case Number: _____

Date: 8/28/23

Fees: \$250.00

Check #: 1329

Rec'd By: [Signature]

Application Complete: W/ pc-101?

Conditional Use Application Form

Name of Applicant/Property Owner: Wilson's Corner

Address: 84 Hwy 105 unit 5 Phone#: 719 357-8867

Email: creighton@yaksmmx.com Greg@yaksmmx.com

Name of Proposal: Yak's Maintenance and Retail Shop

Legal Description or Address: 71053-08-001 Lots 40-50 Block 33 Plat of PL

Note: 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 Conditional Use – A request for a use not permitted under certain zoning categories subject to review by the Planning Commission and consideration by the Board of Trustees.

Criteria for approval of a conditional use – Include a “site plan” or building design where a structure is involved to address the following criteria in which the Planning Commission and the Board of Trustees must find evidence, both factual and supportive, provided by the applicant.

- The site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this ordinance.
- The site for the proposed use relates to streets and highways adequate in width and degree of improvement to handle the quantity and kind of vehicular traffic that would be generated by the proposed use.
- Any negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other ordinance standards or other reasonable conditions of approval.
- If of benefit to the community, any proposed structures will be of a design complimentary to the surrounding area.



By signing this application, parties agree 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 non-refundable fees and costs associated with the Town's review of this application. Fees may include, but are not limited, to engineering and consultant fees, public notice costs, publication/recording fees, and any other fees paid by the Town in connection with, or related to, review of this application.
- Payment of fees as described is due within 10 days of the date of filing and, if not received within 30 days will be considered past due. Payment of the above fees shall not relieve the payment of any other fees imposed by the Town.

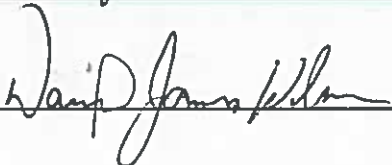
As owner/applicant, I affirm the information contained in this application is accurate, and I agree to the above conditions.

Applicant Signature:  Date: 28 August 2023

If the applicant is not the owner.

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

Owner – Print: DAVID JAMES KILB

Owner – Signature:  Date: 8/28/23

LETTER OF INTENT FOR PURPOSES OF CONDITIONAL USE FOR CONSIDERATION BY THE TOWN OF
PALMER LAKE PLANNING COMMISSION

5 September 2023

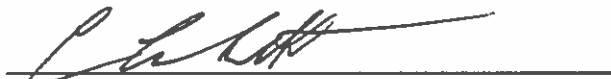
To: Town of Palmer Lake,

From: Creighton Smith and Greg Nardone

Concerning: Yak's Motorcycle Maintenance and Detail Shop

It is our intent to lease the 2500 sq. ft. property with garage door at 84 Hwy 105 Unit 5. This is Wilson's Corner which is owned and operated by Dave Wilson and he has agreed to lease it to us. This will be a light maintenance shop and retail outlet. Our retail section will include but not be limited to Yak's branded merchandise and motorcycle riding gear, apparel, parts and various sundries and consumables. The retail section of this operation will be the primary profit and tax revenue generating resource as driven by the maintenance shops clientele. We feel that this location within the town of Palmer Lake in proximity to scenic Highway 105 and O'Mally's Pub and Grill will greatly supplement our already existing client base in the Tri-Lakes area.

Thank you for your consideration in this endeavor and we look forward to presenting our case to the Planning Commission. If you have any questions or concerns, feel free to contact us and we will be happy to discuss it. Our shop phone number is 719-357-8867. Thanks again and we look forward to meeting you.



Creighton Smith
GM Yak's MMX, LLC.
(Cell) 719-600-8632

 5 Sept. 2023

Greg Nardone,
Owner/Principal Yak's MMX, LLC.
(Cell) 501-773-0979

LETTER OF INTENT TO LEASE FOR PURPOSES OF CONDITIONAL USE PERMISSION BY THE TOWN OF
PALMER LAKE PLANNING COMMISSION

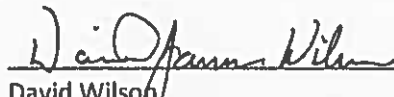
5 September 2023

To: Town of Palmer Lake,

From: David Wilson

Concerning: Yak's Motorcycle Maintenance and Detail Shop

It is my intent to lease the 2500 sq. ft. property with garage door at 84 Hwy 105 Unit 5. This is Wilson's Corner which is owned and operated by me, David Wilson. I have met all parties and feel this business would be a good addition to my building and to the Town of Palmer Lake.

A handwritten signature in dark ink, appearing to read "David Wilson", is written over a horizontal line.

David Wilson
Owner/Principal Tri-Lakes Building
(Cell) 719-650-0599



Imagery ©2023 Maxar Technologies, Map data ©2023 Google 50 ft

17.52.010. - Permitted uses.

Permitted uses in the CC zone are as follows:

- (1) Restaurants.
- (2) Service establishments, such as barbershops and beauty shops, watch and jewelry repair, pharmacies, pick-up stations for laundry or dry cleaning.
- (3) Commercial (business) offices, including realty, insurance and travel agencies.
- (4) Retail stores, including only the following: drug, clothing, boutiques, sporting goods, books, small grocery, antiques, gift, crafts, small office supply, bakery, print shops, furniture and florist.
- (5) Art, photographic, health, dance and music studios.
- (6) Day care centers.
- (7) Nursing homes, housing ten or fewer full-time residents.
- (8) Bed and breakfast establishments, having ten or fewer rooms.
- (9) Private or government owned community buildings such as libraries, parks, museums, art galleries and post offices.
- (10) Medical and dental clinics/offices.
- (11) Funeral homes and mortuaries.

(Code 1973, § 17.38.010; Ord. No. 3-1995, § 2, 1995; Ord. No. 7-1999, § 1, 1999; Ord. No. 18-2000, § 18, 2000)

17.52.020. - Conditional uses.

Conditional uses in the CC zone are as follows:

- (1) Educational institutions.
- (2) Religious institutions.
- (3) Licensed liquor and beer outlets.
- (4) Hotel/motel.
- (5) Light equipment sales and repair shops.
- (6) Public and semi-public uses.
- (7) Cabinetry, wood crafting shop.
- (8) Nonprofit organizations.
- (9) Video rental stores.

- (10) Nursing homes, housing 11 or more full-time residents.
- (11) Mixed-residential dwelling and commercial use occurring in the same building.
- (12) Single-family and multifamily uses (R10,000, R3 and R4 subject to all requirements of those particular zones).
- (13) Other such uses as listed and permitted which are not more detrimental, as determined by the planning commission and board of trustees.

(Code 1973, § 17.38.020; Ord. No. 18-2000, § 19, 2000)

17.52.030. - Lot sizes and dimensions.

(a) The sizes and dimensions of a lot in a CC zone shall be as follows:

- (1) Minimum lot size: 6,600 square feet.
- (2) Minimum lot width: 35 feet street frontage.

(b) No side yard setback shall be required provided the building's side wall is constructed of at least four-hour fire resistance material. If building material has less than four-hour fire resistance, a minimum side yard of five feet shall be required. See section 17.44.030.

(Code 1973, § 17.38.030; Ord. No. 3-1995, § 4, 1995)

17.52.040. - Structure height and area.

The structure height and area requirements in a CC zone are as follows:

- (1) Maximum building height: not to exceed 30 feet.
- (2) Maximum area covered by structure: not to exceed 75 percent of lot.

(Code 1973, § 17.38.040; Ord. No. 3-1995, § 5, 1995)

17.52.050. - Required off-street parking and loading.

For required off-street parking and loading, see chapter 17.84.

(Code 1973, § 17.38.050; Ord. No. 3-1995, § 6, 1995)

17.52.060. - Signs.

Signs in the CC zone are permitted provided they comply with chapter 17.76.

(Code 1973, § 17.38.060; Ord. No. 3-1995, § 7, 1995; Ord. No. 18-2000, § 20, 2000)

17.52.070. - Sewerage.

Septic tanks may be permitted if all of the following conditions are met:

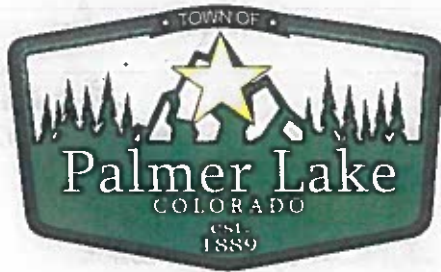
- (1) Inability to tap existing sewer lines.
- (2) Ability to meet current county sewage disposal regulations.
- (3) Compliance with the provisions of chapter 16.48.

(Code 1973, § 17.38.070; Ord. No. 3-1995, § 8, 1995; Ord. No. 18-2000, § 21, 2000)

17.52.080. - Outdoor storage and buffering.

All outdoor storage must be screened from view by landscaping or fences. Landscaping and/or buffering must also be provided between commercial and residential areas.

(Code 1973, § 17.38.080; Ord. No. 3-1995, § 9, 1995)



TOWN OFFICE USE ONLY

Date Received: 9/12/23By: W.A.Amount: \$ 500-Pmt Type: CHK.☐ Approved ☐ Denied

Date: _____

Expires: _____

By: _____

VACATION & REPLAT APPLICATION

Name of Applicant/Property Owner: Wilson's Corner David James Wilson
LINDA L. WilsonName of Proposal: Replat Interior Lot Line To conform with current Building Codes.Address: 84 Highway 105 City: Palmer Lake State: Colo Zip: 80133Email: TRILAKESBUILDING@gmail.com Tax Schedule #: 71053-08-001

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: 84 Highway 105 Palmer Lake, Co 80133Nearest Street Intersection: Clenway Street Existing Subdivision: DALMEN LAKE
AMAZON FILMCurrent Zoning and Uses of Surrounding Property: N: CC RESTURANTE: CC RESTURANTS: CC RESTURANTW: CC RESIDENTIALSignature of Owner: David James Wilson Date: 9/11/23Applicants Name: Wilson's Corner David James and Linda L. WilsonAddress/Location: 84 Hwy 105 Palmer Lake, Co 80133

9/14/23

Item 6.

PROCEDURAL CHECKLIST FOR Vacation & Replat

Planning Commission meetings are held the 3rd Wednesday of each month
Board of Trustees meetings are held the 2nd & 4th Thursday of each month

Please allow up to 10 business days for review and a minimum of 15 days for required publication.

All submittals need to be in compliance with the corresponding Palmer Lake Municipal Code. Coordination is required with Roads and Water Department.

United Notification Call Center (UNCC) be Contacted Prior to Submittal - 811 - I

Requirements of a Vacation/Replat:

Publication Procedures:

- | | |
|---|---|
| <p><input type="checkbox"/> Name of the proposed Plan ✓</p> <p><input type="checkbox"/> A specific legal description ✓</p> <p><input type="checkbox"/> Name and address of owner or agent and of person preparing the plan</p> <p>X <input type="checkbox"/> Date of preparation, scale, and Northpoint</p> <p>X <input type="checkbox"/> A vicinity location map</p> <p>? NA <input type="checkbox"/> Topography with a contour interval of no more than 20 feet from the appropriate USGS quadrangle</p> <p>PLSD <input type="checkbox"/> Proposed sewage treatment systems</p> <p>PLW <input type="checkbox"/> Proposed water supply system with adequate evidence that sufficient water exists to supply the proposed development.</p> <p>N/A <input type="checkbox"/> Proposed drainage compliance (pre & post development)</p> <p><input type="checkbox"/> Summary statement of the characteristics of the proposed area</p> <p>N/A <input checked="" type="checkbox"/> Any potential hazards (radiation, flood, other environmental issues.)</p> | <p>X <input type="checkbox"/> Site Plans (3 full size, 1 electronic) — 500 To</p> <p><input checked="" type="checkbox"/> Letter of Intent</p> <p><input type="checkbox"/> Complete application form and plans to the Town Clerk</p> <p>✓ <input type="checkbox"/> Pay an application fee (\$250 fee + \$10 per acre) to the Town Clerk</p> <p><input type="checkbox"/> — Posting/publication of Public Hearing 15 days before the Planning Commission</p> <p><input type="checkbox"/> — Posting/publication of Public Hearing 15 days before the Board of Trustees</p> <p><input type="checkbox"/> — Public notice for each set of hearings (newspaper and signage)</p> |
|---|---|

B-325401458

**WILSON'S CORNER
P. O. BOX 532
PALMER LAKE, CO 80133**

To Whom this may Concern,
RE: Existing Building located at 84 Highway 105, Palmer Lake CO

This letter is for a replat of one existing interior lot line. The property is located at 84 Highway 105, Palmer Lake, CO 80133. We are requesting this replat of Lot 42 to bring the existing building, built in 1922, that encroaches on Lot 42, into compliance with the current zoning regulations. The current regulations state that the building will be a minimum of 5 feet from existing Lot lines in a CC zone. Moving the existing East Lot line of Lot 42, 5 feet to the West, will bring the existing building, into compliance with the current Regional Building Code and the Palmer Lake Zoning Code per the Commercial Convenience Regulations.

Thank you for your consideration,



David James Wilson and Linda L. Wilson

9/11/23

Item 6.

WILSON'S CORNER
P. O. BOX 532
PALMER LAKE, CO 80133

PROCEDURAL CHECKLIST

UNSC NOTICE ATTACHED

REFLAT OF LOT 42 EAST LOT LINE

LOTS 40-50 BLOCK 33
PALMER LAKE AMENDED FILING
EL PASO COUNTY COLORADO

PREPARED 9/11/23 SCALE (SEE SURVEY)

MAP. SEE SURVEY

TOPO MAP N/A

P.L.S.D. SEWER PROVIDER N/A

TOWN OF PALMER LAKE WATER DEPT. N/A

PROPOSED DRAINAGE N/A

SUMMARY STATEMENT

COMMERCIAL BUILDING ON HIGH 105
FLAT LOT-
BUILT IN 1922
CENTER OF PALMER LAKE
WELL MAINTAINED

PART OF SECTION 5, T. 11 S
COUNTY OF EL PASO, STA

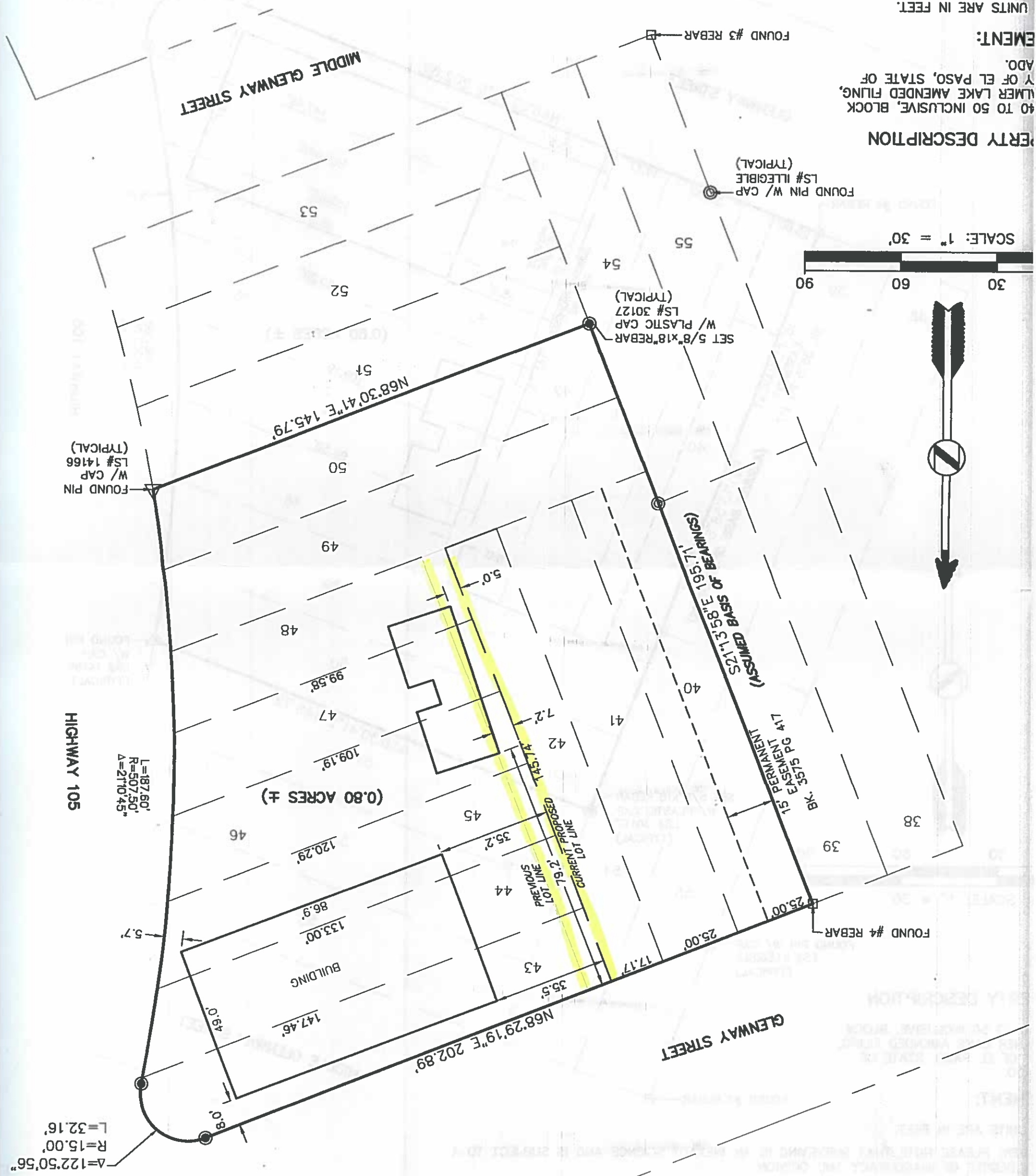
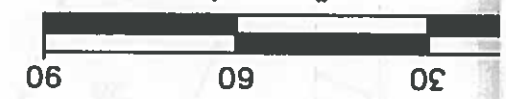
UNITS ARE IN FEET.
 REMER: PLEASE NOTE THAT SURVEYING IS AN INEXACT SCIENCE AND IS SUBJECT TO A
 CERTAIN DEGREE OF INACCURACY AND OPINION.
 S OF BEARINGS:
 BEARING THE WEST LINE OF LOT'S 40, 49 & 50 TO HAVE AN ASSUMED BEARING OF
 S8°E AND MONUMENTED AS SHOWN HEREON.
 E: According to Colorado law you must commence any legal action based upon any
 defect in this survey within three years after you first discover such defect. In no event
 will any action based upon any defect in this survey be commenced more than ten years
 after the date of the certification shown hereon."

S OF BEARINGS:

PROPERTY DESCRIPTION

PROPERTY DESCRIPTION

SCALE: 1" = 30'



COUNTY OF EL PASO, STA



| TOWN OFFICE USE ONLY | |
|---|------------------------|
| Date Received: <u>9/29</u> | By: <u>[Signature]</u> |
| Amount: \$ _____ | Pmt Type: _____ |
| <input type="checkbox"/> Approved <input type="checkbox"/> Denied | Date: _____ |
| Expires: _____ | By: _____ |

VACATION & REPLAT APPLICATION

Name of Applicant/Property Owner: Maria L Duran for Duran Walton Ventures LLC

Name of Proposal: Replat Glen Park Properties

Address: PO Box 1005 City: Palmer Lake State: CO Zip: 80133

Email: msgs4maria@live.com or drewwalton@reagan.com Tax Schedule #: 71082-03-001, 71082-03-002, 71082-016-001, 71082-06-002

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: Lot 8-11 Blk 26; Lots 1-4 & Lots 14-20 Blk 31 Glen Park Palmer Lake

Nearest Street Intersection: Buena Vista & Rosita Existing Subdivision: Glen Park

Current Zoning and Uses of Surrounding Property: N: All the area is zoned Residential

E: _____

S: _____

W: _____

Signature of Owner: [Signature] Date: 09/22/23

Applicants Name: Maria L. Duran for Owner Duran Walton Ventures LLC & manager Drew J. Walton

Address/Location: PO Box 1005 Palmer Lake, CO 80133

BEIT KNOW BY THESE PRESENTS:

That Duran Walton Ventures LLC. being the owner of the following described Tract of land:

Lots 8 through 11, Block 26 and Lots 1 through 4 and 14 through 20, Block 31, Glen Park filed for record on June 30, 1886 in Book A at Page 83 as described in the Land Survey Plat file for record September 29, 2022 under Reception No. 222900292 in the Office of the Clerk and Recorder, County of El Paso, State of Colorado.

Together with portions of the Vacated Right-of-Ways of a portion of El Moro Street and Bijou Street adjacent to Block 26 and Block 31 vacated by Palmer Lake Ordinance No. _____ at Reception No. _____ in the Office of Clerk and Recorder, County of El Paso, State of Colorado.

Parcel 1: Lots 8 through 11, Block 26 contain a calculated area of 10,247 Sq. Ft. (0.2352 acres) more or less.

Parcel 2: Lots 1 through 4 and Lots 19 and 20, Block 31 contain a calculated area of 14,763 Sq. Ft. (0.3389 acres) more or less.

Parcel 3: Lots 14 through 18, Block 31 contain a calculated area of 12,585 Sq. Ft. (0.2889 acres) more or less.

Bijou Street: contains a calculated area of 7,347 Sq. Ft. (0.1687 acres) more or less.

El Moro Street: contains a calculated area of 3,310 Sq. Ft. (0.0760 acres) more or less.

Containing a total calculated area of 48,252 Sq. Ft. (1.1077 acres) more or less.

DEDICATION:

The above party in interest have caused said tract to be replatted into lots as shown hereon. This plat is drawn to a fixed scale as indicated hereon and accurately sets forth the boundaries and dimensions of said lots. The land as herein platted shall be know as "DURAN WALTON REPLAT OF A PORTION OF BLOCK 26 AND 31, GLEN PARK" in the Town of Palmer Lake, County of El Paso, State o Colorado.

IN WITNESS WHEREOF:

The aforementioned Duran Walton Ventures LLC. have executed this instrument this ____ day of _____ 2023.

Drew J. Walton as Manager of Duran Walton Ventures LLC.
(Owner of Parcels 1, 2 and 3)

NOTARIAL:

STATE OF COLORADO } SS
COUNTY OF EL PASO }

The above and aforementioned instrument was acknowledged before me this ____ day of _____, 2023.

By: Drew J. Walton as Manager of Duran Walton Ventures LLC.

Witness my hand and seal:

My Commission expires _____ Notary Public _____

GENERAL NOTES:

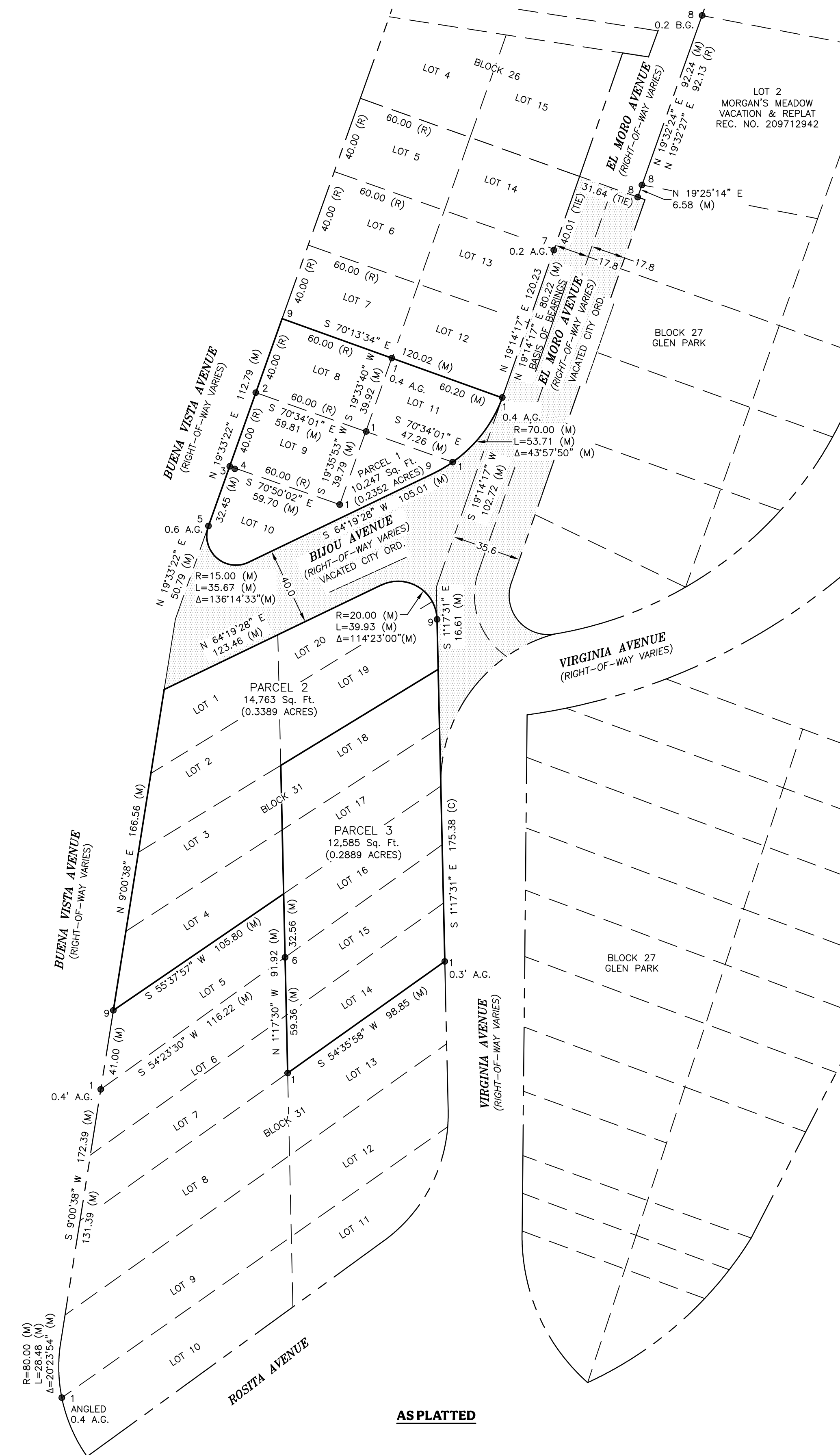
- - Recovered monument, see notes.
 - - Set no. 5 Rebar and pink plastic cap marked "PLS 38556".
 - (R) - Record bearing & distance
 - (M) - Measured bearing & distance
 - (C) - Calculated bearing & distance
 - A.G. - Above Grade
 - B.G. - Below Grade
- 1) 3/4" Iron Pipe
 - 2) No. 5 Rebar
 - 3) No. 4 Rebar w/ yellow cap, LS 272270
 - 4) 1/4" Steel Rod (not accepted)
 - 5) No. 4 Rebar
 - 6) 1/2" Iron Pipe
 - 7) No. 5 Rebar w/ red cap, RLS 10108
 - 8) No. 4 Rebar w/ yellow cap, LS 37651
 - 9) No. 5 rebar w/ pink cap, PLS 38556
- The basis of bearings is the westerly lines of Lots 12 and 13, Block 26, monumented as shown and assumed to bear North 19 degrees 14 minutes 17 seconds East.
- This survey does not constitute a title search by Gould Land Surveying, LLC to determine ownership or easements of record. For all information regarding easements, rights of way and title of record, Gould Land Surveying, LLC relied upon a Commitment for Title Insurance prepared by Stewart Title Guaranty Company, Commitment No. 1733209 with an effective date of June 26, 2022 at 8:00 A.M.
- The purpose of this survey is to vacated those portions of Bijou Avenue and El Moro Avenue as shown hereon and replat those vacated portions of Bijou Avenue, El Moro Avenue and Lots 8 through 11, Block 26 and Lots 1 through 4 and Lots 14 through 20, Block 31 into 4 lots. The field work was completed on July 14, 2022.
- The subdivision plat of record does not contain any angles, bearings or distances and the lots in this part of the block are not evenly spaced. After reviewing the original plat document on file at the Clerk and Recorders office and not finding any additional information not shown on the microfilm copy, it was determined to rely on evidence found in the field, including monuments, occupation, graded roads, and geographic features. All bearings and distances shown are the result field measurements.
- Unless noted otherwise, all monuments were found or set flush with ground and accepted as representing the boundary corner.
- The lineal units used in this survey are U.S. Survey Feet. A U.S. Survey Foot is defined exactly as 1200/3937 meters.
- Easements and other public documents shown or noted on this survey were examined as to location and purpose and were not examined as to restrictions, exclusions, conditions, obligations, terms, or as to the right to grant the same.
- Notice: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action be commenced more than ten years from the date of the certification shown hereon.
- Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory commits a class 2 misdemeanor pursuant to the Colorado Revised Statute 18-4-508.

SURVEYOR'S CERTIFICATION:

I, Kenneth Gould Jr., a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this Plat of DURAN WALTON REPLAT OF A PORTION OF BLOCKS 26 AND 31, GLEN PARK truly and correctly represents the results of a survey made on date of survey, by me or under my direct supervision, and that all monuments exist as shown hereon; and that said plat has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments and subdivision of land and have been met to the best of my professional knowledge, information and belief. This statement is neither a guaranty or warranty, either expressed or implied.

I attest the above on this 5th day of July, 2023.

Kenneth Gould Jr.
State of Colorado Professional Land Surveyor No. 38556
For and on behalf of Gould Land Surveying, LLC.



PLANNING COMMISSION APPROVAL:

This plat was approved by the Palmer Lake Planning Commission on this ____ day of _____, 2023.

Chair, Planning Commission

BOARD OF TOWN TRUSTEES APPROVAL:

This plat was approved by the Board of Town Trustees of Palmer Lake, Colorado on this ____ day of _____, 2023.

Mayor of the Town of Palmer Lake

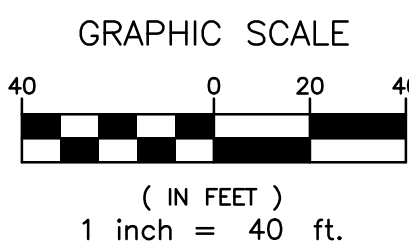
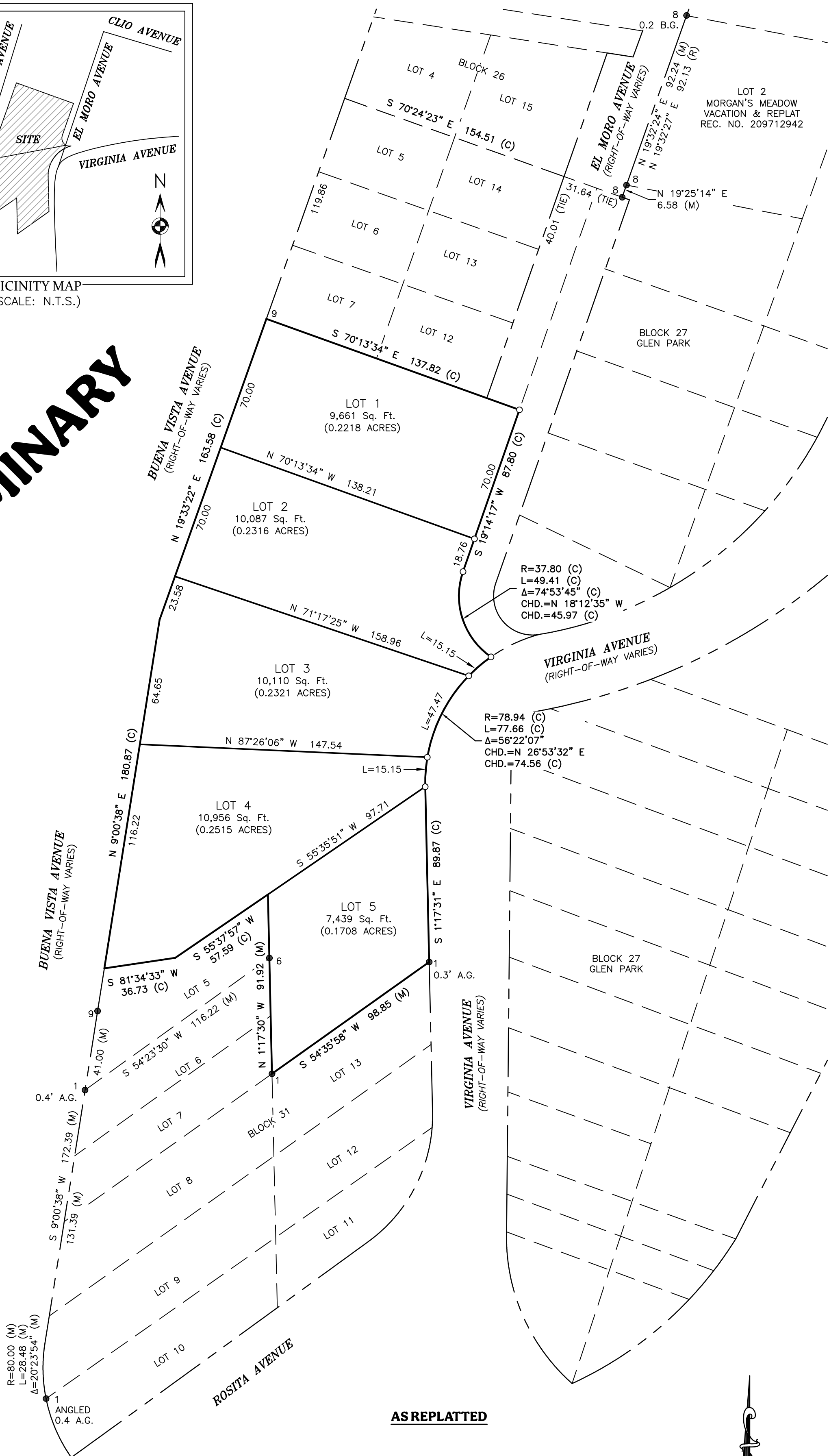
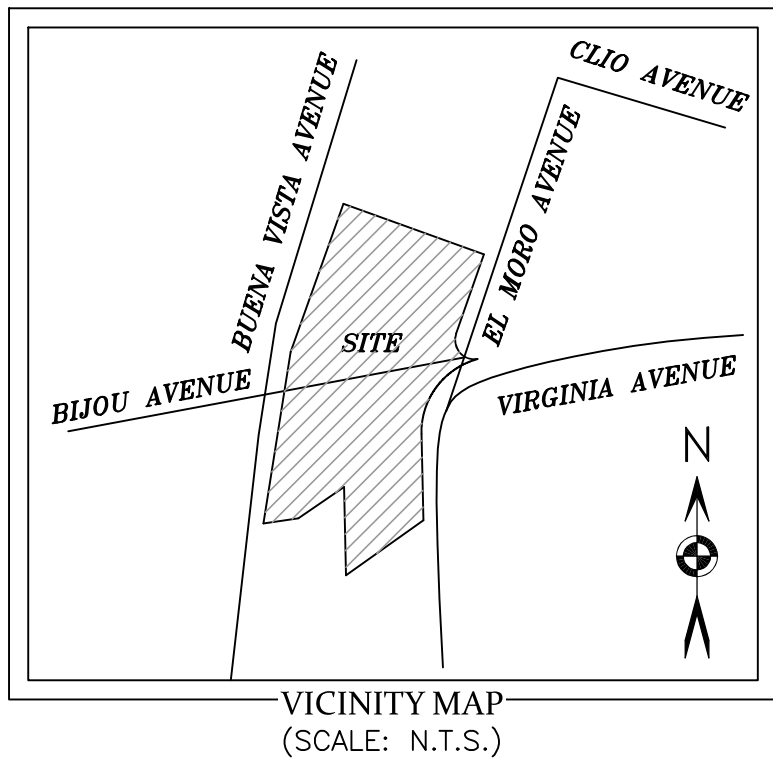
CLERK & RECORDER'S CERTIFICATE:

Accepted for filing in the office of the county clerk and recorders of El Paso County, Colorado.

this ____ Day of _____ at ____ o'clock ____ M., 2023, A.D.,

and is duly recorded under Reception No. _____

Clerk and Recorder: _____



OWNER:

Duran Walton Ventures LLC
P.O. Box 1005
Palmer Lake, CO 80133

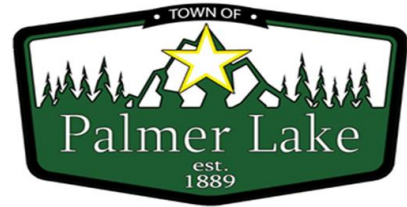
Project No.: 22056
August 7, 2023
Rev.: September 14, 2023
Rev.: September 20, 2023
Rev.: October 3, 2023

A PORTION OF THE NORTHWEST QUARTER OF SECTION 8,
TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH P.M.,
COUNTY OF EL PASO, STATE OF COLORADO

DURAN WALTON REPLAT
OF A PORTION OF
BLOCKS 26 AND 31, GLEN PARK

P.O. Box 7123
Woodland Park, CO 80863
(719) 687-8385
info@gouldls.com
Gouldt.landSurveying.com





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

| | | |
|---|-----------------|--|
| DATE: October 26, 2023 | ITEM NO. | SUBJECT: Resolution to Grant a Conditional Use for Motorcycle Maint/Repair, 84 Hwy 105 (Yaks) |
| Presented by: Town Administrator /Clerk | | |

Background

A request for conditional use in a CC zone was made by Yak's for a motorcycle maintenance/repair business at 84 Hwy 105, Unit 5.

The completed application for Conditional Use was heard and supported by a 5-1 vote at the PC meeting on 10/18 (with one PC member excused) with the following conditions –

- compliance to odor and noise code;
- proper ventilation as required by PPRBD;
- review of the use in 12 months from approval;
- any complaints be communicated to business owners and remedy any issues within five business days;
- no exterior storage of property

Neighboring business owners were present and spoke against the use, stating concerns of noise, exhaust fumes, and limited parking space.

Enclosed is a copy of the draft minutes from the 10/18 Planning Commission meeting.

Recommended Action

Consider the recommendation from Planning Commission to grant the conditional use with conditions as noted.



PLANNING COMMISSION

Wednesday, October 18, 2023 at 5:00 PM

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

MINUTES

Call to Order. Chair Ihlenfeld called the meeting to order at 5:01 pm.

Roll Call. Present: Commission members Amy Hutson, Susan Miner, Tim Caves, Mark Bruce, Bill Fisher and Charlie Ihlenfeld. Excused: Lindsey Zapalac.

Approval of Minutes

- Minutes from 9/20/2023. MOTION (Bruce, Hutson) to approve the minutes as presented. Motion passed 6-0.

Public Hearing & Related Business Item

Chair suggested hearing from each applicant and consider action following the hearing.

- Application for a Conditional Use for Motorcycle Maint/Repair in a CC Zone, Hwy 105. Mr. Creighton Smith introduced himself, his partner Greg, and the vision of the 2200 sq ft space at Wilson's Corner, Hwy 105. He explained their business of light maintenance/repair on motorcycles and reviewed the important items relating to the Community Master Plan. Mr. Smith reviewed the size and scope of the retail business and the manufacturers they are partnered with. He spoke about parking needs and options as well as noise concerns. They plan to utilize sound deadening material and not hold hours past 6 pm. He stated they intend to be good neighbors to the existing businesses.

Owners of Speedtrap, Ms Sam Padgett and Mr. Spencer Boyles, spoke against the location for Yaks. Ms Padgett asked that members imagine hearing motorcycles while having a meal, sleeping, visiting with a friend, etc., and addressed parking concerns that exist now. Mr. Boyles inquired about noise and ventilation, expressing his concern of exhaust in his place of business. Mr. Andrew Lee, neighboring real estate office, suggested that the intent of the corridor zoning does not support this business. He stated the plan for the area, as zoned, is for local access and use. Mr. Lee also addressed the average noise decibel and stated bikes are over 100 decibel, and he expressed concern of the metal roof vibrating the sound. He also stated concerns about the limited parking and asked members how the proposed business (use) fits the area. Ms. Alisha Sears, owner of the salon, stated concerns about parking as well as the safety of the shop. She stated it is a poor location for the shop. Mr. Greg Nardone, Yak's owner, explained the wall that will be installed to separate from retail and the choice of the space. He stated that they intend to be good neighbors and will not infringe on current tenant parking established. He explained the repair activity, noting that they do not "run" or "rev" motors. The test of repair work will be ridden away from downtown. He explained that he has been conducting

repair work in his garage for about four years with no complaints. Mr. Smith explained the roof structure and current foam insulation. They spoke about the retail development of the business.

Commission members asked questions about noise and ventilation. Applicants stated that running bikes will not take place inside the shop and tested down the roadway. Mr. Dave Wilson, property owner, thanked Commission members and tenants for the appropriate process conducted. He spoke in favor of the business owners being genuine and explained the allocated parking to tenants plus overflow spaces. Commissioner Fisher stated that PPRBD, as the inspection agency, will have code requirements for ventilation with remodel plans at the time of a land use application. Discussion took place about additional ventilating systems if needed. Mr. Matt Stephens offered to the Commission that a running motorcycle engine is about 95 decibel. Ms. Padgett reiterated her concerns about parking and noise, noting there is a difference between reality and idealized expectations. She stated four neighboring tenants have expressed concern. Ms. Stephanie Lee commented she also has concerns about noise and parking. Additional inquiries were made the volume of repair work. Applicants responded that ideally, retail will be primary, and currently they turn about 3-10 bikes each week – two techs and one owner for labor. Mr. Wilson stated the lease is for interior space only with allocated parking. Mr. Nardone confirmed that all property will be kept inside. Chair Ihlenfeld reminded members that they can apply conditions as needed. Ms. Padgett suggested conditions for parking, noise and ventilation. Mr. Boyle requested that the members consider protection to the current tenants. Discussion ensued with Commission members about various conditions. Mr. Stephens offered the current 24-hour abatement for odor complaints. Mr. Lee suggested that conditions be stringent with a timeline to protect the neighboring tenants' businesses. Ms. Padgett suggested a workshop to further discuss conditions. Chair Ihlenfeld thanked public members and closed the hearing.

5. Consider Conditional Use for Motorcycle Repair in CC Zone, Hwy 105. MOTION (Bruce, Caves) to recommend approval of the conditional use for motorcycle maint/repair in a CC zone with the following conditions – compliance to odor and noise code; proper ventilation as required by PPRBD; review of the use in 12 months from approval; any complaints be communicated to business owners and remedy any issues within five business days; no exterior storage of property. Motion passed 5-1 (no-Fisher).

3. Application to Replat Interior Lot Line, Parcel 7105308001, Hwy 105. Mr. David Wilson explained the interior lot line replat to make the structure proper for zoning code requirements. The adjustment is approximately 5 ft. No comments were made from the public.

6. Consider Replat Interior Lot Line (Wilson), Hwy 105. MOTION (Hutson, Fisher) to recommend approval of the replat of the interior lot line. Motion passed 6-0.

4. Reconsider Application to Replat Glen Park Lots (Duran Walton). Collins explained that the Commission previously considered this replat but the exhibit changed. She asked members if she could provide the background or if members preferred to continue to request the applicant to attend. Collins noted the prior replat included more of the right of way (permanent trail easement) before the El Moro right of way was recently vacated in the traditional manner. No person spoke for or against the application. Chair Ihlenfeld closed the hearing.

7. Reconsider Replat (Duran Walton), Glen Park. MOTION (Hutson, Bruce) to recommend approval of the replat of the Glen Park properties as presented. Motion passed 6-0.

Business Items

8. Distribute/Review Action Plan for Land Use Code Critical Issues Update (Consider Text Amendment to Add 2-family Units as Conditional Use to Residential Zoning and Administrative Plat Amendment). Collins reviewed the next steps to address updating the critical issues of the land use code. The following dates were confirmed – October 25 for a virtual workshop to review development application review by the Commission with CMI; November 8 for a workshop to complete worksheets for two topics (2-family units added as conditional use to residential zoning and administrative plat amendment) for CMI; tentative date of virtual workshop on November 15 if needed (before or after the regular meeting). Collins also asked members to review the proposed Table of Contents to combine current Ch. 16 and 17 to one land use section. MOTION (Hutson, Caves) to approve the TOC as drafted.

9. Update on Status of Sign Code (Board Direction). Collins explained the direction of the Board at the 10/12 meeting relating to the final version of the sign code. She stated that Attorney Krob is directed to pare down the code and the revised version will be brought back to the Planning Commission. Members discussed individual reaction to the Board direction.

Public Comment - none.

Next Meeting (11/15) and Future Items - Workshop to review "development review" (special virtual meeting 10/25). Commissioner Miner suggested the formerly drafted streetscape for the downtown corridor be reviewed and added to the Community Master Plan. Commissioner Fisher reviewed his experience at the APA class. He also suggested that the downtown sidewalk design incorporate landscape and architecture.

Adjourn. MOTION (Bruce, Hutson) to adjourn at 8:02 pm. Motion passed 6-0.

Minutes by: Dawn A. Collins, Town Clerk

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 69-2023

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT TO ALLOW MOTORCYCLE MAINTENANCE/REPAIR IN A PROPERTY ZONED CONVENIENCE COMMERCIAL (CC) LOCATED AT 84 HWY 105, UNIT 5 ("PROPERTY")

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, Section 17.52.020 of the Palmer Lake Municipal Code provides that a light repair shop is determined a conditional use in the Convenience Commercial (CC) Zone District; and

WHEREAS, the Planning Commission makes recommendations of approval or denial of conditional uses to the Board of Trustees, which has the final authority to grant or deny such applications; and

WHEREAS, on October 18, 2023, the Palmer Lake Planning Commission recommended approval of the conditional use for motorcycle maintenance/repair.

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

1. The application for a conditional use permit is approved for motorcycle maintenance/repair in a CC zone at 84 Hwy 105, Unit 5, is hereby approved with the following conditions:
 - a) compliance to odor and noise code;
 - b) proper ventilation as required by PPRBD;
 - c) review of the use in 12 months from approval;
 - d) any complaints be communicated to business owners and remedy any issues within five business days; and
 - e) no exterior storage of property.
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.

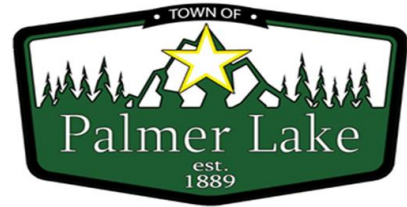
INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 26th DAY OF OCTOBER 2023.

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: October 26, 2023 | ITEM NO. | SUBJECT: Resolution to Authorize Replat of Interior Lot Line, 84 Hwy 105 (Wilson) |
| Presented by: Town Administrator /Clerk | | |

Background

The request to replat an interior lot line was heard and supported 6-0 at the Planning Commission meeting on 10/18 (with one PC member excused) with no issues or comments from the public.

The replat modifies an internal lot line by five feet and makes an existing structure comply with zoning code.

Recommended Action

Consider the recommendation from Planning Commission to authorize a replat of the interior lot line as requested.

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 70-2023

**A RESOLUTION APPROVING A REPLAT OF INTERIOR LOT LINE OF LOT 42,
PARCEL 7105308001, LOCATED AT 84 HWY 105, 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 42, located at 84 Hwy 105, desires a replat of the interior lot line and filed an application for replat of five feet to bring an existing structure into compliance with CC zoning code; 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 October 18, 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 Lot 42, located at 84 Hwy 105, 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 26th DAY OF OCTOBER 2023.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor

PART OF SECTION 5, T. 11 S
COUNTY OF EL PASO, STA

UNITS ARE IN FEET.

REMARKS: PLEASE NOTE THAT SURVEYING IS AN INEXACT SCIENCE AND IS SUBJECT TO A DEGREE OF INACCURACY AND OPINION.

3 OF BEARINGS:

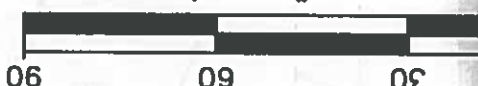
PROPERTY DESCRIPTION

EMENT:

PROPERTY DESCRIPTION

FOUND PIN W/ CAP-LS# ILLEGIBLE (TYPICAL)

SCALE: 1" = 30'



FOUND #3 REBAR-

SET 5/8"x18"REBAR
W/ PLASTIC CAP
LS# 30127
(TYPICAL)

24
195.71'
S21°13'58"E OF BEARINGS)
(ASSUMED BASIS

5' PERMANENT
EASEMENT PG 3575
BK. 1714

FOUND #4 REBAR-

GLENWAY STREET

N68.29'19"E 202.89'

BUILDING

(0.80 ACRES ±)

L=187.60'
R=507.50'
Δ=21°10'45"

HIGHWAY 105

-FOUND PIN
W/CAP
LS# 14166
(TYPICAL)

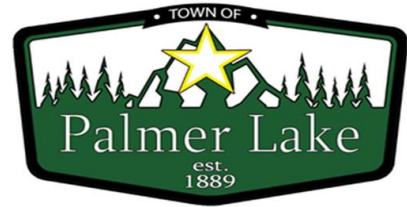
MIDDLE GLENWAY STREET

DATE: _____

REVISIONS:

REFERENCE DWG:

E: According to Colorado law you must commence any legal action based upon any in this survey within three years after you first discover such defect. In no event
any action based upon any defect in this survey be commenced more than ten years
the date of the certification shown hereon."



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

| | | |
|---|-----------------|---|
| DATE: October 26, 2023 | ITEM NO. | SUBJECT: Resolution to Authorize Replat of Revised Exhibit for Five Lots, Glent Park |
| Presented by: Town Administrator /Clerk | | |

Background

The request for the replat of the Glen Park properties was previously approved by the Board with a different exhibit. With the change of the El Moro right of way vacation, granted in the traditional manner of a ROW vacation, the lot lines for the replat were amended.

Thus, the new exhibit with slightly modified lot lines requires Board approval. This request was heard and passed by vote of 6-0 by the Planning Commission on 10/18 as requested. A proper exhibit will be subsequently filed.

Recommended Action

Consider the recommendation from Planning Commission to authorize the replat of the five lots as requested. Staff also requests that the application fees for the replat are waived for the applicant.

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 71-2023

**A RESOLUTION APPROVING A REPLAT OF BLOCK 31, LOTS 1-4 AND LOTS 14-20, AND
BLOCK 26, LOTS 8-11, GLEN PARK, 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 1-4 and 14-20 of Block 31 and Lots 8-11 of Block 31, Glen Park, desires a replat and filed an application for replat of the lots to five lots 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 October 18, 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 Lots 1-4 and 14-20 of Block 31 and Lots 8-11 of Block 31, Glen Park, attached hereto as Exhibit A, and incorporated herein, evidencing the replat request by the Owner, as well as any 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 26th DAY OF OCTOBER 2023.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor

BE IT KNOWN BY THESE PRESENTS:

That Duran Walton Ventures LLC, being the owner of the following described Tract of land:

Lots 8 through 11, Block 26 and Lots 1 through 4 and 14 through 20, Block 31, Glen Park filed for record on June 30, 1886 in Book A at Page 83 as described in the Land Survey Plat file for record September 29, 2022 under Reception No. 222900292 in the Office of the Clerk and Recorder, County of El Paso, State of Colorado.

Together with portions of the Vacated Right-of-Ways of a portion of El Moro Street and Bijou Street adjacent to Block 26 and Block 31 vacated by Palmer Lake Ordinance No. _____ at Reception No. _____ in the Office of Clerk and Recorder, County of El Paso, State of Colorado.

Parcel 1: Lots 8 through 11, Block 26 contain a calculated area of 10,247 Sq. Ft. (0.2352 acres) more or less.

Parcel 2: Lots 1 through 4 and Lots 19 and 20, Block 31 contain a calculated area of 14,763 Sq. Ft. (0.3389 acres) more or less.

Parcel 3: Lots 14 through 18, Block 31 contain a calculated area of 12,585 Sq. Ft. (0.2889 acres) more or less.

Bijou Street: contains a calculated area of 7,347 Sq. Ft. (0.1687 acres) more or less.

El Moro Street: contains a calculated area of 3,310 Sq. Ft. (0.0760 acres) more or less.

Containing a total calculated area of 48,252 Sq. Ft. (1.1077 acres) more or less.

DEDICATION:

The above party in interest have caused said tract to be replatted into lots as shown hereon. This plat is drawn to a fixed scale as indicated hereon and accurately sets forth the boundaries and dimensions of said lots. The land as herein platted shall be known as "DURAN WALTON REPLAT OF A PORTION OF BLOCK 26 AND 31, GLEN PARK" in the Town of Palmer Lake, County of El Paso, State of Colorado.

IN WITNESS WHEREOF:

The aforementioned Duran Walton Ventures LLC, have executed this instrument this ____ day of _____, 2023.

Drew J. Walton as Manager of Duran Walton Ventures LLC.
(Owner of Parcels 1, 2 and 3)

NOTARIAL:

STATE OF COLORADO } SS
COUNTY OF EL PASO }

The above and aforementioned instrument was acknowledged before me this ____ day of _____, 2023.

By: Drew J. Walton as Manager of Duran Walton Ventures LLC.

Witness my hand and seal:

My Commission expires _____ Notary Public _____

GENERAL NOTES:

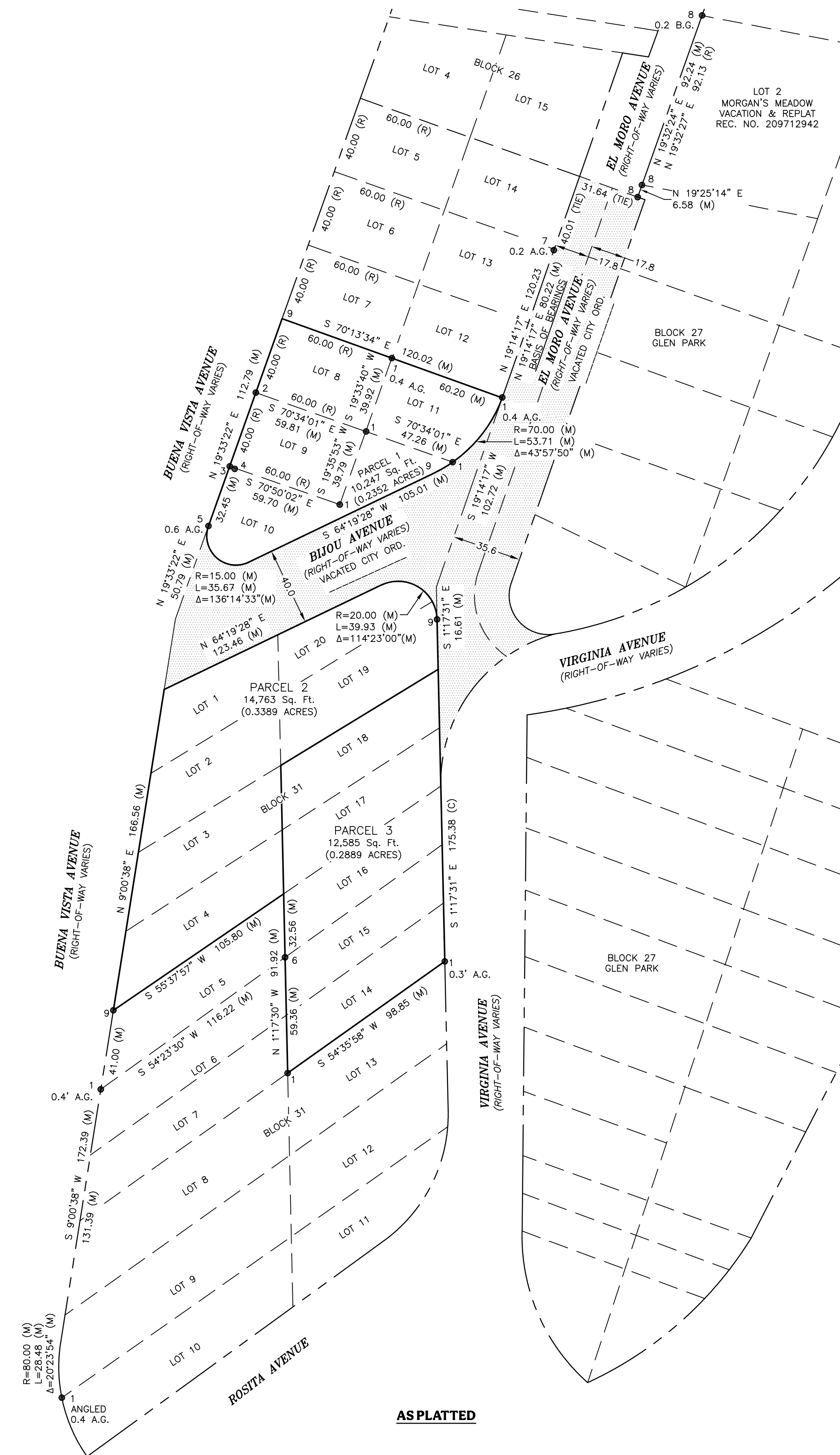
- - Recovered monument, see notes.
 - - Set no. 5 Rebar and pink plastic cap marked "PLS 38556".
 - (R) - Record bearing & distance
 - (M) - Measured bearing & distance
 - (C) - Calculated bearing & distance
 - A.G. - Above Grade
 - B.G. - Below Grade
- 1) 3/4" Iron Pipe
 - 2) No. 5 Rebar
 - 3) No. 4 Rebar w/ yellow cap, LS 27220
 - 4) 1/4" Steel Rod (not accepted)
 - 5) No. 4 Rebar
 - 6) 1/2" Iron Pipe
 - 7) No. 5 Rebar w/ red cap, RLS 10108
 - 8) No. 4 Rebar w/ yellow cap, LS 37651
 - 9) No. 5 rebar w/ pink cap, PLS 38556
- The basis of bearings is the westerly lines of Lots 12 and 13, Block 26, monumented as shown and assumed to bear North 19 degrees 14 minutes 17 seconds East.
- This survey does not constitute a title search by Gould Land Surveying, LLC to determine ownership or easements of record. For all information regarding easements, rights of way and title of record, Gould Land Surveying, LLC relied upon a Commitment for Title Insurance prepared by Stewart Title Guaranty Company, Commitment No. 1733209 with an effective date of June 26, 2022 at 8:00 A.M.
- The purpose of this survey is to vacate those portions of Bijou Avenue and El Moro Avenue as shown hereon and replat those vacated portions of Bijou Avenue, El Moro Avenue and Lots 8 through 11, Block 26 and Lots 1 through 4 and Lots 14 through 20, Block 31 into 4 lots. The field work was completed on July 14, 2022.
- The subdivision plat of record does not contain any angles, bearings or distances and the lots in this part of the block are not evenly spaced. After reviewing the original plat document on file at the Clerk and Recorders office and not finding any additional information not shown on the microfilm copy, it was determined to rely on evidence found in the field, including monuments, occupation, graded roads, and geographic features. All bearings and distances shown are the result field measurements.
- Unless noted otherwise, all monuments were found or set flush with ground and accepted as representing the boundary corner.
- The lineal units used in this survey are U.S. Survey Feet. A U.S. Survey Foot is defined exactly as 1200/3937 meters.
- Easements and other public documents shown or noted on this survey were examined as to location and purpose and were not examined as to restrictions, exclusions, conditions, obligations, terms, or as to the right to grant the same.
- Notice: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action be commenced more than ten years from the date of the certification shown hereon.
- Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory commits a class 2 misdemeanor pursuant to the Colorado Revised Statute 18-4-508.

SURVEYOR'S CERTIFICATION:

I, Kenneth Gould Jr., a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this Plat of DURAN WALTON REPLAT OF A PORTION OF BLOCKS 26 AND 31, GLEN PARK truly and correctly represents the results of a survey made on date of survey, by me or under my direct supervision, and that all monuments exist as shown hereon; and that said plat has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments and subdivision of land and have been met to the best of my professional knowledge, information and belief. This statement is neither a guaranty or warranty, either expressed or implied.

I attest the above on this 5th day of July, 2023.

Kenneth Gould Jr.
State of Colorado Professional Land Surveyor No. 38556
For and on behalf of Gould Land Surveying, LLC.



PLANNING COMMISSION APPROVAL:

This plat was approved by the Palmer Lake Planning Commission on this ____ day of _____, 2023.

Chair, Planning Commission

BOARD OF TOWN TRUSTEES APPROVAL:

This plat was approved by the Board of Town Trustees of Palmer Lake, Colorado on this ____ day of _____, 2023.

Mayor of the Town of Palmer Lake

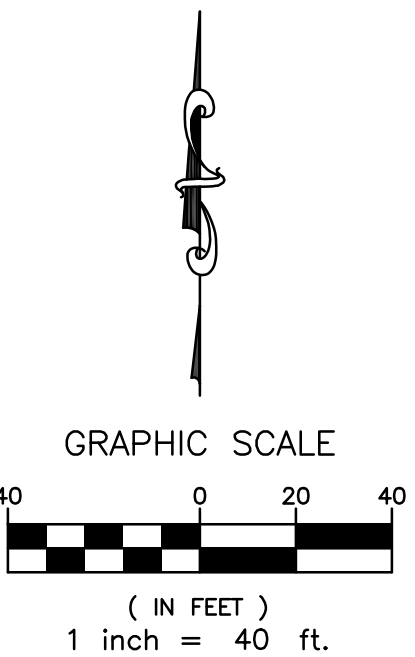
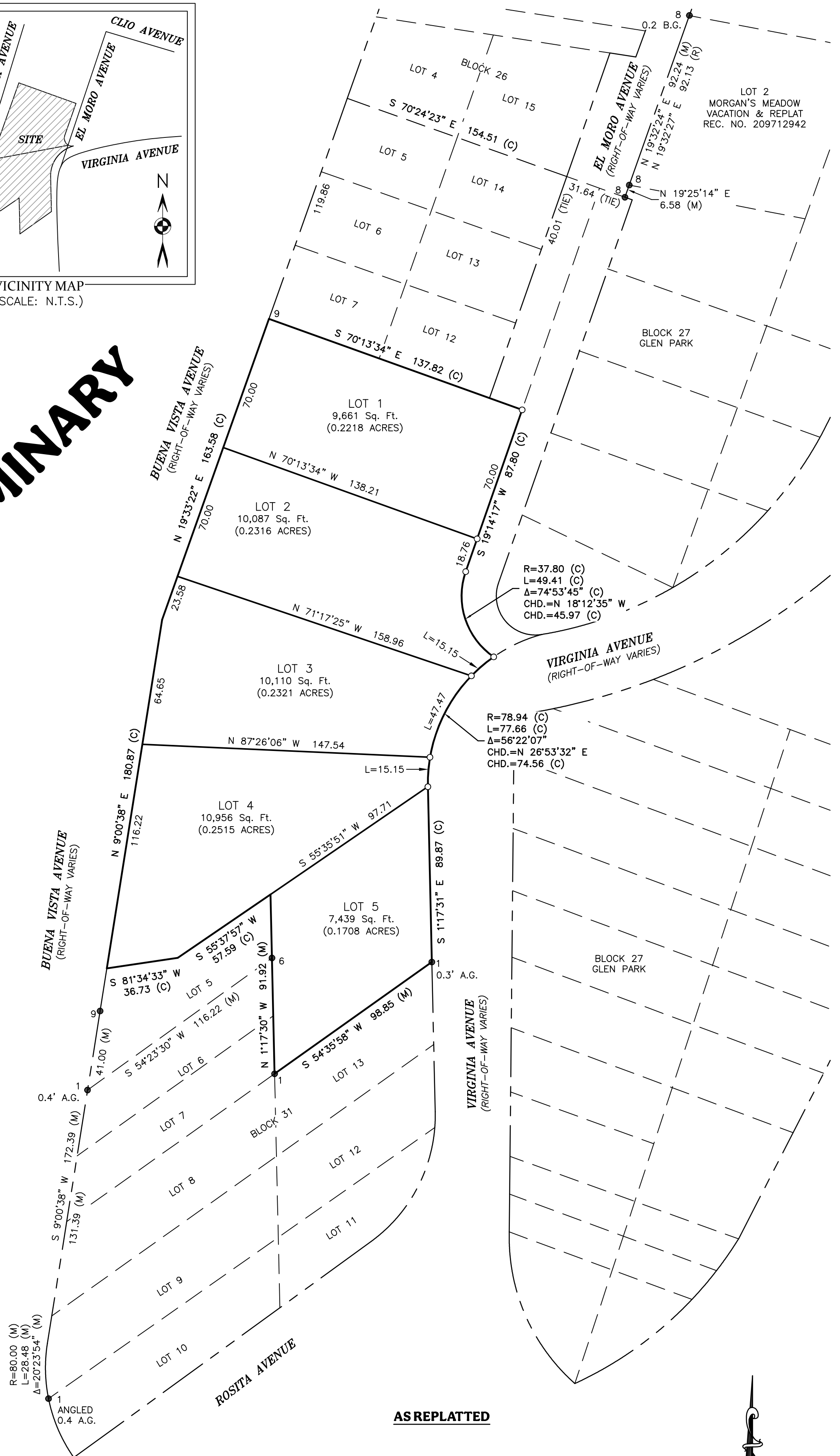
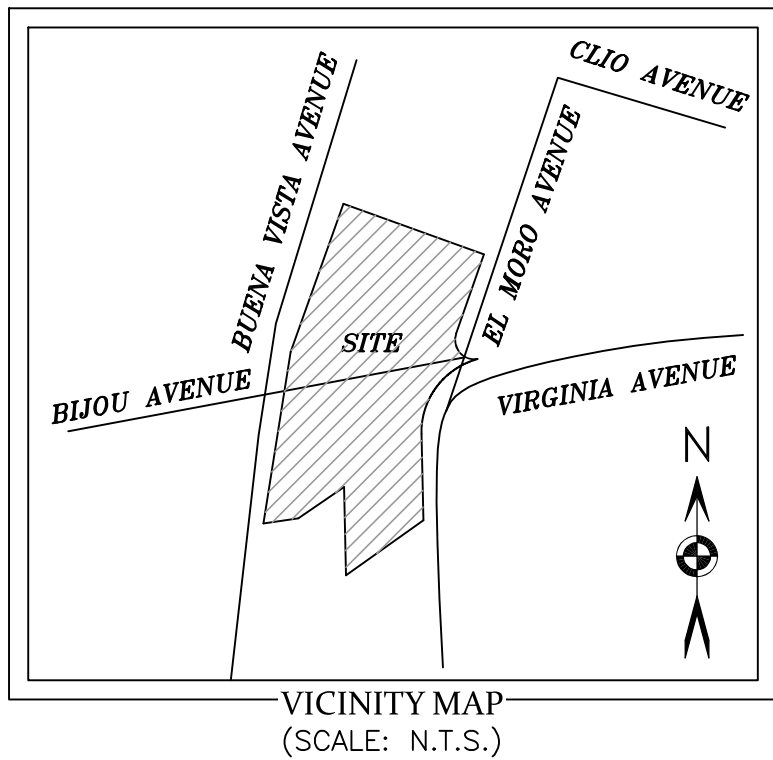
CLERK & RECORDER'S CERTIFICATE:

Accepted for filing in the office of the county clerk and recorders of El Paso County, Colorado.

this ____ Day of _____ at ____ o'clock ____ M., 2023, A.D.,

and is duly recorded under Reception No. _____

Clerk and Recorder: _____



OWNER:

Duran Walton Ventures LLC
P.O. Box 1005
Palmer Lake, CO 80133

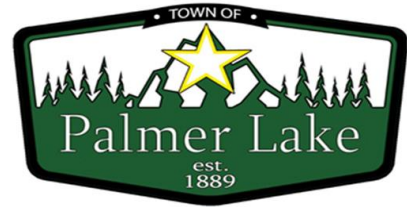
Project No.: 22056
August 1, 2023
Rev.: September 14, 2023
Rev.: September 20, 2023
Rev.: October 3, 2023

A PORTION OF THE NORTHWEST QUARTER OF SECTION 8,
TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH P.M.,
COUNTY OF EL PASO, STATE OF COLORADO

DURAN WALTON REPLAT
OF A PORTION OF
BLOCKS 26 AND 31, GLEN PARK

P.O. Box 7123
Woodland Park, CO 80863
(719) 687-8385
info@gouldils.com
GouldLandSurveying.com





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

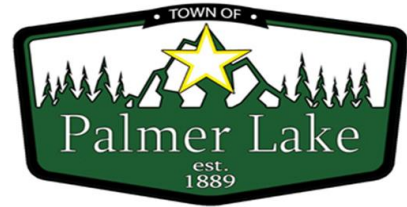
| | | |
|---|-----------------|---|
| DATE: October 26, 2023 | ITEM NO. | SUBJECT: Special Event Application – Funky Little Theater Production of “The Stinky Cheese Man” on 11/11 |
| Presented by: Town Administrator /Clerk | | |

Background

The Funky Little Theater is returning for a one-day production at the Town Hall of The Stinky Cheese Man on Sat., November 11 at 10 am. This is a tale for the young, and young at heart, audience. Set up will begin by 7a and show is at 10a. Tickets available at <https://www.funkylittletheater.org/>.

Recommended Action

Approve the special event at town hall on 11/11.



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

| | | |
|---|-----------------|---|
| DATE: October 26, 2023 | ITEM NO. | SUBJECT: Resolution to Authorize MOU with APL for Pickleball Court Project |
| Presented by: Town Administrator /Clerk | | |

Background

As the Board is aware, APL was awarded a grant to install pickleball courts at the Centennial Park lake area.

Commitments by the Board for the grant included the following “in kind” donations from the Town –

- Waive water tap fees
- 1000+ yards of infill dirt
- Grading work by Public Works
- Waive fees to use the town hall for necessary meetings for the pickleball court project

These requirements are reflected in the draft MOU along with the commitment that APL will provide the schedule, design and planned installation work with town staff. It will also capture the commitment of \$20,000 funds for a replacement water line for the future if needed for the restroom.

This is a draft MOU that will be reviewed and considered by APL.

Recommended Action

Consider the MOU as drafted or direct staff for any modification as needed.

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 72 - 2023

**A RESOLUTION TO AUTHORIZE MEMORANDUM OF UNDERSTANDING
BETWEEN AWAKE PALMER LAKE ORGANIZATION AND TOWN OF
PALMER LAKE, 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 of Palmer Lake seeks collaboration with Awake Palmer Lake to install pickleball courts and a restroom on Town (public) property; and

WHEREAS, the enclosed Memorandum of Understanding (MOU) provides responsibilities and procedures for the installation of pickleball courts and a public restroom as required by the awarded grant to Awake Palmer Lake.

**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 authorizes signature to the MOU as described in the attached exhibit.
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 26th DAY OF OCTOBER 2023.**

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor

MEMORANDUM OF UNDERSTANDING FOR PICKLEBALL COURT GRANT

By and Between the TOWN OF PALMER LAKE and the PALMER LAKE RESTORATION PROJECT, INC., (dba AWAKE THE LAKE/AWAKE PALMER LAKE), a Colorado non-profit corporation

This Memorandum of Understanding (this "MOU" or this "Agreement") is entered into this ____ day of _____, 2023 ("Effective Date") by and between the Town of Palmer Lake, Colorado ("Town") and the Palmer Lake Restoration Project, Inc., dba Awake the Lake, a Colorado non-profit corporation ("ATL") (collectively, the "Parties").

RECITALS

WHEREAS, there are limited resources, including funding and personnel, available for projects throughout the Town, and as a result, the Town is interested in receiving support from a nonprofit entity to financially assist and coordinate projects with the Town for the benefit of all Town Citizens and Businesses; and

WHEREAS, the Parties seek to entered into public-private partnerships with nonprofit organizations to create, revitalize, and maintain parks and other public spaces on a project specific basis; and

WHEREAS, the ATL was formed as a Colorado nonprofit corporation known as the Palmer Lake Restoration Project, Inc., on September 12, 1995 to, among other things, (i) facilitate and aid the Town with respect to the preservation of the Lake and adjacent Parkland, (ii) raise a portion of the necessary funds to defray costs of the preservation, restoration, landscaping and other amenities, and (iii) assist the Town with developing a master plan for the Lake and Parkland to govern their future use and development of amenities; and

WHEREAS, ATL has applied for and obtained a grant to install pickleball courts and a restroom within the Town and upon Town property as further depicted in the Grant Application ("Project") said application being incorporated herein for definition purposes; and

WHEREAS, the Board of Trustees of the Town support the Project and the Parties seek to establish the Parties' roles and responsibilities with respect to the Project.

NOW, THEREFORE, in order to advance their mutual objectives with respect to the Project and to commence a collaborative process with each other, the Parties agree as follows:

SECTION 1 – PURPOSE OF AGREEMENT

The purpose of this Agreement is to establish the roles and responsibilities of the Parties with respect to the Project.

SECTION 2 – AWAKE THE LAKE

2.1 Responsibilities of ATL under this Agreement. The responsibilities of ATL shall include the following:

(a) Manage the Grant, including but not limited to complying with the reporting requirements to the Grant administration.

(b) Work in cooperation with the Town and subject to all rules, regulations and laws, to assist in the Project and secure approval of the Town of all design, plans, construction and otherwise for the Project prior to commencement of each phase of the Project.

(c) Since there is a water line that will be under the pickleball courts, ATL will put \$20,000 into a high yield savings account for possible future repairs no later than the completion of the Project and close out of the Grant. ATL and Town may agree to deposit funds earlier or in a different manner.

SECTION 3 – THE TOWN

3.1 Responsibilities of the Town under this Agreement. The responsibilities of the Town shall include the following:

(a) Work collaboratively with ATL to complete the Project. Nothing herein shall grant or create AWL any ownership, authority, or control over any Town property. Control over all Town Property rests solely with the Board of Trustees.

(b) The Town will approve each phase of the project as well as any and all plans for construction of the Project and no construction will take place without the agreement and permission of the Town.

(c) In support of the Project, the Town will waive the Water Tap Fee, provide approximately 1,000 yards of infill for the site and the staff and equipment to grade properly.

Section 4 – General Conditions

4.1 Cooperation. The Parties agree to work together at all times in good faith, meet regularly as needed, and keep each other informed as to activities of the other, and

maintain at all times a designated representative who shall serve as a point of contact for communications.

4.2 Costs. Each Party shall be responsible for all costs and expenses associated with the preparation and adoption of this MOU, and future actions related thereto. Any and all sums of money required by the Town will be subject to appropriation by the Town Board of Trustees. Failure to appropriate shall not constitute a violation, breach, or otherwise to this MOU.

4.3 Term. This MOU shall be perpetual in nature, subject to written modification signed by authorized representatives of each party, and further subject to termination by either party upon 30 days written notice to the other, or completion of the project, whichever occurs first.

4.3 Jurisdiction and Governing Law. This MOU shall be performed and enforced in Palmer Lake, Colorado, and shall be construed in accordance with the laws of the State of Colorado.

4.4 Severability. In the event any provision of this Agreement is found to be invalid or unenforceable, it may be severed from the Agreement by court order and the remaining provisions of the Agreement shall continue to be binding and effective, provided the central purposes of this Agreement continue to be served.

4.5 Notices. Any notice which a Party is required or may desire to give or deliver to the other Party shall be given in writing by (i) personal delivery; (ii) certified mail, return receipt requested, postage prepaid; (iii) a national overnight courier service that provides written evidence of delivery; or (iv) email transmission and addressed as follows:

With respect to the Town:

Town Administrator
Town of Palmer Lake
42 Valley Crescent
P.O. Box 208
Palmer Lake, CO 80133
Email: dawn@palmer-lake.org

With copies to:

Town Attorney
Matthew Z. Krob
8400 E. Prentice Avenue, Penthouse
Greenwood Village, CO 80111
Email: matt@kroblaw.com

With respect to ATL:

Project Manager
Tim Caves
Email: tlccaves@yahoo.com

With copies to:

ATL President
 Jeff Hulsmann
 Email: punchyco@gmail.com

4.6 Counterparts; Electronic Signatures. This Agreement may be executed in counterparts, and the signature pages combined to constitute one document. Facsimile or electronically transmitted signatures will have the same force and effect as original signatures.

4.7 No Waiver Of Immunity. Nothing herein shall be construed as a waiver by the Town of any of the immunities, privileges and defenses available to it under the Colorado Governmental Immunity Act, as may be amended from time to time, or arising under common law.

4.8 No Creation of Ownership Interest. Nothing herein shall be construed to create an ownership interest of any kind in any Town owned property or any of the improvements upon Town owned property.

4.9 Operation and Future Use. Nothing herein shall be used to determine the way in which the Town will chose to operate, maintain, or use the Town Property as a result of the Project, including the improvements as a result of the Project.

Dated as of the Effective Date set forth above, which shall be the date the last Party signs this Agreement.

ATL:
Palmer Lake Restoration Committee d/b/a/
Awake the Lake, a Colorado nonprofit corporation

By: _____
 Representative of Awake the Lake

Date: _____

Town of Palmer Lake:

By: _____
 Mayor, Glant Havenar

Date: _____

Attest: _____
 Town Administrator/Clerk

PALMER LAKE, COLORADO**ORDINANCE NO. 22-2023****AN ORDINANCE EXTENDING THE TEMPORARY MORATORIUM ON THE SUBMISSION OF SIGN PERMITS AND CONSTRUCTION OR INSTALLATION OF NEW PERMANENT SIGNS 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;

WHEREAS, the Town previously adopted regulations related to signage, with such regulations being contained in Chapter 14.50, and based on recent developments in case law, the Board of Trustees adopted a temporary moratorium by passing Ordinance 15-2022 to allow for the preparation and adoption of a new sign code; and

WHEREAS, the Board passed Ordinance 1-2023 on January 12, 2023 imposing a temporary moratorium on the submission of sign permits and construction or installation of new permanent signs within the Town of Palmer Lake in order to amend the sign code

WHEREAS, the Board subsequently passed Ordinance 13-2023 extending the moratorium for an additional 6 months; and,

WHEREAS, the Planning Commission, Town Staff, and Board of Trustees have worked diligently to review and prepare for adoption of a new sign code, but it is clear that more time will be needed to ensure adequate regulations are adopted.

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

1. The Town Board of Trustees hereby extends the temporary moratorium and all provisions of Ordinances 1-2023 and 13-2023 for a period of six months from the date of this Ordinance.
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.

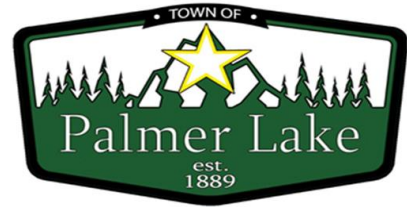
**INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE
BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 26TH DAY OF
OCTOBER 2023.**

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: October 26, 2023 | ITEM NO. | SUBJECT: Information on Rate Study for Enterprise Fund |
| Presented by: Town Administrator /Clerk | | |

Background

As directed by the Board, GMS has proposed an estimate to complete a rate study for a stormwater enterprise fund, if considered by the Board.

Recommended Action

Consider the estimate for direction on the stormwater enterprise fund.

GMS, INC.
CONSULTING ENGINEERS
611 NORTH WEBER, SUITE 300
COLORADO SPRINGS, COLORADO 80903-1074

TELEPHONE (719) 475-2935
 TELEFAX (719) 475-2938

EDWARD D. MEYER, P.E.
 ROGER J. SAMS, P.E.
 JASON D. MEYER, P.E.
 DAVID R. FRISCH, P.L.S.

THOMAS A. McCLERNAN, P.E.
 MARK A. MORTON, P.E.
 KEN L. WHITE, P.L.S.

October 5, 2023

Ms. Dawn Collins, Town Administrator/Clerk
 Town of Palmer Lake
 42 Valley Crescent
 Palmer Lake, CO 80133

Via Electronic Mail: dawn@palmer-lake.org
No Hard Copy to Follow

RE: Town of Palmer Lake
 Stormwater Enterprise Rate Study
 Proposal for Consulting Services

Dear Ms. Collins:

Discussing the Stormwater Enterprise Rate Study and participating in the Stormwater Enterprise Workshop with you was a pleasure. Based on our discussion, we offer the following proposal for GMS, Inc. to complete a Rate Study for the Town of Palmer Lake Stormwater Enterprise.

Firm Overview:

GMS, Inc. has over 45 years of extensive experience providing engineering, planning, surveying, funding administration, GIS consulting, and construction management/administration to our clients throughout Colorado. The GMS, Inc. team has focused primarily on servicing local governments, including cities, towns, counties, and special districts, on their water, wastewater, stormwater, drainage, and roadway infrastructure needs. The staff of GMS, Inc. is presently composed of 26 individuals.

- Seven licensed professional engineers
- Two licensed professional land surveyors
- Five staff engineers
- Two staff surveyors
- Five design technicians/resident project representatives
- Five administrative and technical support staff

Our experienced staff makes our firm extremely unique compared to other firms of similar size and background, coupled with the longevity of over 45 years in business. GMS, Inc. has been fortunate to create a professional employment environment where a significant number of staff personnel have committed many years to decades, and in some cases their entire professional lifetime, to providing services to GMS, Inc. clients.

GMS, Inc. has an extensive background in establishing utility rate structures for numerous special districts and municipalities throughout southern and eastern Colorado. Many of the projects begin with a Preliminary Engineering Report or Master Plan that defines capital improvement projects to address the system deficiencies. Not having this information will require some additional work to create conceptual cost estimates based on problematic areas Town staff developed. This will initiate

Ms. Dawn Collins, Town Administrator/Clerk
September 20, 2023
Page 2

the capital needs for the near future, but may not contain all of the needed improvements. In addition to the capital financial needs, operation and maintenance costs will be identified and any outstanding debt service will be considered. These items, combined with any new capital improvement projects, are to be considered in the financial evaluation. Once all of the data has been compiled, a rate or fee structure to support the utility's system is developed.

Scope of Work:

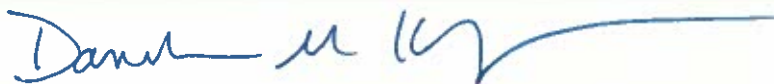
GMS, Inc. will review existing financial records of the Town as they relate to stormwater and drainage facilities. GMS will evaluate both operation and maintenance costs (provided by the Town) and work with the Town to estimate anticipated stormwater capital improvement projects. These expenditures will then be analyzed to determine viable stormwater fees. GMS, Inc. will prepare a rate study to present to Town staff in a workshop. Any comments and changes will then be incorporated into a final report. The final report will be provided to the Town with the necessary documentation and data to support the proposed fee to the constituents.

Scope of Fees:

GMS, Inc. will perform the above Scope of Work for a Total Lump Sum Fee of \$18,500. Please find the attached agreement and scope for completing a Rate Study.

We appreciate the opportunity to submit this proposal to provide consulting engineering services for the Town of Palmer Lake. If this is acceptable, please execute the attached standard Professional Services Agreement. In the interim, if you have any questions or desire additional information, please get in touch with us at your convenience.

Sincerely,



Dannah M. Koeniger, P.E.

DMK/cag

Enclosures

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, entered into the _____ day of _____, 2023, by and between the Town of Palmer Lake, hereinafter called "Client," and MEYER & SAMS, INC. d/b/a GMS, INC., a Colorado corporation, hereinafter called "Engineer," is as follows:

The Client engages Engineer to perform professional services for a project known and described as Stormwater Rate Study, hereinafter called the "Project."

- A. Engineer agrees to provide and perform certain professional services for Client on the Project as follows: Per the attached Scope of Services.
- B. Period in which services are to be rendered: Complete the evaluation and associated study and prepare the DRAFT Recommendation for presentation at a workshop within 120 calendar days.
- C. Client's responsibility shall be as follows: Assist in providing audits, financial data, and input on future capital improvement projects.
- D. Client agrees to pay Engineer as compensation for its services as follows: Services to be provided for a Lump Sum Fee of \$18,500. The fee shall be due and payable as work progresses based on monthly statements submitted to the Client. Final payment will be made once the final report has been provided to the Client.

IN WITNESS WHEREOF, the parties hereto have accepted, made, and executed this Agreement upon the terms, conditions, and provisions above stated, and on the attachment hereto, the day and year first above written.

MEYER & SAMS, INC. d/b/a GMS, INC.
611 N. Weber Street, Suite 300
Colorado Springs, CO 80903

TOWN OF PALMER LAKE
42 Valley Crescent
Palmer Lake, CO 80133

By _____

By _____

Title Principal

Title _____

SCOPE OF SERVICES FOR STORMWATER RATE STUDY

GMS, Inc. will perform the following services:

1. Review of the existing in-house financial statements for the Town of Palmer Lake as it relates to stormwater expenditures.
2. Prepare cost estimates for capital construction projects as defined and prioritized by the Town staff to incorporate capital needs for the Stormwater Enterprise.
3. Evaluate the cost of service for the Stormwater Enterprise in order to set a user fee.
4. Work with Town legal counsel to develop a mechanism for funding the Stormwater Enterprise and the establishment of fees.
5. Evaluate the defined mechanism for the collection of the proposed fee, especially for those constituents without water service.
6. Facilitate and participate in a workshop meeting with the Town staff to review the initial evaluation and recommendations for stormwater rates.
7. Finalize, prepare, and provide a final Stormwater Rate Study to the Town staff within 120 days of execution of the Agreement.
8. The evaluation and report prepared for the Town of Palmer Lake will provide the necessary documentation and data to support the proposed stormwater fees for the Town of Palmer Lake's constituents.

The Town will provide the following documentation for the completion of the study:

1. Operation and Maintenance costs for stormwater expenses for the last three (3) years (including the estimated 2023 expenses).
2. Work with GMS, Inc. to determine planned capital improvement projects, prioritization of those defined projects, and schedule to undertake those improvements.
3. Provide the number of water customers for the Town (within Town limits).
4. Provide the number of constituents that do not receive Town water but are within the Town limits.
5. Provide the number of commercial properties, address, lot size (if readily accessible).

STANDARD PROVISIONS OF AGREEMENT FOR PROFESSIONAL SERVICES

The Client and Engineer agree that the following provisions shall be a part of their agreement.

1. Neither the Client nor Engineer shall assign its interest in this agreement without the written consent of the other.

2. All agreements on Engineer's part are contingent upon, and Engineer shall not be responsible for damages or be in default, or be deemed to be in default, by reason of delays in performance by reason of strikes, lock-outs, accidents, acts of God and other delays unavoidable or beyond Engineer's reasonable control, or due to shortages or unavailability of labor at established area wage rate or delays caused by failure of Client or Client's agents to furnish information or to approve or disapprove Engineer's work promptly, or due to late, slow, or faulty performance by Client, other contractors or governmental agencies, the performance of whose work is precedent to or concurrent with the performance of Engineer's work. In the case of the happening of any such cause of delay, the time of completion shall be extended accordingly.

3. In the event that any changes are made in the plans and specifications by the Client or persons other than Engineer which affect Engineer's work, any and all liability arising out of such changes is waived as against Engineer and the Client assumes full responsibility for such changes unless Client has given Engineer prior notice and has received from Engineer written consent for such changes.

4. Engineer is not responsible, and liability is waived by Client as against Engineer, for use by Client or any other person of any plans or drawings not signed by Engineer.

5. All tracings, survey notes and other original documents are instruments of service and shall remain the property of Engineer, except where by law or precedent these documents become public property.

6. Engineer's liability to the Client for injury or damage to persons or property arising out of work performed for the Client and for which legal liability may be found to rest upon Engineer, other than for professional errors and omissions, will be limited to \$1,000,000. For any damage on account of any error, omission or other professional negligence, Engineer's liability will be limited to a sum not to exceed \$50,000 or Engineer's fee, whichever is greater.

7. Fees and all other charges will be billed monthly as the work progresses, and the net amount shall be due at the time of billing.

8. Interest of 1½% per month (but not exceeding the maximum rate allowable by law) will be payable on any amounts not paid within 30 days of the billing date, payment thereafter to be applied first to accrued interest and then to the principal unpaid amount. Any attorney's fees or other costs incurred in collecting any delinquent amount shall be paid by the Client.

9. The Client shall pay the costs of checking and inspection fees, zoning and annexation application fees, assessment fees, soils engineering fees, soils testing fees, aerial topography fees, and all other fees, permits, bond premiums, title company charges, blueprints and reproductions, and all other charges not specifically covered by the terms of this agreement.

10. In the event all or any portion of the work prepared or partially prepared by Engineer is suspended, abandoned, or terminated, the Client shall pay Engineer for the work performed on an hourly basis, not to exceed any maximum contract amount specified herein.

11. The Client agrees that in accordance with generally accepted construction practices, the construction contractor will be required to assume sole and complete responsibility for jobsite conditions during the course of

construction of the project, including safety of all persons and property and that this requirement shall be made to apply continuously and not be limited to normal working hours.

12. In the performance of its professional services, Engineer will use that degree of care and skill ordinarily exercised under similar conditions in similar localities and no other warranties, express or implied, are made or intended in any of Engineer's proposals, contracts or reports.

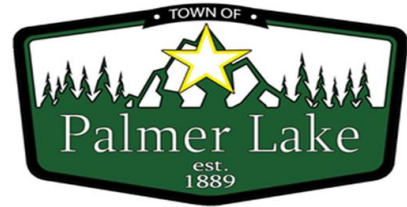
13. In the event Client fails to pay Engineer within thirty (30) days after invoices are rendered, then Client agrees that Engineer shall have the right to consider said default a total breach of this agreement and the duties of Engineer under this agreement terminated upon five (5) days' written notice. This agreement may be terminated by either Client or Engineer upon thirty (30) days' written notice in the event of substantial failure of the other party to perform in accordance with the terms of this agreement. In the event of termination of this agreement, Client shall then promptly pay Engineer for all of the fees, charges and services performed by Engineer in accordance with the compensation arrangements under this agreement or on an agreed hourly basis.

14. Should litigation be necessary to enforce any term or provision of this agreement, or to collect any portion of the amount payable under this agreement, then all litigation and collection expenses, witness fees and court costs, and attorney's fees shall be paid to the prevailing party.

15. Should any provision herein be found or deemed to be invalid, this agreement shall be construed as not containing such provision, and all other provisions which are otherwise lawful shall remain in full force and effect, and to this end the provisions of this agreement are declared to be severable.

16. Services provided within this agreement are for the exclusive use of the Client.

17. There are no understandings or agreements except as herein expressly stated.



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

| | | |
|---|-----------------|--|
| DATE: October 26, 2023 | ITEM NO. | SUBJECT: Information on Roadway Standards |
| Presented by: Town Administrator /Clerk | | |

Background

As directed by the Board, staff spoke with GMS about the current roadway standards (adopted El Paso County standards in 2021) and the result of the discussion is enclosed in the staff memo to the Board.

Recommended Action

Consider the information relating to roadway standards for future direction.

GMS, INC.
CONSULTING ENGINEERS
611 NORTH WEBER, SUITE 300
COLORADO SPRINGS, COLORADO 80903-1074

Item 15.

TELEPHONE (719) 475-2935
TELEFAX (719) 475-2938

EDWARD D. MEYER, P.E.
ROGER J. SAMS, P.E.
JASON D. MEYER, P.E.
DAVID R. FRISCH, P.L.S.

THOMAS A. McCLERNAN, P.E.
MARK A. MORTON, P.E.
KEN L. WHITE, P.L.S.

October 25, 2023

Ms. Dawn Collins, Town Administrator/Clerk
Town of Palmer Lake
42 Valley Crescent
Palmer Lake, CO 80133

Via Email to Dawn@palmer-lake.org
No Hard Copy to Follow

RE: Town of Palmer Lake
Undeveloped Right-of-Way Use and Roadway Standards

Dear Dawn:

This correspondence is provided to summarize the thoughts and recommendations regarding the improvement and use of undeveloped right-of-way (ROW) land throughout the Town. It is our understanding that the Town Board of Trustees requested an inquiry into the development requirements which would be applicable to undeveloped ROW, should that ROW be desired to be improved for beneficial use. In particular, the inquiry would investigate the potential for reducing the current roadway development standards to economically accommodate the improvement of currently undeveloped ROW. Following discussions with Town staff, including the Town's legal counsel, we offer the following points and the recommendations.

To begin, it is important to note that the Town has adopted the roadway design standards of El Paso County (EPC), as defined in the Engineering Criteria Manual (ECM) published by EPC. The ECM defines specific design and construction criteria for a roadway section such as road surface material, road surface thickness, subgrade or base course thickness, cross slopes, lane widths, shoulder widths and curb and gutter or drainage ditch requirements. The criteria vary for the numerous defined roadway classifications. The various roadway classifications are primarily based on the intended use conditions and anticipated traffic volumes of a particular roadway. The design criteria assigned to each roadway classification are selected to provide acceptable service, safety, maintenance accommodations and longevity under the intended use. The criteria published in the ECM are based on sound engineering practice, as well as decades of knowledge and experience in roadway performance.

When looking at the ECM roadway classifications, the lower classifications (such as local roads) tend to have lower design and construction criteria requirements than the higher classifications of Collectors and Arterials. This is due to the typically lower traffic volumes applicable to the lower classifications. The traffic volume for a roadway is noted by the term maximum average daily traffic, or maximum ADT. The following describes four of the lower rated roadway classifications, starting with the lowest maximum ADT and progressing upward. The lowest maximum ADT of 199 applies to a Rural Gravel Local Roadway. This roadway classification requires a 32-foot wide gravel surface to provide a 12-foot wide travel lane and a four-foot wide shoulder on each side of the roadway. It also includes drainage ditches on each side of the gravel roadway for stormwater management. The next classification with a maximum ADT of 300 applies to the Urban Local (low volume) Roadway. This classification requires a 24-foot wide asphalt pavement surface over aggregate base

Ms. Dawn Collins, Town Administrator/Clerk
October 25, 2023
Page 2

course with concrete curb and gutter and sidewalk on each side of the roadway. Following the Urban Local (low volume) Roadway, a maximum ADT count of 750 applies to the Rural Local Roadway classification. The criteria for this roadway require an asphalt pavement surface over aggregate base course with a 12-foot travel lane and two-foot shoulder constructed of asphalt on each side of the road. The aggregate base course extends beyond the asphalt surface and falls to drainage ditches on either side. The next classification is the Urban Local Roadway, with a maximum ADT of 3000. This classification requires a 30-foot wide asphalt pavement section on aggregate base course, along with concrete curb and gutter and sidewalk on each side of the asphalt surface for drainage management. These four classifications and their standard details are attached for reference.

As can be seen in the roadway classifications described above, the design criteria vary according to the needs of each particular roadway. The surface material for the lowest classification is given as gravel. As the maximum ADT count rises, asphalt surfacing is required in order to provide adequate serviceability and longevity for the roadway. The requirements for the travel lanes and widths for shoulders also increase as the maximum ADT count rises. This provides for adequate safety of vehicles traveling in each direction, according to traffic volume and design speeds. As traffic volume increases, the surface thickness would increase to accommodate the added loading of higher traffic. Drainage considerations are also addressed differently between classifications, with some roadways utilizing drainage ditches while other roadways utilize curb and gutter for drainage management.

The criteria included for each roadway classification is specifically assigned in order to meet the engineering requirements and serviceability needs of each classification. To consider lessening the criteria of a specific roadway classification would not be advantageous as it would ultimately reduce the intended level of service, safety, maintainability and longevity of the roadway. This results in the responsible engineer and the Town assuming additional, and unacceptable, risk and liability. It would also increase the maintenance burden on Town staff, as well as the Town's expenses associated with the maintenance efforts. In addition, lessening of roadway criteria could have negative public perception. It could be interpreted in certain circumstances as favoritism or preferential treatment. Whereas abiding by established and adopted standards with defined criteria mitigates the potential for subjective consideration by Town staff. Reducing criteria also has the potential to be abused by other future developments and/or developers that may try to claim, by precedent, that reduced criteria can be applicable to their future development if it was deemed acceptable for other areas of Town.

Another negative impact is the scenario of a ROW being improved according to reduced standards in order to accommodate only the initial intended use, but then the area is eventually used for other unintended purposes once it is improved. An example of such a case would be the improvement of an undeveloped ROW in order to accommodate the adjacent property owner(s) in their maneuvering and parking of a recreational vehicle. In this case, say the Town were to allow the ROW to be improved according to the Rural Gravel Local Roadway classification, but reduced the criteria to remove the gravel surfacing requirement. Once the improvements are completed, a cleared and graded surface is drivable. Other vehicles may see the clear area and use it as a road or alley, even though its safety is compromised without a gravel surface. Likewise, pedestrians may see the area as a walking path or trail and use it as such. The overall safety of the area is now severely compromised with unforeseen vehicular and pedestrian traffic coupled together.

Ms. Dawn Collins, Town Administrator/Clerk
October 25, 2023
Page 3

Maintenance of the road also becomes burdensome for Town staff due to the unintended, and detrimental, use by vehicles and pedestrians. Should an accident occur on the area, the Town may hold liability as it approved, and assumed the maintenance of, the sub-standard improvements to that area.

From an engineering perspective, the idea of reducing standards or criteria from the currently adopted ECM classifications is not recommended. The adopted roadway classifications and design and construction criteria are based on proven engineering design and decades of real-world experience. Arbitrarily reducing the criteria imposes unacceptable liability on the Town. The purpose behind having multiple roadway classifications is to provide a tiered set of standards and criteria that are well defined and defensible based on the intended use of a roadway. For instance, if a proposed roadway has a lower traffic volume than the Urban Local Roadway classification, then the criteria may justify constructing it to a lower classification. In this way, the multiple tiered classifications have a built-in reduction of criteria that adjusts accordingly to the traffic volume and needs of the proposed roadway.

It is for these reasons that we would ultimately recommend the Town maintain the current adopted ECM standards, and not consider reducing those standards for the improvement of undeveloped ROW.

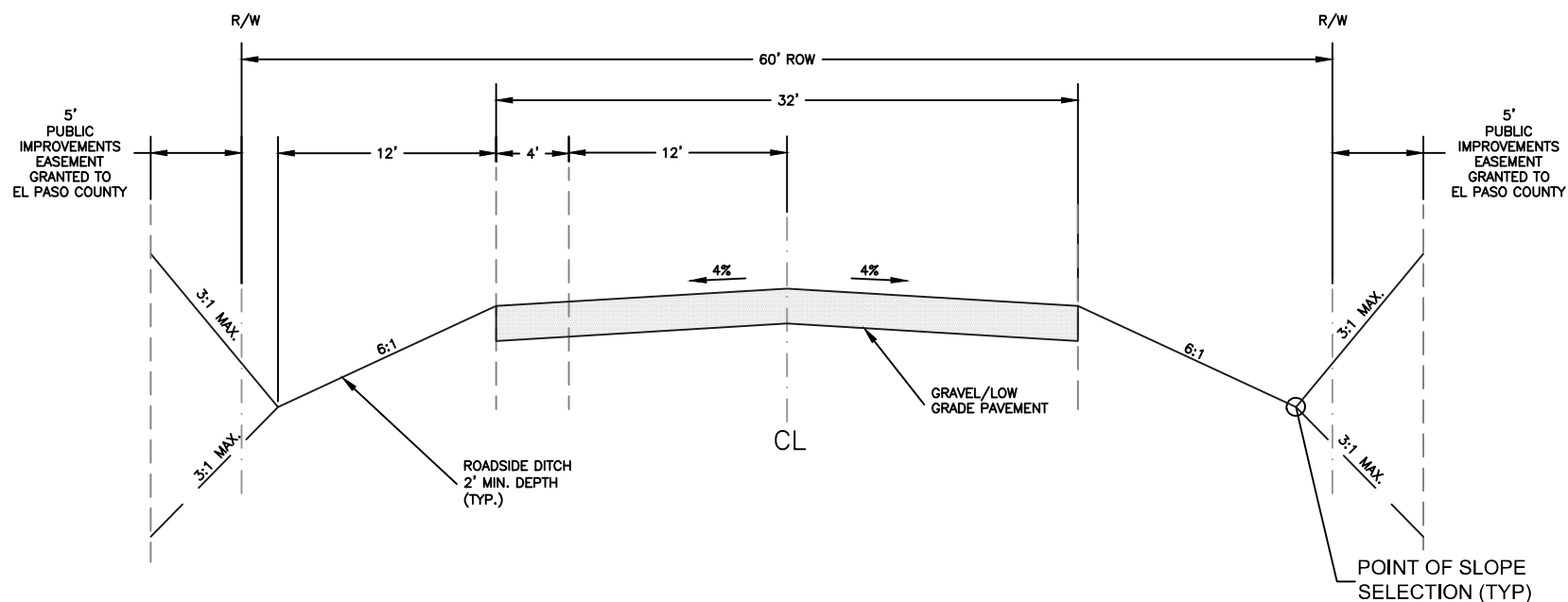
Should you have any questions or desire additional information, please contact us at your convenience.

Sincerely,



Mark A. Morton, P.E.

MAM/jjs
Enclosures



Roadway Design Parameters

Design Speed: 50 mph

Posted Speed: 45 mph

Maximum ADT: 199

Design Vehicle: WB-50

SCALE: NOT TO SCALE

9/16/10

DATE APPROVED:

André P. Brackin

DEPARTMENT OF TRANSPORTATION

Rural Gravel Local Roadway

Standard Cross Section

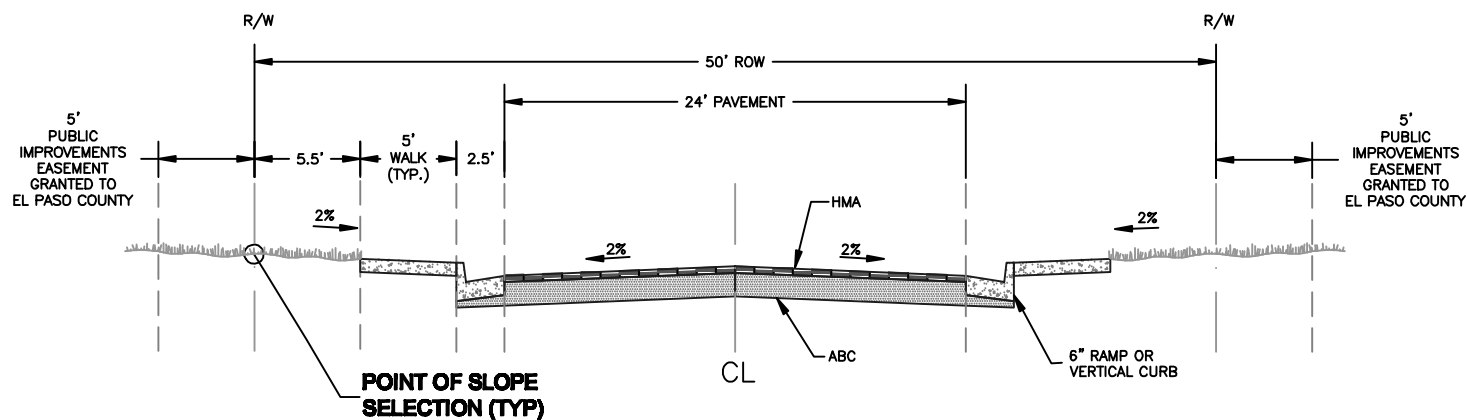
REVISION DATE:

12/8/15

FILE NAME:

SD_2-10





Roadway Design Parameters

Design Speed: 25 mph

Posted Speed: 20 mph

Maximum ADT: 300

Design Vehicle: SU-30

SCALE: NOT TO SCALE

12/31/05

DATE APPROVED:

John A. McCarty

DEPARTMENT OF TRANSPORTATION

Urban Local (low volume)
Roadway
Standard Cross Section

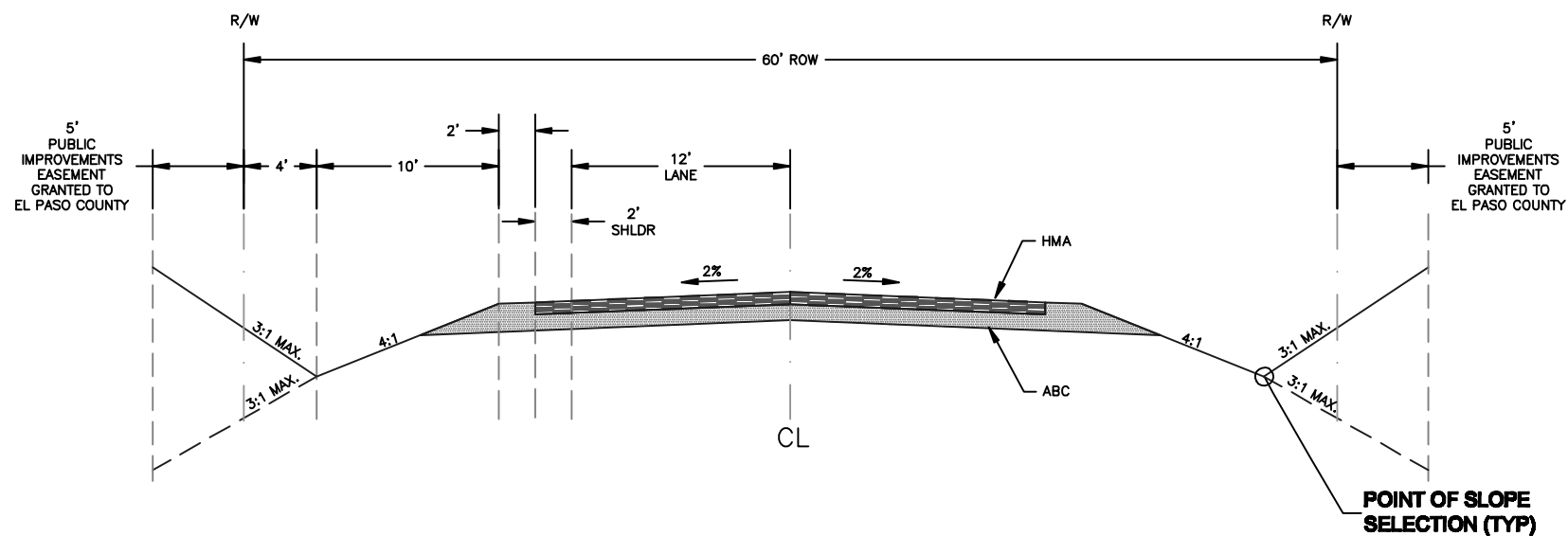
REVISION DATE:

12/22/05

FILE NAME:

SD_2-1





Roadway Design Parameters

Design Speed: 30 mph

Posted Speed: 30 mph

Maximum ADT: 750

Design Vehicle: WB-50

SCALE: NOT TO SCALE

12/31/05

DATE APPROVED:

John A. McCarty

DEPARTMENT OF TRANSPORTATION

Rural Local Roadway

Standard Cross Section

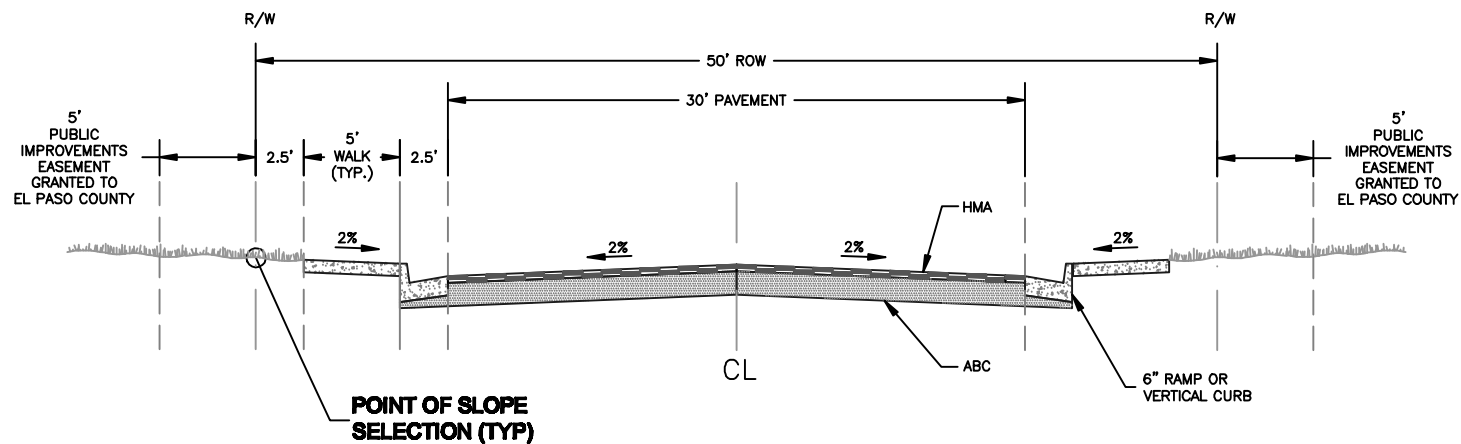
REVISION DATE:

12/22/05

FILE NAME:

SD_2-11





Roadway Design Parameters

Design Speed: 25 mph

Posted Speed: 25 mph

Maximum ADT: 3,000

Design Vehicle: WB-50

SCALE: NOT TO SCALE

12/31/05

DATE APPROVED:

John A. McCarty

DEPARTMENT OF TRANSPORTATION

Urban Local Roadway

Standard Cross Section

REVISION DATE:

12/22/05

FILE NAME:

SD_2-2



ANNEXATION PETITION

The undersigned landowner, in accordance with the provisions of Section 31-12- 101 et. seq. C.R.S., and known as the Municipal Annexation Act of 1965, as amended, hereby petitions the Board of Trustees of the Town of Palmer Lake for annexation to the Town of Palmer Lake of the within described unincorporated area situated and being in the County of El Paso, State of Colorado.

In support of this Petition, the petitioners allege and submit the following and make the within requests:

1) That it is desirable and necessary to annex the property shown on Exhibit A, attached hereto, comprising a total of 344.5 acres more or less. Of those 344.5 acres, 163 acres are already included within Palmer Lakes boundaries. This Annexation Petition seeks to annex the remaining 181.5 acres into the Town of Palmer Lake.

2) That the area sought to be annexed to the Town of Palmer Lake meets the requirements of section 31-12-104 and 105 C.R.S. of the Municipal Annexation Act of 1965, as amended, in that:

a. Not less than one-sixth of the perimeter of the described property is contiguous to the Town of Palmer Lake. The property for which annexation is sought has a total of 2884.52 feet contiguous to the Town of Palmer Lake.

b. The area for which annexation is sought shares a community of interest with the Town of Palmer Lake.

c. The area for which annexation is sought will be rural in character in the near future.

d. The area for which annexation is sought is integrated with or is capable of being integrated with the Town of Palmer Lake.

e. Within the area for which annexation is sought, no lands held in identical ownership shall be divided into separate lots or parcels without the written consent of the landowners thereof.

f. No land held in identical ownership comprising twenty (20) acres or more shall be included within the annexation without the written consent of the landowners thereof.

g. The annexation which is sought will not result in a detachment of area from any school district and will not result in the attachment of the annexed area to another school district other than that in which it already is.

h. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the Town of Palmer Lake more than three miles in any direction from any point of the Town's boundary in any one year.

- 3) That the signers of this Petition comprise the landowners of one hundred percent (100%) of the territory included in the area for which annexation is sought.
- 4) That the petitioners request that the Town of Palmer Lake approve this annexation.
- 5) That the legal description of the territory proposed to be annexed is attached hereto as Exhibit B.
- 6) The names and addresses of adjacent property owners to the property for which annexation is sought and within 300 feet of the boundary of the property for which annexation is sought are attached as Exhibit C; the applicant must inform each property owner within 300 feet of the boundary of the property of the annexation petition by way of certified mail; the return receipts will be required to complete the applicants file.
- 7) No annexation proceedings have been commenced for the annexation to another municipality of part or all of the territory proposed to be annexed.
- 8) If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed.
- 9) Upon annexation, property owners utilizing residential wells, or a private water system will not be required to dedicate water rights. (Ordinance 8-1985).
- 10) The Town of Palmer Lake will distribute a copy of the annexation plat to the affected agencies for comment, including public entities of school district and various utilities (i.e., gas, cable, sewer).
- 11) That upon the Annexation Ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the Colorado Revised Statutes and all ordinances, resolutions, and regulations of the Town of Palmer Lake.

THEREFORE, the undersigned petitioners request that the Town of Palmer Lake approve the annexation of the Property.

ROGER Sampford, C.E.

Petitioner Name

Signature

Date

OCT 17-23

Petitioner Name

Signature

Date

STATE OF COLORADO)
COUNTY OF El Paso) ss.

Subscribed and sworn to before me this 17th day of October, 20 23
by Roger Sung

Brandi Murphy
Notary Public

My commission expires:

03/04/2025



Dawn Collins

Subject: FW: CORE EV Charger Grant Application

I just spoke with our EV program manager, and he **has an opportunity to install a charger this year without the need of grant funding**. Would you have a few minutes to talk this week or early next week?

From: Robert Osborn
Sent: Tuesday, October 10, 2023 12:29 PM
To: Dawn Collins <dawn@palmer-lake.org>
Subject: CORE EV Charger Grant Application

Dawn,

CORE is submitting a grant to the State of Colorado to install EV Chargers in our service area. We would like to include a proposed location in Palmer Lake. While we do not have the exact location planned, we **were thinking a location on Town property would be a possible opportunity. Perhaps at the Lake or near Town Hall**.

I was wondering if you would be willing to provide a letter of support for our application referencing that the Town will work with CORE to define the exact location for installation. I am providing a draft letter for your consideration. If possible, could you review and send back to me by this Thursday at noon? The Grant application is due 10/13. CORE just finalized our budgeting for 2024 and determined last week that the grant opportunity is aligned with our budget goals.

I hope you are willing to support our application to propose an EV Charger installation in Palmer Lake.

Please call me if you have any questions.
 I really appreciate your consideration.

Rob

Robert J. Osborn, Esq.
 Director of Business Development

800.332.9540 **MAIN**
 720.733.5543 **DIRECT**
 303.437.0668 **MOBILE**

5496 N. U.S Highway 85
 Sedalia, CO 80135

rosborn@core.coop

