



BOARD OF TRUSTEES MEETING

Thursday, June 27, 2024 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

Pledge of Allegiance - Led by Kenna Gitchel

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 June 13, 2024 Meeting
2. Checks over \$15,000 - Bradley Excavating (\$45,526.24); CIRSA (\$35,602.73)
- [3.](#) Financials (May)

Staff/Department Reports

4. Attorney
5. Administrator/Clerk

Public Hearing – *Mayor will introduce the item and hear the applicant request. Mayor will ask if any public member wishes to speak for or against the request. Public should address the Board members directly while members listen. Applicant may provide closing remarks and members may ask questions of the applicant. Mayor will close the hearing and members will discuss the item, take action or continue the hearing to a particular date.*

- [6.](#) Application for Conditional Use Permit for Landscape Yard in C2 Zone (Greater Grounds) - *continued by Planning Commission to July 17 meeting*
- [7.](#) Application for Replat, Lot Line Adjustment (Meadow Lane)

Business Items

- [8.](#) Resolution 32-2024 to Approve Lot Line Adjustment, Meadow Lane
- [9.](#) Resolution 33-2024 to Approve Appointment to Parks and Trails Commission

- [10.](#) Resolution 34-2024 to Approve Extended Temporary Conditional Use Permit with Condition (Diacut /Hayco)
- [11.](#) Authorize Additional Funds for PLES Project
- [12.](#) Resolution 35-2024 to Authorize Award of Contract for PLES Water Line and Roadway Improvement
- [13.](#) Resolution 36-2024 to Approve a Memo of Understanding with Funky Little Theater Co
- [14.](#) Resolution 37-2024 Regulating Carrying of Firearms
- [15.](#) Ordinance 5-2024 Creating Ch. 5.06 Relating to Special Events
- [16.](#) Ordinance 6-2024 Creating Ch. 5.10 Relating to Farmers Market
- [17.](#) Discussion/Direction for Peddlers Permit Regulation
- [18.](#) Update on Advisory Committee Elephant Rock Vision

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 (July 10 workshop - presentation from Advisory Committee; July 11) and Future Items

Convene to Executive Session

A) For the purpose of discussing a matter that is subject to negotiation and to direct negotiators with regard to possible development incentives pursuant to Section 24-6-402(4)(e), C.R.S.

B) For the purpose of discussing a matter that is subject to negotiation related to a possible annexation, pursuant to Section 24-6-402(4)(e), C.R.S.

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, June 13, 2024

Executive Session at 5 PM / Regular Meeting at 6 PM

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

MINUTES

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

Roll Call. Present: Mayor Glant Havenar; Trustees Shana Ball, Kevin Dreher, Jessica Farr, Dennis Stern. Trustee Nick Ehrhardt arrived approximately 5:10 pm. Excused: Trustee Sam Padgett.

Convene to Executive Session. MOTION (Farr, Stern) to convene to executive session. Roll call vote – aye 5; nay 0. Motion passed.

A. For the purpose of discussing possible acquisition of an interest in real property, under C.R.S. Section 42-6-402(4)(a), and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e).

B. For the purpose of discussing possible details of security to be provided by the Palmer Lake police department under C.R.S. Section 24-6-402 4(d); and to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators regarding the possible hiring of a police chief under C.R.S. Section 24-6-402(4)(e).

Reconvene to Open Session approximately 6:45 pm.

Mayor Havenar returned to the meeting at 6 pm.

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

Pledge of Allegiance. Mayor Havenar invited Mr. Jarvis Caldwell to lead the pledge.

Mayor offered a public comment period. Mr. Jarvis Caldwell introduced himself as candidate for House District 20. He explained his background and his concern about keeping local control of land use. He suggested that Board members be diligent in reviewing and weighing in on the upcoming bills.

Introduction/Presentation

1. Southern Colorado Interagency Wildland Fire Team - Presented by Mr. Shane Coyne, Superintendent. Mr. Shane Coyne addressed the Board and explained the volunteer group established in 2022 to assist with wildland fires, funded by grants. He thanked the Board for the partnership with Palmer Lake. Trustee Farr inquired about any obligation for the town to assist outside of local

boundaries. Mr. Coyne stated any situation will be coordinated. Discussion took place about the current prescribed burn.

Consent Agenda. MOTION (Farr, Stern) to approve the consent agenda including items 2) Minutes from May 30, 2024 Meeting; 3) Checks Over \$15,000 - Core and Main LLP (\$16,188.07). Roll call vote – aye 6; nay 0. Motion passed.

Staff/Department Reports

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

9. Attorney. Nothing more than information provided in executive discussion.

10. Administrator/Clerk. Collins commended departments for the clean up efforts of work areas; collaboration on insurance property and casualty audit; slight change of one PD vehicle; upcoming upgrade to the town website. She provided an update on projects - CORE EV chargers and asked about a ribbon cutting ceremony, which will move forward with CORE. The foundation for the pickleball courts is prepared for concrete in the coming week. PLEDG reps inquired whether the town would partner on a business open house in the fall, with no concerns from the Board. Collins explained the proposed parking area in excess right of way by Parks and Trails at Greeley/Walnut, with one request to install signs and move larger rocks for barrier. Collins announced there will be three Trustee and the Mayor position on the fall ballot, November 5, coordinated with El Paso County.

Business Items

11. Special Event Application - Chautauqua, Arts Council (August). Ms. Amy Hutson presented the details of the Chautauqua events taking place July 29 through August 4, including classes, music, film, cooking, dancing, lecture, demonstrations throughout the town. A large tent event is taking place August 3-4 and all but two events are free to the public. MOTION (Farr, Dreher) to approve the special event with the event fee waived. Roll call vote – aye 6; nay 0. Motion passed.

12. Application for Public Display on Residential Property. Mr. Jeff Kisicki addressed the Board about his request to place a 1930 caboose, rebuilt in 1967, for display on private residential property located on South Valley. Discussion ensued about touring the caboose by appointment, public being on private residential property. Mr. Tim Caves suggested the Board think about a public display in a residential neighborhood and keeping zoning appropriate. Discussion continued about various uses of the caboose and placement. Attorney Krob suggested that staff draft a recommendation. MOTION (Farr, Stern) to refer back to staff. Roll call vote – aye 6; nay 0. Motion passed.

13. Update on Elephant Rock Advisory Committee Vision. Ms. Susan Miner provided an update on the schedule and upcoming activity for the advisory committee to consider reducing options and plan the presentation to the Board in July. It was requested that the presentation be a separate workshop.

14. Consider Promotion of Financial Sponsors of Pickleball Courts. Collins provided background of the sponsor agreements the monies being allocated as agreed with the sponsors. Mr. Tim Caves spoke about the intention of the donated funds. He stated he currently has six committed sponsors. Mr. Caves provided an update on the activity – courts, concrete, fencing, restroom, sidewalk. Discussion took place about the courts being open to the public and preparation for regular use in 2025.

15. Review/Direction of Draft Code Language for Farmers Market. Collins reviewed the revised draft and will bring an ordinance version back at the next meeting.

16. Review/Direction of Draft Code for Special Events. Collins reviewed the revised draft and will bring an ordinance version back to the next meeting.

17. Review/Direction to Amend Code Relating to Peddlers. Discussion about background checks took place. It was directed to gather additional information from other municipalities.

Public Comment. None.

Board Reports. Trustee Farr explained the tour that she and Mayor Havenar had at the prescribed burn site – 8 acres in 2 days. Lt. Bill Berry stated the benefit of the present burn to the area, creating a break and the years of planning. Mayor stated that a sign of a healthy community is a healthy forest.

Trustee Nick Ehrhardt commended the volunteers working with Parks to complete 800 hours of trail building. He mentioned that the Mile High Youth Corp (MHYC) will be continuing for two weeks.

Trustee Ball stated that she is working on grants, with one submitted this week for El Pomar. She expects to hear about the EMS award by the end of the month.

Mayor Havenar reported that PPACG is currently conducting internal planning.

Next Meeting (June 27) and Future Items. Discussion took place about scheduling the Advisory Committee presentation on Wed., July 10 with follow up time held for July 11 prior to the regular meeting.

Convene to Executive Session. MOTION (Farr, Dreher) to convene to executive session for the balance of discussion at 7:46 pm. Roll call vote – aye 6; nay 0. Motion passed.

A. For the purpose of discussing possible acquisition of an interest in real property, under C.R.S. Section 42-6-402(4)(a) and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e).

B. For the purpose of discussing possible details of security to be provided by the Palmer Lake police department under C.R.S. Section 24-6-402 4(d); and to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators regarding the possible hiring of a police chief under C.R.S. Section 24-6-402(4)(e).

Reconvene to Open Session

Adjourn. MOTION (Dreher, Stern) to adjourn at 8:40 pm. Motion passed.

Mayor Glant Havenar

ATTEST: Dawn A. Collins, Town Clerk



TOWN OF PALMER LAKE
Financial Statements
May 2024
Unaudited



Schedule of Cash Position May 2024

TOWN OF PALMER LAKE
Schedule of Cash Position
May 2024

FINANCIAL INSTITUTION	ACCOUNT NAME	CHECKING / SAVINGS	BANK RATE	BALANCE
GENERAL FUND				
GENERAL FUND OPERATING:				
Community Banks of CO	General Fund Operating	Checking	n/a	\$ 1,949,393
GENERAL FUND RESERVES:				
Colorado Trust (ColoTrust) * Operating Reserve - 3 months (\$752,109)	General Fund Reserve	Savings	5.40%	\$ 1,534,603
Colorado Trust (ColoTrust)	Police Reserve	Savings	5.40%	\$ 7
Colorado Trust (ColoTrust)	Fire Reserve	Savings	5.40%	\$ 65,220
Colorado Trust (ColoTrust)	Roads Reserve	Savings	5.40%	\$ 10,862
General Fund Reserves Subtotal				\$ 1,610,692
General Fund Accounts Total				\$ 3,560,085
WATER FUND				
WATER FUND OPERATING:				
Community Banks of CO	Water Fund Operating	Checking	n/a	\$ 1,235,914
WATER FUND RESERVES:				
Colorado Trust (ColoTrust)	Water Reserve	Savings	5.40%	\$ 195,478
Colorado Trust (ColoTrust)	Water Cap Imp Reserve	Savings	5.40%	\$ 217,233
RESTRICTED FUNDS (WATER FUND):				
Colorado Trust (ColoTrust) * Restricted - Loan Reserve - 3 months (\$224,600)	Water Loan Reserve	Savings	5.40%	\$ 216,560
Water Fund Accounts Total				\$ 1,865,185
CONSERVATION TRUST FUND				
CONSERVATION TRUST FUND:				
Colorado Trust (ColoTrust)	CTF Reserve	Savings	5.40%	\$ 29,699
Conservation Trust Fund Account Total				\$ 29,699



Financial Reports

May 2024

TOWN OF PALMER LAKE

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

For the Five Months Ended May 31, 2024
UNAUDITED

Item 3.

	2024 Adopted Budget	Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 42%)
REVENUE				
Taxes	\$ 2,794,447	\$ 1,683,547	\$ (1,110,900)	60%
Fees and Licenses	291,025	87,429	(203,596)	30%
Intergovernmental	7,000	3,798	(3,202)	54%
Fines	65,000	22,773	(42,227)	35%
Interest	80,000	41,270	(38,730)	52%
Departmental	65,000	24,039	(40,961)	37%
Grants and Donations	1,385,959	8,004	(1,377,955)	1%
Miscellaneous	70,000	22,972	(47,028)	33%
Total Revenue	\$ 4,758,431	\$ 1,893,832	\$ (2,864,599)	40%
EXPENDITURES				
Administration				
Salaries and Benefits	\$ 246,873	\$ 79,622	\$ 167,251	32%
Professional Services	373,000	111,855	261,145	30%
Administrative/Operations	332,936	98,525	234,411	30%
Capital Outlays	10,000	6,017	3,983	60%
Total Administration	\$ 962,809	\$ 296,019	\$ 666,790	31%
Police Department				
Salaries and Benefits	\$ 674,622	\$ 266,071	\$ 408,551	39%
Professional Services	112,600	19,249	93,351	17%
Administrative/Operations	86,845	57,274	29,571	66%
Capital Outlays	80,000	72,950	7,050	91%
Total Police Department	\$ 954,067	\$ 415,544	\$ 538,523	44%
Fire Department				
Salaries and Benefits	\$ 630,741	\$ 257,880	\$ 372,861	41%
Professional Services	10,000	10,001	(1)	100%
Administrative/Operations	128,600	34,587	94,013	27%
Capital Outlays	-	35,145	(35,145)	0%
Total Fire Department	\$ 769,341	\$ 337,613	\$ 431,728	44%
Public Works Department - Roads				
Salaries and Benefits	\$ 334,898	\$ 100,552	\$ 234,346	30%
Professional Services	40,300	2,651	37,649	7%
Administrative/Operations	167,500	41,696	125,804	25%
Capital Outlays	1,673,580	73,455	1,600,125	4%
Total Roads Department	\$ 2,216,278	\$ 218,354	\$ 1,997,924	10%
Public Works Department - Parks				
Administrative/Operations	\$ 42,100	\$ 17,221	\$ 24,879	41%
Capital Outlays	\$ 31,000	\$ 24,800	\$ 6,200	80%
Total Parks Department	\$ 73,100	\$ 42,021	\$ 31,079	57%
Total Expenditures	\$ 4,975,596	\$ 1,309,551	\$ 3,666,045	26%
EXCESS OF REVENUE OVER (UNDER)				
EXPENDITURES	\$ (217,165)	\$ 584,281	\$ 801,446	
FUND BALANCE - BEGINNING OF YEAR		\$ 3,651,518		
FUND BALANCE - END OF YEAR		\$ 4,235,799		

Recommended Operating Reserve - 3 months

752,109

TOWN OF PALMER LAKE

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

WATER ENTERPRISE FUND

For the Five Months Ended May 31, 2024

UNAUDITED

	2024 Adopted Budget	Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 42%)
REVENUE				
Water Billing	\$ 1,375,000	\$ 516,195	\$ (858,805)	38%
Water Improvement Fee	74,000	31,416	(42,584)	42%
Water Loan	216,000	90,098	(125,902)	42%
Water Tap Fees	72,000	7,703	(64,297)	11%
Water Meter/Parts	2,550	-	(2,550)	0%
Late Fees/Service Fees	16,000	8,955	(7,045)	56%
Interest	24,000	14,134	(9,866)	59%
American Rescue Plan	103,669	103,669	-	100%
PLES Upper Glenway Water Improvement	101,520	-	(101,520)	0%
Total Revenue	<u>\$ 1,984,739</u>	<u>\$ 772,170</u>	<u>\$ (1,212,569)</u>	<u>39%</u>
EXPENDITURES				
Salaries and Benefits	\$ 519,749	\$ 186,458	\$ 333,291	36%
Professional Services	137,000	32,658	104,342	24%
Administrative/Operations	438,300	162,982	275,318	37%
Capital Outlays	649,290	202,516	446,774	31%
Debt Service	207,179	91,570	115,609	44%
Total Expenditures	<u>\$ 1,951,518</u>	<u>\$ 676,184</u>	<u>\$ 1,275,334</u>	<u>35%</u>
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	<u>\$ 33,221</u>	<u>\$ 95,986</u>	<u>\$ 62,765</u>	
FUND BALANCE - BEGINNING OF YEAR		<u>\$ 1,316,293</u>		
FUND BALANCE - END OF YEAR		<u>\$ 1,412,279</u>		
Less: Restricted Operating Reserve - 3 months		(224,600)	<i>Note 1</i>	
FUND BALANCE - END OF YEAR - Unrestricted		<u><u>\$ 1,187,679</u></u>		

Note 1: CWR&PDA Loan Requirement

TOWN OF PALMER LAKE

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

For the Five Months Ended May 31, 2024

UNAUDITED

	2024 Adopted Budget	Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 42%)
REVENUE				
State Shared Revenue	\$ 36,140	\$ 9,310	\$ (26,830)	26%
Interest	1,200	667	(533)	56%
Total Revenue	<u>\$ 37,340</u>	<u>\$ 9,977</u>	<u>\$ (27,363)</u>	<u>27%</u>
EXPENDITURES				
Salaries and Benefits	\$ 14,380	\$ -	\$ 14,380	0%
Administrative/Operations	3,000	-	3,000	0%
Capital Outlays	19,000	-	19,000	0%
Total Expenditures	<u>\$ 36,380</u>	<u>\$ -</u>	<u>\$ 36,380</u>	<u>0%</u>
NET CHANGE IN FUND BALANCE	<u>\$ 960</u>	<u>\$ 9,977</u>	<u>\$ 9,017</u>	
FUND BALANCE - BEGINNING OF YEAR		<u>\$ 59,044</u>		
FUND BALANCE - END OF YEAR - Restricted		<u><u>\$ 69,021</u></u>		



Accounts Payable Reports May 2024

Ranges:	From:	To:	From:	To:
Check Number	First	Last	Check Date	5/1/2024
Vendor ID	First	Last	Checkbook ID	First
Vendor Name	First	Last		5/31/2024

Sorted By: Check Number

* Voided Checks

Check Number	Vendor ID	Vendor Check Name	Check Date	Checkbook ID	Audit Trail Code	Amount
49786	AMCOBIIT	AMCOBI	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$3,747.50
49787	BIGOTIRES	LEEDS WEST GROUPS DBA BIG O TI	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$1,491.94
49788	BONNIEGRAY	BONNIE GRAY	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$75.00
49789	COLORADOMUNI	COLORADO MUNICIPAL CLERKS ASSN	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$1,300.00
49790	COLORADORURALWA	Colorado Rural Water Associati	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$300.00
49791	CKT	COMMON KNOWLEDGE TECHNOLOGY	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$2,544.28
49792	COREANDMAIN	CORE & MAIN LLP	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$1,598.00
49793	ELPASOTELLER	EL PASO-TELLER COUNTY 9-1-1	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$400.00
49794	EMERGENCYNETWOR	EMERGENCY NETWORK SECURITY SYS	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$164.84
49795	ECS	EMPLOYERS COUNCIL	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$547.50
49796	EVOQUA	EVOQUA WATER TECHNOLOGIES LLC	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$1,463.00
49797	GENEKALESTI	Gene Kalesti	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$32.19
49798	HOMEDEPOTCREDIT	HOME DEPOT CREDIT SERVICES	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$462.89
49799	KELLYBOOKSLLC	KellyBooks LLC	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$3,987.50
49800	KEVINMAGNER	KEVIN MAGNER	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$59.98
49801	OREILLY	O'REILLY	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$346.96
49802	RUGGEDDEPOT	RUGGED DEPOT	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$1,715.69
49803	STACYDELOZIER	STACY DELOZIER	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$90.00
49804	STERICYCLE	STERICYCLE, INC.	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$38.59
49805	T2SYSTEMS	T2 SYSTEMS CANADA INC.	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$70.00
49806	UNCC	UTILITY NOTIFICATION CENTER OF	5/1/2024	COBANK-CKG 9495	PMCHK00000162	\$46.44
49807	STEPHENJSLETTA	STEPHEN J. SLETTA	5/3/2024	COBANK-CKG 9495	PMCHK00000163	\$320.00
49808	AIRGAS	AIRGAS USA, LLC	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$89.29
49809	ALERT360	ALERT 360	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$32.03
49810	AT&TMOBILITY	AT & T MOBILITY	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$3,149.26
49811	CHAVEZCONSULTIN	CHAVEZ CONSULTING INC., LLC	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$675.00
49812	COLORADORURALWA	Colorado Rural Water Associati	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$75.00
49813	CKT	COMMON KNOWLEDGE TECHNOLOGY	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$2,535.25
49814	COREANDMAIN	CORE & MAIN LLP	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$799.00
49815	DUKESELECTRIC	DUKES ELECTRIC, INC.	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$24,800.00
49816	EMBLEMAUTHORITY	EMBLEMS, INC. DBA THE EMBLEM A	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$427.00
49817	EMPLOYERSCOUNCI	EMPLOYERS COUNCIL	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$3,800.00
49818	ESO	ESO SOLUTIONS, INC.	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$208.53
49819	GEN-TECH	GEN-TECH	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$1,572.88
49820	JAN-PROFRANCHIS	JAN-PRO FRANCHISE DEVELOPMENT	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$267.75
49821	KROBLAWOFFICES	KROB LAW OFFICE, LLC	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$13,300.00
49822	LYONSGADDIS	LYONS GADDIS	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$64.00
49823	MEYER&SAMS,INC	MEYER & SAMS, INC. DBA GMS INC	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$12,943.00
49824	MYFLEETCENTER	MYFLEETCENTER	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$92.62
49825	DPCINDUSTRIES	PVS DX, INC.	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$70.00
49826	QUENTINDAVIS	QUENTIN DAVIS	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$91.65
49827	REPUBLICSERVICE	REPUBLIC SERVICES #653	5/9/2024	COBANK-CKG 9495	PMCHK00000164	\$1,148.12
49828	CITYOFCHERRYHIL	City of Cherry Hills Village	5/16/2024	COBANK-CKG 9495	PMCHK00000165	\$20,000.00
49829	COLORADODIVISIO	COLORADO DIVISION OF FIRE PREV	5/16/2024	COBANK-CKG 9495	PMCHK00000165	\$30.00
49830	COLORADORANGERS	Colorado Rangers	5/16/2024	COBANK-CKG 9495	PMCHK00000165	\$6,000.00
49831	COREANDMAIN	CORE & MAIN LLP	5/16/2024	COBANK-CKG 9495	PMCHK00000165	\$11,831.34
49832	FOUNTAINCREEKWA	Fountain Creek Watershed, Floo	5/16/2024	COBANK-CKG 9495	PMCHK00000165	\$1,287.00
49833	KEVINMAGNER	KEVIN MAGNER	5/16/2024	COBANK-CKG 9495	PMCHK00000165	\$44.34
49834	LAURA FEIN	Laura Fein	5/16/2024	COBANK-CKG 9495	PMCHK00000165	\$75.00
49835	MYFLEETCENTER	MYFLEETCENTER	5/16/2024	COBANK-CKG 9495	PMCHK00000165	\$83.28
49836	OREILLY	O'REILLY	5/16/2024	COBANK-CKG 9495	PMCHK00000165	\$179.50
49837	PALMERLAKESANIT	PALMER LAKE SANITATION	5/16/2024	COBANK-CKG 9495	PMCHK00000165	\$1,763.80
49838	RUGGEDDEPOT	RUGGED DEPOT	5/16/2024	COBANK-CKG 9495	PMCHK00000165	\$3,170.83
49839	SOURCEMANAGE	SOURCE MANAGEMENT INC.	5/16/2024	COBANK-CKG 9495	PMCHK00000165	\$67.90
49840	TLECC	TIMBER LINE ELECTRIC & CONTROL	5/16/2024	COBANK-CKG 9495	PMCHK00000165	\$12,585.00
49841	XEROX	XEROX BUSINESS SOLUTIONS SOUTH	5/16/2024	COBANK-CKG 9495	PMCHK00000165	\$1,345.00

* Voided Checks

Check Number	Vendor ID	Vendor Check Name	Check Date	Checkbook ID	Audit Trail Code	Amount
49842	BRADLEYEXCAVATI	BRADLEY EXCAVATING INC.	5/23/2024	COBANK-CKG 9495	PMCHK00000166	\$58,683.79
49843	CENTURYLINK	CENTURYLINK	5/23/2024	COBANK-CKG 9495	PMCHK00000166	\$607.96
49844	CIVICPLUSLLC	CIVICPLUS LLC	5/23/2024	COBANK-CKG 9495	PMCHK00000166	\$972.00
49845	COSTCO	Costco Wholesale	5/23/2024	COBANK-CKG 9495	PMCHK00000166	\$120.00
49846	EUGENE RAMIREZ	Eugene (Gene) Ramirez	5/23/2024	COBANK-CKG 9495	PMCHK00000166	\$18.26
49847	CICCOLELLAJOH	JOHN CICCOLELLA	5/23/2024	COBANK-CKG 9495	PMCHK00000166	\$320.00
49848	TORWEIHE,LETICI	Leticia Torweihe	5/23/2024	COBANK-CKG 9495	PMCHK00000166	\$48.51
49849	OREILLY	O'REILLY	5/23/2024	COBANK-CKG 9495	PMCHK00000166	\$45.36
49850	PIONEER	PIONEER	5/23/2024	COBANK-CKG 9495	PMCHK00000166	\$6,084.67
49851	RUGGEDDEPOT	RUGGED DEPOT	5/23/2024	COBANK-CKG 9495	PMCHK00000166	\$3,065.00
49852	TRILAKESSERVICE	TRI-LAKES SERVICE CENTER	5/23/2024	COBANK-CKG 9495	PMCHK00000166	\$7,300.00
49853	ACTIVE911,INC.	Active911, Inc.	5/30/2024	COBANK-CKG 9495	PMCHK00000167	\$393.75
49854	COREANDMAIN	CORE & MAIN LLP	5/30/2024	COBANK-CKG 9495	PMCHK00000167	\$16,188.07
49855	ERINWHITE	Erin White	5/30/2024	COBANK-CKG 9495	PMCHK00000167	\$75.00
49856	INTELLICHOICE	Intellichoice, Inc.	5/30/2024	COBANK-CKG 9495	PMCHK00000167	\$2,952.72
49857	OREILLY	O'REILLY	5/30/2024	COBANK-CKG 9495	PMCHK00000167	\$63.14
49858	OASISLANDSCAPE	OASIS LANDSCAPE & IRRIGATION I	5/30/2024	COBANK-CKG 9495	PMCHK00000167	\$333.67
49859	POWERSERVICEINC	POWER SERVICE INC.	5/30/2024	COBANK-CKG 9495	PMCHK00000167	\$5,157.70
49860	ROSAIDAWILSON	Rosaida Willson	5/30/2024	COBANK-CKG 9495	PMCHK00000167	\$75.00
49861	SARA ROPP	Sara Ropp	5/30/2024	COBANK-CKG 9495	PMCHK00000167	\$75.00
49862	STERICYCLE	STERICYCLE, INC.	5/30/2024	COBANK-CKG 9495	PMCHK00000167	\$40.52
49863	VERSATERM	Versaterm (formerly Visual Lab	5/30/2024	COBANK-CKG 9495	PMCHK00000167	\$12,096.00

Total Checks: 78

Total Amount of Checks: \$260,122.71

=====

Town of Palmer Lake
ACH REGISTER REPORT
Payables Management

ACH Date	From:	To:
5/1/2024	5/1/2024	5/31/2024
Checkbook ID	COBANK-CKG 9495	COBANK-CKG 9495

Sorted By: Date

Trx Date	Orig. Audit Trail	Distribution Reference	Orig. Master Number	Orig. Master Name	Amount
5/1/2024	CMTRX00000144	Bank Transaction Entry	WDL000001312	Xfinity	11.07
5/1/2024	CMTRX00000144	Bank Transaction Entry	WDL000001313	Comcast	193.35
5/2/2024	CMTRX00000144	Bank Transaction Entry	WDL000001325	Paycom	62,577.30
5/3/2024	CMTRX00000144	Bank Transaction Entry	WDL000001317	Parking Kiosk Fee	158.92
5/7/2024	CMTRX00000142	Bank Transaction Entry	WDL000001290	CORE Eelectric	9,609.25
5/7/2024	CMTRX00000144	Bank Transaction Entry	WDL000001318	Humana	986.27
5/7/2024	CMTRX00000144	Bank Transaction Entry	WDL000001320	WEX Fuel	3,192.04
5/8/2024	CMTRX00000144	Bank Transaction Entry	WDL000001321	PCS	1,799.33
5/8/2024	CMTRX00000144	Bank Transaction Entry	WDL000001323	FPPA	6,331.30
5/9/2024	CMTRX00000141	Bank Transaction Entry	WDL000001289	Black Hills Energy	129.55
5/14/2024	CMTRX00000144	Bank Transaction Entry	WDL000001303	Black Hills Energy	167.27
5/14/2024	CMTRX00000144	Bank Transaction Entry	WDL000001304	Black Hills Energy	116.23
5/14/2024	CMTRX00000144	Bank Transaction Entry	WDL000001305	Black Hills Energy	114.79
5/14/2024	CMTRX00000144	Bank Transaction Entry	WDL000001306	Black Hills Energy	103.29
5/14/2024	CMTRX00000144	Bank Transaction Entry	WDL000001307	Black Hills Energy	75.97
5/14/2024	CMTRX00000144	Bank Transaction Entry	WDL000001308	Black Hills Energy	60.88
5/14/2024	CMTRX00000144	Bank Transaction Entry	WDL000001309	Black Hills Energy	35.72
5/14/2024	CMTRX00000144	Bank Transaction Entry	WDL000001310	Black Hills Energy	33.56
5/14/2024	CMTRX00000144	Bank Transaction Entry	WDL000001316	HealthEquity	7.50
5/14/2024	CMTRX00000144	Bank Transaction Entry	WDL000001319	Pinnacol Assurance	7,523.00
5/16/2024	CMTRX00000145	Bank Transaction Entry	WDL000001326	Paycom	61,620.44
5/21/2024	CMTRX00000141	Bank Transaction Entry	WDL000001288	Amcobi	211.24
5/21/2024	CMTRX00000143	Bank Transaction Entry	WDL000001291	Amcobi	1,164.51
5/21/2024	CMTRX00000143	Bank Transaction Entry	WDL000001292	Amcobi	143.05
5/21/2024	CMTRX00000143	Bank Transaction Entry	WDL000001293	Amcobi	139.15
5/21/2024	CMTRX00000144	Bank Transaction Entry	WDL000001294	Amcobi	143.05
5/21/2024	CMTRX00000144	Bank Transaction Entry	WDL000001295	Amcobi	122.65
5/21/2024	CMTRX00000144	Bank Transaction Entry	WDL000001296	Amcobi	111.85
5/21/2024	CMTRX00000144	Bank Transaction Entry	WDL000001297	Amcobi	92.56
5/21/2024	CMTRX00000144	Bank Transaction Entry	WDL000001298	Amcobi	90.88
5/21/2024	CMTRX00000144	Bank Transaction Entry	WDL000001299	Amcobi	90.04
5/21/2024	CMTRX00000144	Bank Transaction Entry	WDL000001300	Amcobi	88.36
5/21/2024	CMTRX00000144	Bank Transaction Entry	WDL000001301	Amcobi	85.00
5/21/2024	CMTRX00000144	Bank Transaction Entry	WDL000001311	Visa Cardmember Services	2,887.10
5/24/2024	CMTRX00000144	Bank Transaction Entry	WDL000001322	PCS	1,746.47
5/24/2024	CMTRX00000144	Bank Transaction Entry	WDL000001324	FPPA	6,363.46
5/28/2024	CMTRX00000144	Bank Transaction Entry	WDL000001302	Anthem	8,357.04
5/30/2024	CMTRX00000145	Bank Transaction Entry	WDL000001327	Paycom	64,766.17
5/31/2024	CMTRX00000144	Bank Transaction Entry	WDL000001314	Xfinity	11.07
5/31/2024	CMTRX00000144	Bank Transaction Entry	WDL000001315	Comcast	193.35
Total ACHs:	40			Total Amount of ACHs:	\$ 241,654.03



Charts

May 2024

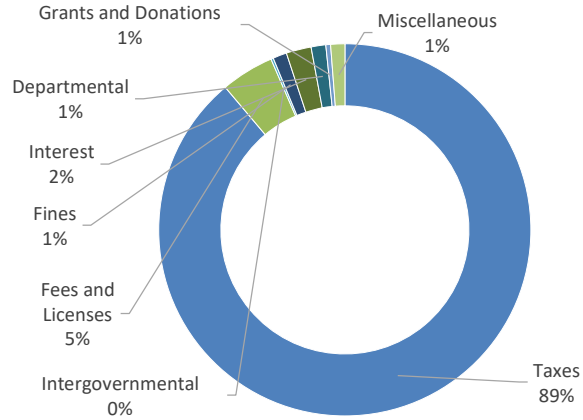
TOWN OF PALMER LAKE

REVENUE CHARTS GENERAL FUND

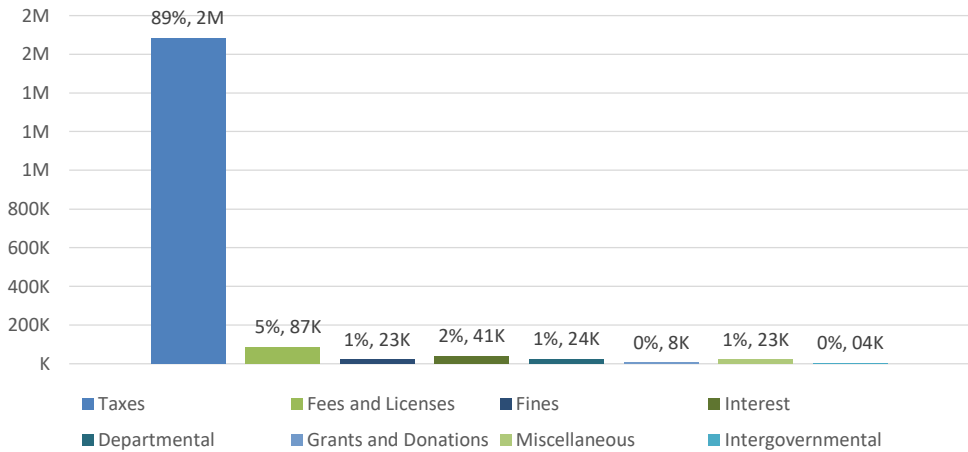
For the Five Months Ended May 31, 2024
UNAUDITED

Item 3.

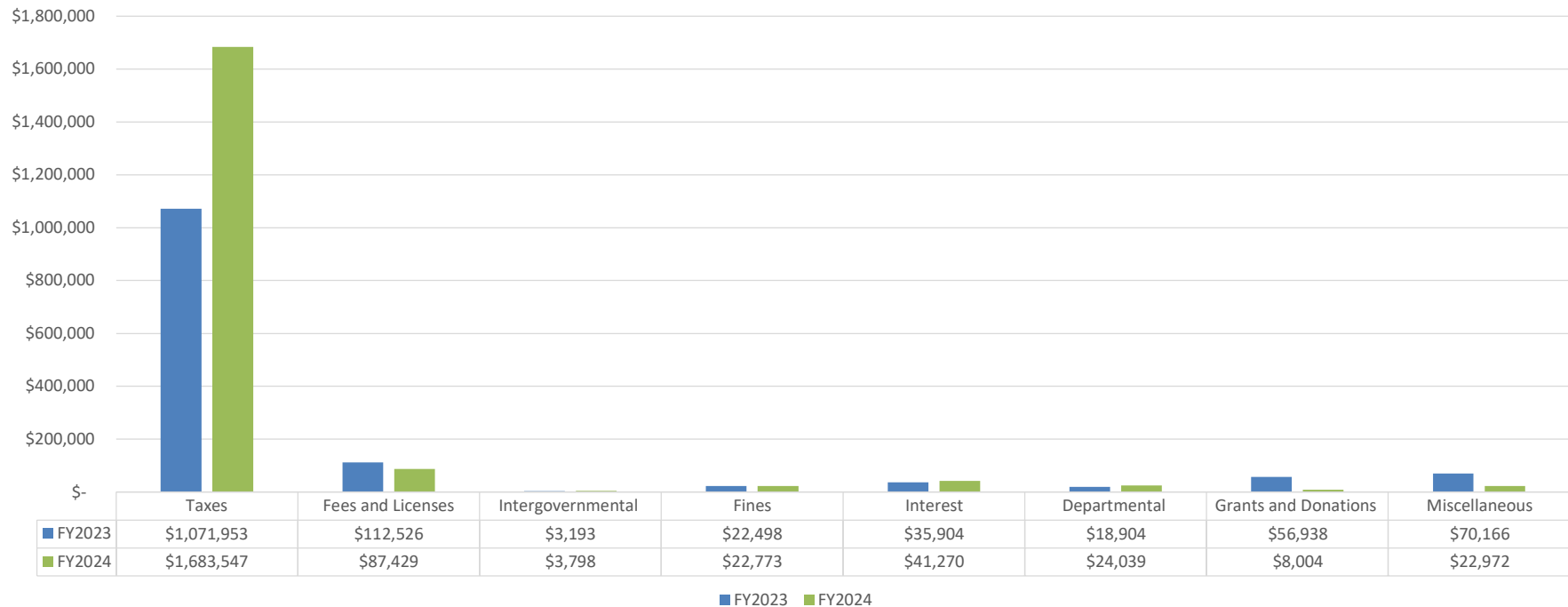
Revenue Composition - May 2024



Revenue Composition - May 2024



Revenue Composition - Prior Year Comparison



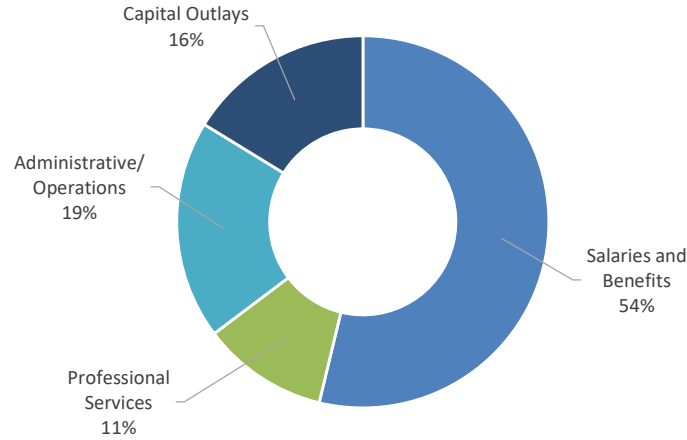
TOWN OF PALMER LAKE

Item 3.

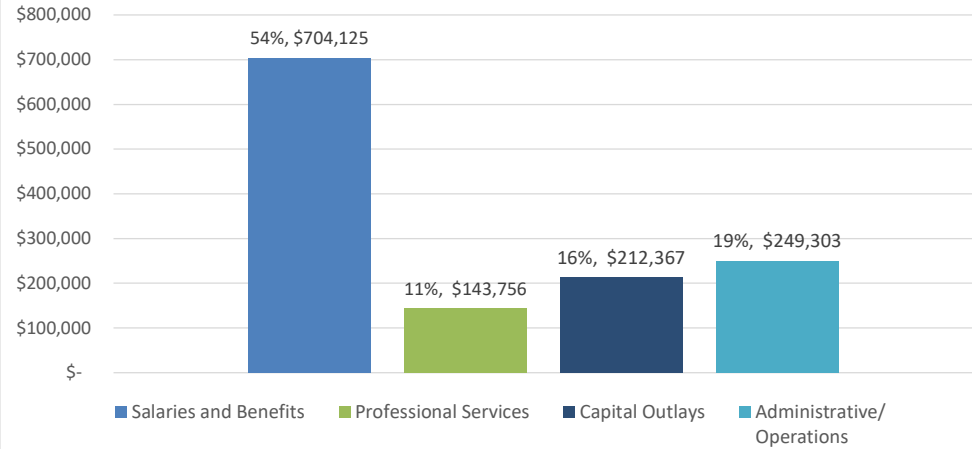
EXPENDITURE CHARTS GENERAL FUND

For the Five Months Ended May 31, 2024
UNAUDITED

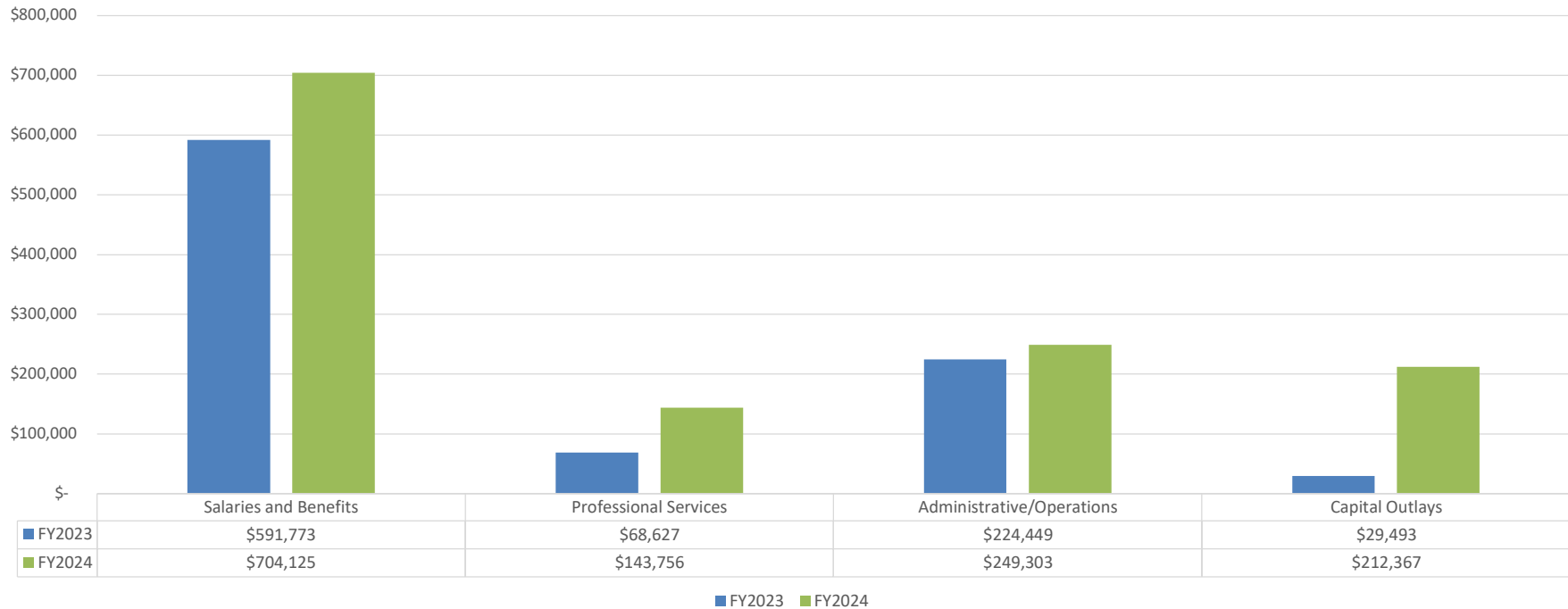
Expenditure Composition by Type - May 2024



Expenditure Composition by Type - May 2024



Expenditure Composition by Type - Prior Year Comparison



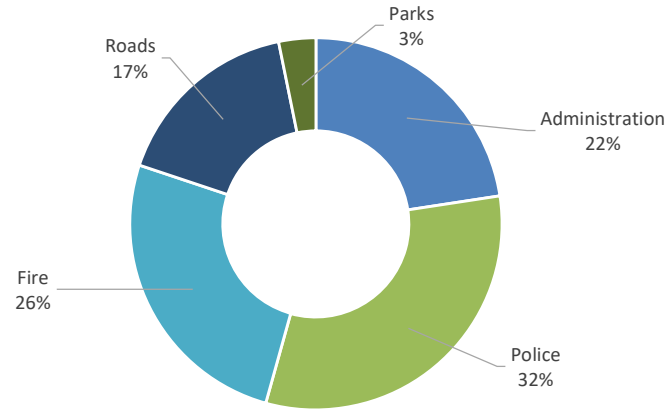
TOWN OF PALMER LAKE

EXPENDITURE CHARTS GENERAL FUND

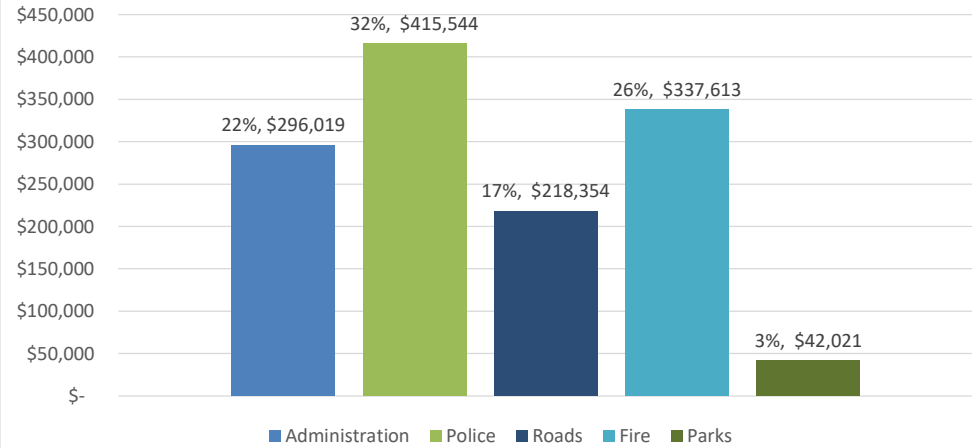
For the Five Months Ended May 31, 2024
UNAUDITED

Item 3.

Expenditure Composition by Department - May 2024



Expenditure Composition by Department - May 2024



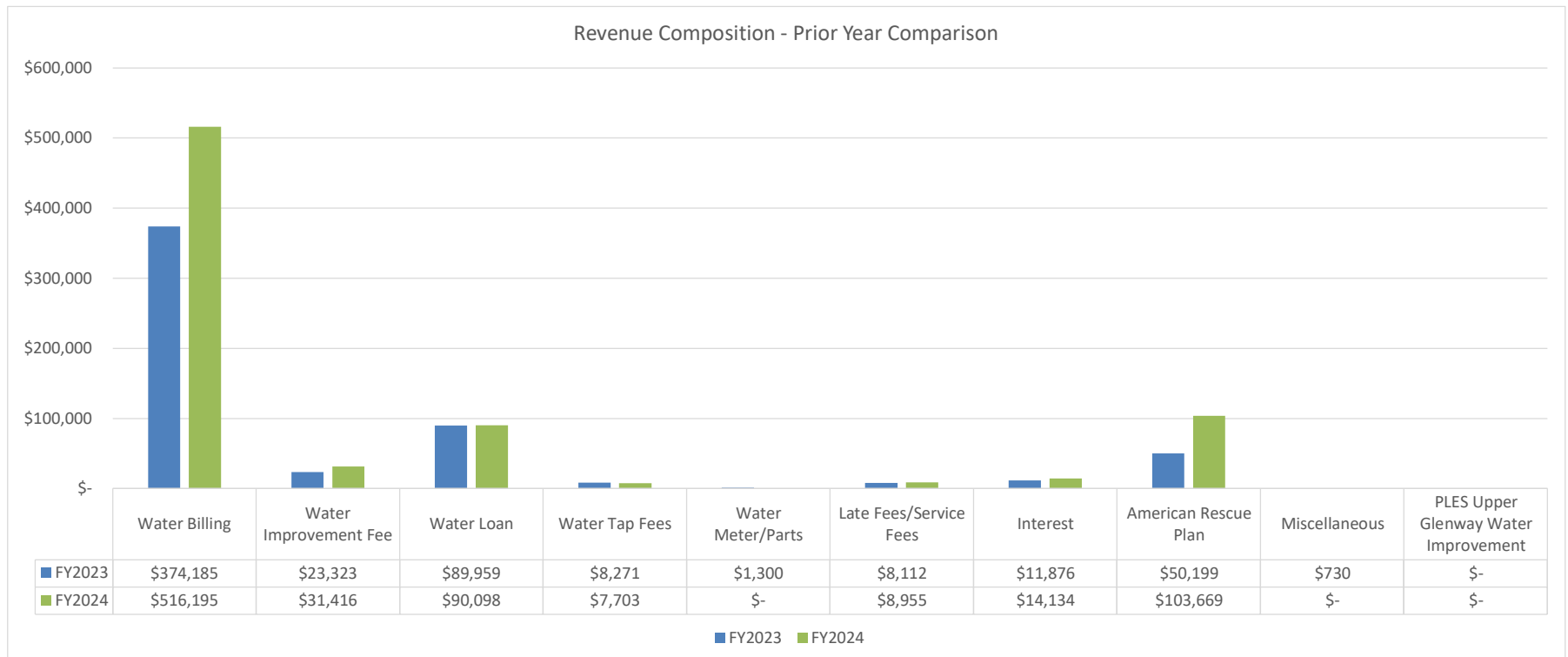
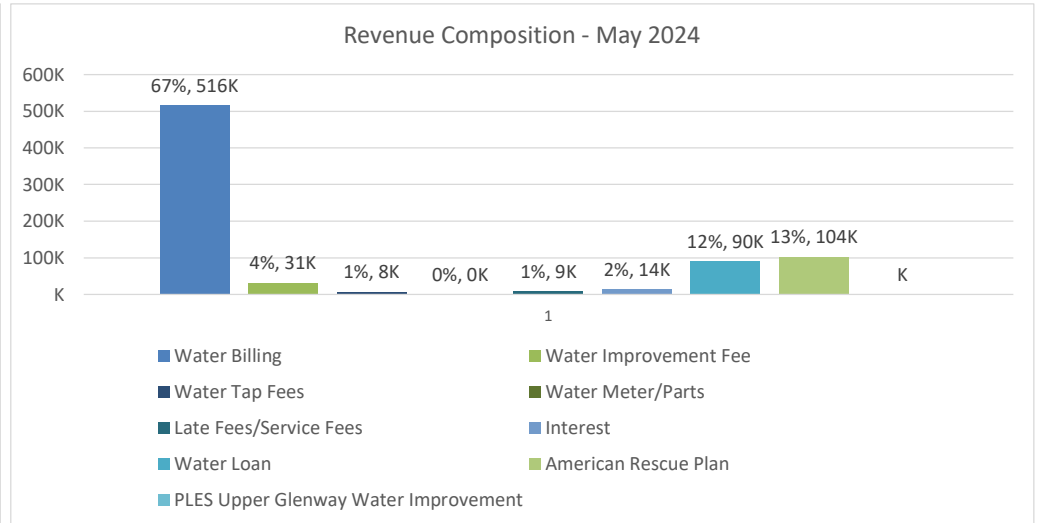
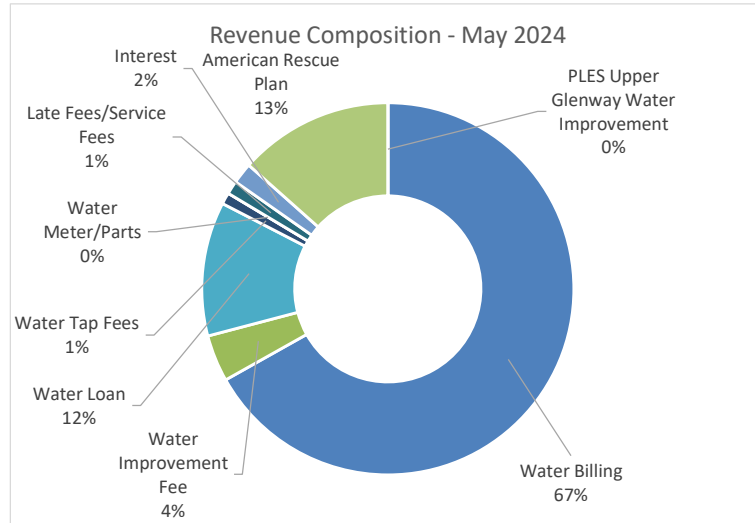
Expenditure Composition by Department - Prior Year Comparison



TOWN OF PALMER LAKE

Item 3.

REVENUE CHARTS WATER ENTERPRISE FUND For the Five Months Ended May 31, 2024 UNAUDITED

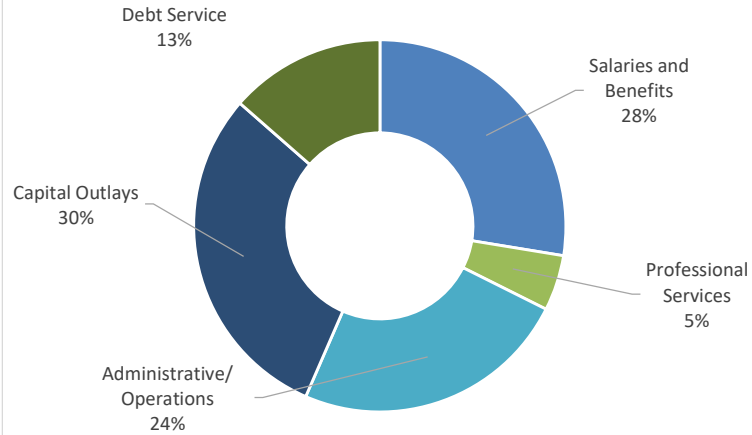


TOWN OF PALMER LAKE

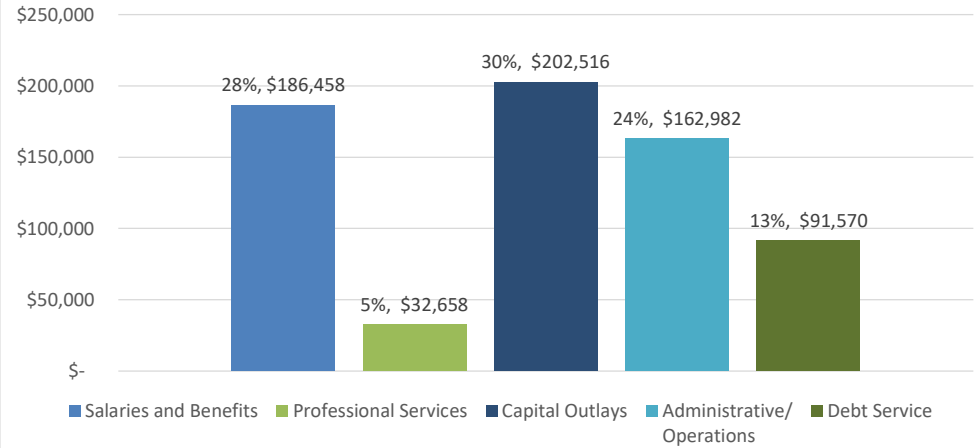
Item 3.

EXPENDITURE CHARTS WATER ENTERPRISE FUND For the Five Months Ended May 31, 2024 UNAUDITED

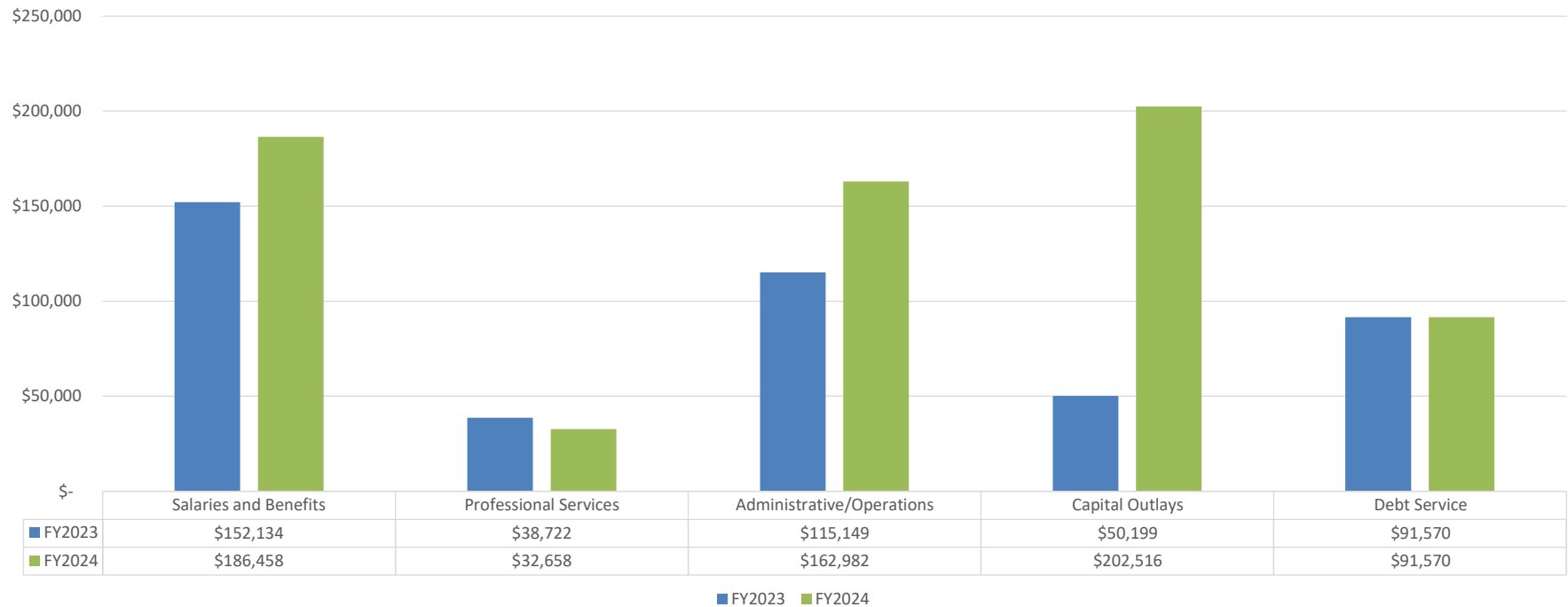
Expenditure Composition by Type - May 2024

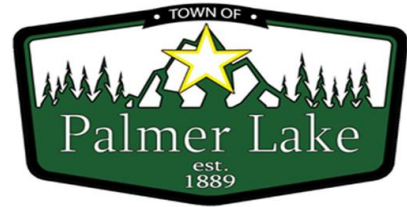


Expenditure Composition by Type - May 2024



Expenditure Composition by Type - Prior Year Comparison





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

DATE: June 27, 2024	ITEM NO. 6	SUBJECT: PUBLIC HEARING
Presented by: Deputy Town Clerk		Conditional Use at 650 Illumination Pt – Access (Greater Grounds) <i>continued</i>

Background

This item was continued by the Planning Commission at the June meeting until the July meeting.

The applicant continues to work with CDOT for an access permit due to the changed use on the Illumination Point site. The last email correspondence from Mr. Whiteley, prior to the Planning Commission meeting, is that he engaged another property owner to conduct a traffic impact study, as required by CDOT.

Recommended Action

Options suggested by staff:

- Move to continue hearing until the July 25 meeting following the next (July) Planning Commission meeting
- Move to refer the conditional use be considered by the Planning Commission, contingent on a 6-month review that all requirements are met pursuant to town and other agency regulations (CDOT).

The conditional use request is to operate a landscape yard in a C2 zone. The business continues to operate without conditional use approval.

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

Notice is hereby given that Palmer Lake Planning Commission shall hold a public hearing on Wednesday, June 19, 2024, at 5 PM at the Town Hall at 28 Valley Crescent, Palmer Lake, to consider an application for lot line adjustment to Lots 36 and 37, located at 812-814 Meadow Lane, Palmer Lake. A recommendation will be made to the Board of Trustees on the same matter scheduled to be heard on Thursday, June 27 at 6 PM. A copy of the complete application is on file at the Town Clerk office, at 719-481-2953. /s/ Dawn A. Collins, Town Clerk



Item 7.

TOWN OFFICE USE ONLY

Date Received: 5-17-24
Amount: \$ 1000⁰⁰
☐ Approved ☐ Denied
Expires: _____

By: AK
Pmt Type: AK # 1953
Date: _____
By: _____

VACATION & REPLAT APPLICATION

Name of Applicant/Property Owner: E-Rock LLC Kurt Ehrhardt ManagerName of Proposal: Lot Line adjustment for Lots 36+37Address: 814-812 Polo City: Palmer Lake State: CO Zip: 80132Email: mk Ehrhardt @ G mail . com Tax Schedule #: 71100-06-128

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: 814-812 Meadow Lane Polo 80133Nearest Street Intersection: Highway 105 Existing Subdivision: Elephant Rock acres

Current Zoning and Uses of Surrounding Property: N: R-3
E: "
S: "
W: "

Signature of Owner: Kurt Ehrhardt Date: 5-16-2024Applicants Name: Kurt D Ehrhardt E-Rock LLCAddress/Location: 814-812 Meadow Lane

Due to the floodplain and Dales Trail Location,
I am requesting to reduce lot 38 and add it to
lot 37. Lot 38 will remain well over 5000 Sqft.
By allowing this request the open space we've
created will be allowed to continue.

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

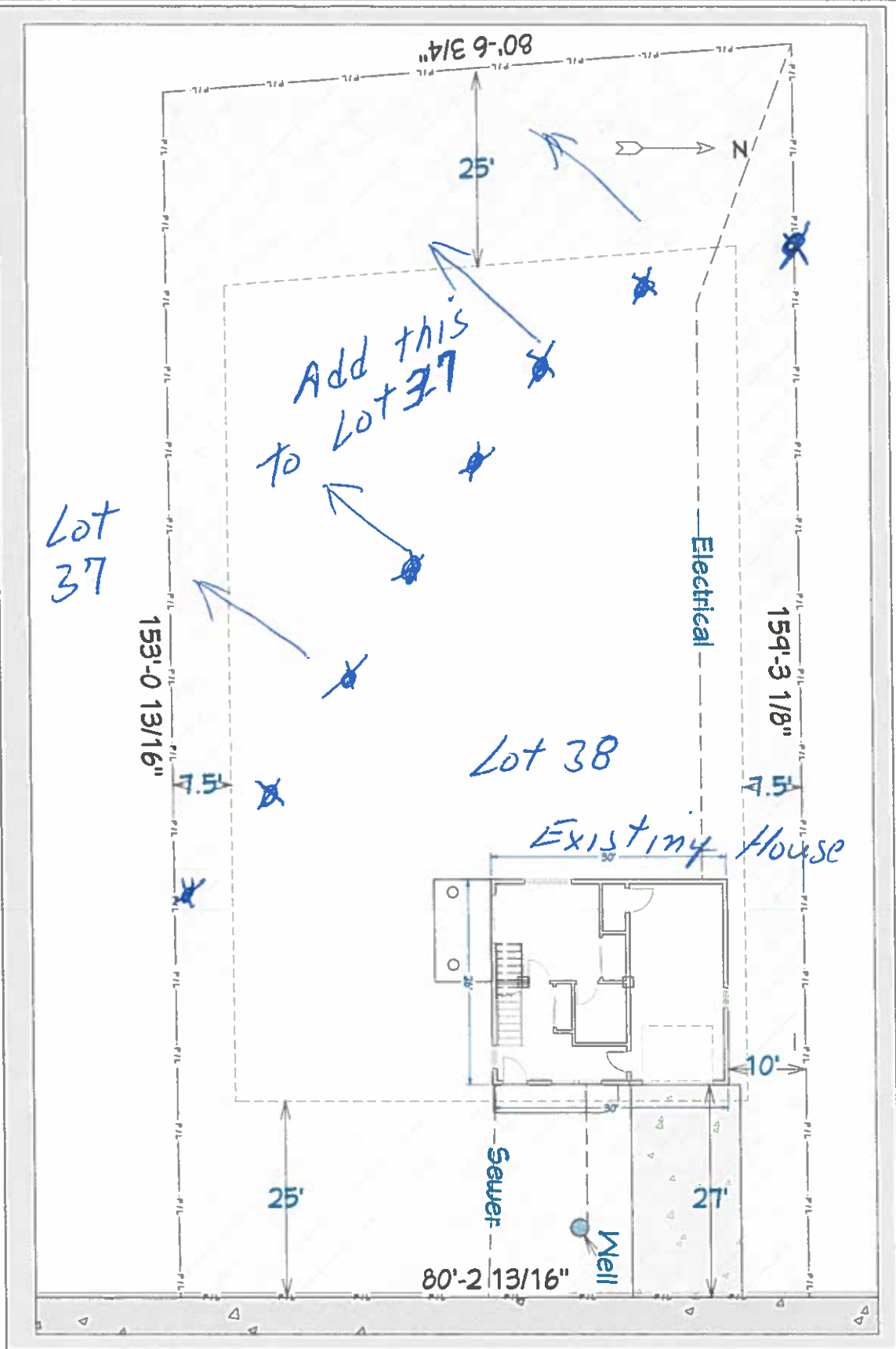
.....

- ☐ Name of the proposed Plan
- ☐ A specific legal description
- ☐ Name and address of owner or agent and of person preparing the plan
- ☐ Date of preparation, scale, and Northpoint
- ☐ A vicinity location map
- ☐ Topography with a contour interval of no more than 20 feet from the appropriate USGS quadrangle
- ☐ Proposed sewage treatment systems
- ☐ Proposed water supply system with adequate evidence that sufficient water exists to supply the proposed development.
- ☐ Proposed drainage compliance (pre & post development)
- ☐ Summary statement of the characteristics of the proposed area
- ☐ Any potential hazards (radiation, flood, other environmental issues.)

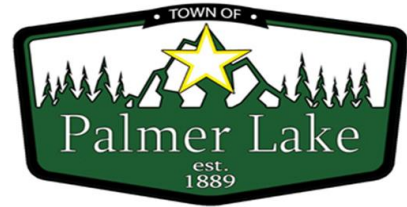
.....

- ☐ Site Plans (3 full size, 1 electronic)
- ☐ Letter of Intent
- ☐ Complete application form and plans to the Town Clerk
- ☐ Pay an application fee (\$250 fee + \$10 per acre) to the Town Clerk
- ☐ Posting/publication of Public Hearing 15 days before the Planning Commission
- ☐ Posting/publication of Public Hearing 15 days before the Board of Trustees
- ☐ Public notice for each set of hearings (newspaper and signage)

I will provide required survey work. It should be available next week. Surveyors parent has passed and didn't allow to accompany this application. I am hoping to request this in June's agenda



SHEET: A-2		SCALE: 1/8" = 1'		DATE: 11/26/2023		DRAWINGS PROVIDED BY:		PROJECT DESCRIPTION: 814 Meadow Ln.		SHEET TITLE: PLOT MAP		<table><tr><th>NO</th><th>DESCRIPTION</th><th>BY</th><th>DATE</th></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></table>				NO	DESCRIPTION	BY	DATE																						
NO	DESCRIPTION	BY	DATE																																						



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

DATE: June 27, 2024	ITEM NO.	SUBJECT: Resolution to Approve Replat of 812-814 Meadow Lane
Presented by: Deputy Town Clerk Grace McNeil		

Recommended Action

Approve the replat for 812-814 Meadow Lane as presented and recommended approval by Planning Commission.

Background

Mr. Kurt Ehrhardt requested a lot line adjustment of lots located at 812-814 Meadow Ln, at Elephant Rock Acres, to allow for an open space, trail, and natural floodplain. The replat was presented to the Planning Commission on June 19. The Commission heard the request and recommended approval of the replat as presented.

Minutes are noted below:

Application for Replat - Lot Line Adjustment, 812-814 Meadow Ln. Mr. Matt Ehrhardt presented application on behalf of Kurt Ehrhardt (applicant), Elephant Rock Acres property owner. Mr. Ehrhardt spoke about the floodplain area and location of Dales Trail. The request is to reduce lot 38 and add it to lot 37. Lot 38 will remain just over 5000 sq. ft. If this request is approved, the intended open space will be allowed to continue. No other person spoke about the matter. The hearing was closed.

Recommendation on Replat of Lot Line 812-814 Meadow Lane (Ehrhardt). Mr. Matt Ehrhardt presented the application. The size of lot 38 was addressed and satisfied requirement of minimum of 5000 sq. ft. MOTION (Hutson, Miner) to approve the replat application for the lot line adjustment. Motion passed.

TOWN OF PALMER LAKE, COLORADO**RESOLUTION NO. 32 - 2024****A RESOLUTION APPROVING A REPLAT, LOT LINE ADJUSTMENT OF LOTS 36 AND 37, ELEPHANT ROCK ACRES, PLMER LAKE, LOCATED AT 812-814 MEADOW LANE, PALMER LAKE**

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

WHEREAS, Kurt Ehrhardt, (“Applicant”) is the owner of Lots 36 and 37, Elephant Rock Acres, Palmer Lake, also known as 812 and 814 Meadow Lane (“the Property”); and

WHEREAS, the Applicant submitted an application seeking to replat the lot line for adjustment of the lots, as depicted on Exhibit A attached; 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 June 19, 2024, the Planning Commission reviewed the Application and recommended approval of the lot line adjustment 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 36 and 37, Elephant Rock Acres, Palmer Lake, also known as 812 and 814 Meadow Lane, as depicted on Exhibit A, and incorporated herein, evidencing the replat request by the Owner, 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 27th DAY OF JUNE 2024.**

TOWN OF PALMER LAKE, COLORADO

ATTEST:

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor

ELEPHANT ROCK ACRES FILING No. 6
A VACATION AND REPEAT OF LOTS 32 THROUGH 37, BLOCK 1,
ELEPHANT ROCK ACRES
TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO

KNOW ALL MEN BY THESE PRESENTS:

This (ELROC, LLC) a Colorado limited liability company, being the owner of the following described tract of land to wit:

Lot 32 through 37, Block 1, Elephant Rock Acres, El Paso County, Colorado.

Containing a consolidated area of 74.510 square feet (1.70445 acres), more or less.

DEEDS:

The above property is being transferred and sold to be received and accepted by the following named parties, to wit: (ELROC, LLC) a Colorado limited liability company, being the owner of the following described tract of land to wit:

Lot 32 through 37, Block 1, Elephant Rock Acres, El Paso County, Colorado.

Containing a consolidated area of 74.510 square feet (1.70445 acres), more or less.

IN WITNESS WHEREOF:

The abovesigned, (ELROC, LLC) has executed and delivered this

_____ day of _____, 20____.

By _____

NOTARIAL:

STATE OF COLORADO } SS
COUNTY OF EL PASO }

The above and abovesigned was personally known by me _____ day of _____, 20____, by _____, Notary Public in and for the State of Colorado.

Witness my hand and seal _____ day of _____, 20____.

My Commission expires _____

PLANNING COMMISSION APPROVAL:

This plan was approved by the Palmer Lake Planning Commission on the _____ day of _____, 20____.

City: Palmer Lake

Chair: Planning Commission

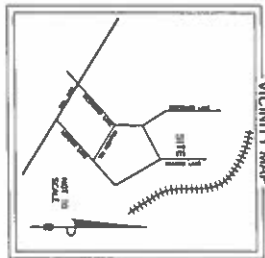
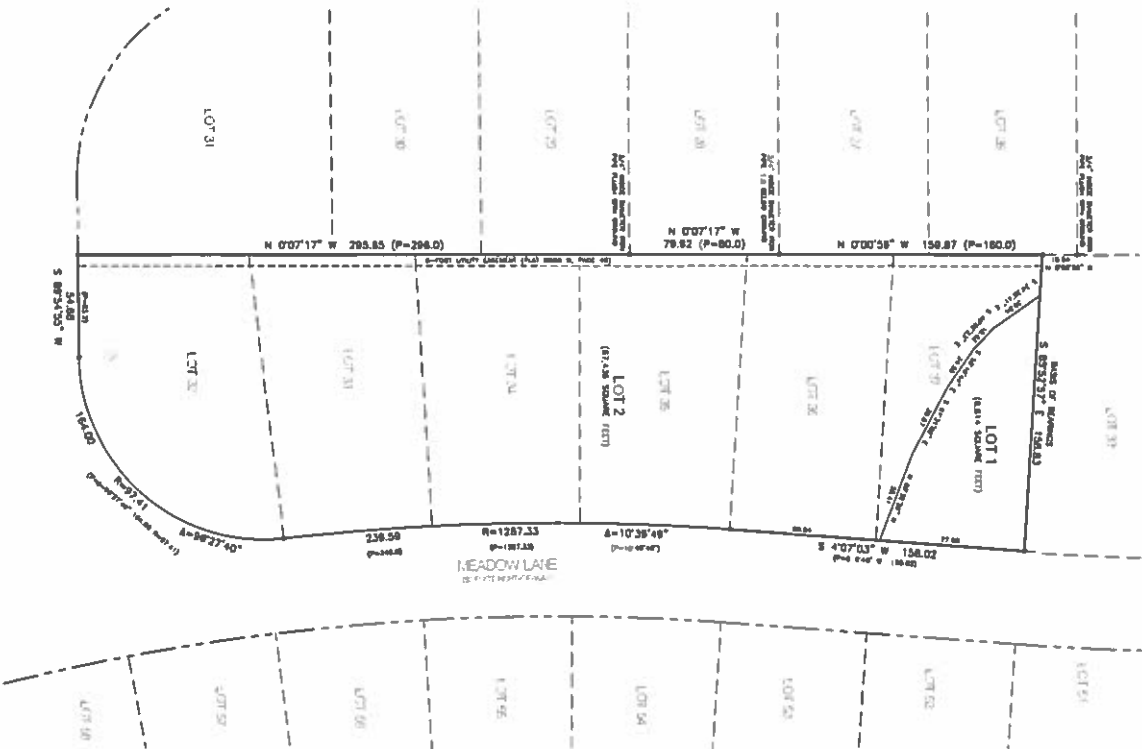
BOARD OF TOWN TRUSTEES APPROVAL:

This plan was approved by the Board of Trustees of Palmer Lake on the _____ day of _____, 20____.

Mayor of the Town of Palmer Lake



COMPASS SURVEYING & MAPPING, LLC
5545 W. 120th Avenue, Suite 100
Colorado Springs, CO 80917
719.354.1120
WWW.COMPASSLLC.COM



NOTES:

1. The survey was made pursuant to the terms of the Survey Agreement between the Surveyor and the Client, dated and captioned as above.
2. The survey was made pursuant to the terms of the Survey Agreement between the Surveyor and the Client, dated and captioned as above.
3. The survey was made pursuant to the terms of the Survey Agreement between the Surveyor and the Client, dated and captioned as above.

SURVEYOR'S STATEMENT:

The undersigned Professional Land Surveyor, licensed in the State of Colorado, hereby states and certifies that the above described land is the property of the Client, and that the survey was made pursuant to the terms of the Survey Agreement between the Surveyor and the Client, dated and captioned as above.

Witness my hand and seal this _____ day of _____, 20____.

RECORDING:

STATE OF COLORADO } SS
COUNTY OF EL PASO }

I hereby certify that this instrument was filed for record in my office at _____ day of _____, 20____, and is duly recorded under _____ of the records of El Paso County, Colorado.

Signature: _____ STAFF SURVEYOR, RECORDS
Title: _____ Deputy

REVISIONS	PROJECT NO.	DATE
1	24082	MAY 22, 2024
2		
3		
4		
5		
6		
7		
8		
9		
10		

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

RESOLUTION NO. 33 - 2024

A RESOLUTION TO APPROVE A CITIZEN APPOINTMENT TO THE PALMER LAKE PARKS AND TRAILS COMMISSION, PALMER LAKE, COLORADO

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

WHEREAS, pursuant to State Statute and the Palmer Lake municipal code, the Board of Trustees is authorized to approve the recommendation of appointed officials to the Parks and Trails Commission; and

WHEREAS, at the special meeting on June 25, 2024, the Parks and Trails Commission recommended approval of a citizen appointment to fill a vacancy.

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

Section 1. The following individual is appointed to fill the vacancy for the Town of Palmer Lake Parks and Trails Commission:

Two Year term (ending January 2025) – Caleb Stone

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

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

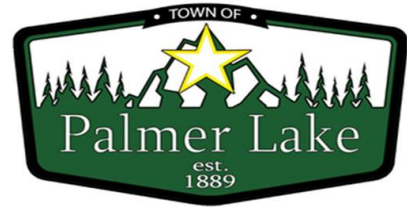
INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 27th DAY OF JUNE 2024.

TOWN OF PALMER LAKE, COLORADO

Glant Havenar, Mayor

ATTEST:

By: _____
Dawn A. Collins, Town Clerk



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

DATE: June 27, 2024	ITEM NO. 11	SUBJECT: Resolution to Approve Extension of Temporary Conditional Use – Diacut/Hayco
Presented by: Deputy Town Clerk Grace McNeil		

Recommended Action

To approve the temporary conditional use for 12 months for Diacut/Hayco use with conditions set by Planning Commission. Additionally, staff suggests modifying the deadline from July 1 to August 1 to complete the screening condition.

Background

Mr. Bruno Furrer, property owner, and Mr. Loren Burlage, tenant/operator, requested an extension of the temporary conditional use at Hwy 105. This request was presented to the Board of Trustees on May 30, and referred to the Planning Commission on June 19th for clarification of the height requirement for the screening in the condition noted in the Resolution.

The Commission discussed the request from the Board and heard the proposal from Mr. Loren Burlage to meet the requirement.

Minutes are noted below:

Referred Review of Conditions for the Temporary Conditional Use (Diacut/Hayco). Mr. Loren Burlage addressed the Commission members regarding clarification from the Board of Trustees for a height requirement on the condition for screening. The Commission members discussed the screening, and Mr. Burlage spoke to the slope of the property and the difficulty to completely screen all vehicles, Connex and other equipment. Mr. Burlage proposed a plan for the best screening to meet the condition set forth. Members discussed the proposed plan. MOTION (Miner, Zapalac) to recommend to the Board of Trustees privacy screening of a minimum of 36 feet wide and 5 – 5.5 feet in height with green privacy screening. Motion passed.

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

RESOLUTION NO. 34 - 2024

**A RESOLUTION EXTENDING A TEMPORARY CONDITIONAL USE PERMIT
FOR 12 MONTHS FOR 773 SOUTH HIGHWAY 105, 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, Diacut is the owner of certain real property located at 773 South Highway 105 (“the Property”); and

WHEREAS, the Property is located in the C-2 General Business and Commercial Zone district; and

WHEREAS, Hayco uses the Property to operate a wholesale business including outside storage; and

WHEREAS, wholesale business including outside storage is allowed as a conditional use in the C-2 district; and

WHEREAS, on April 28, 2022, the Board of Trustees adopted Resolution 26-2022, approving a temporary conditional use permit for the operation of Hayco’s wholesale business including outdoor storage on the Property for 12 months, subject to specified conditions; and

WHEREAS, on May 25, 2023, the Board of Trustees adopted Resolution 41-2023, approving a one year extension of the temporary conditional use permit, to May 31, 2024; and

WHEREAS, the property and business owner have requested another extension for up to two years for the temporary conditional use on the Property; and

WHEREAS, the Planning Commission heard the request on May 15, 2024, and recommended the Board extend the conditional use permit for another 12 months, subject to certain additional conditions, set forth below.

WHEREAS, on June 13, 2024, the matter was heard by the Board of Trustees, who sent the matter back to the Planning Commission for clarification of an issue related to screening of materials on the Property; and

WHEREAS, on June 19, 2024, the Planning Commission recommended that Applicant be required to install screening 36 feet wide and five and one half feet tall, using green privacy screening.

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

Section 1. The temporary conditional use permit for the Property is extended for another period of twelve (12) months, to and including May 31, 2025, subject to the conditions set forth in Resolutions 26-2022 and 41-2023, and subject to the following additional conditions:

1. All vehicles, Connex, and other equipment on the Property must be screened from view from Highway 105 behind green privacy screening a minimum of 36 feet wide and 5 feet tall on or before August 1, 2024.
2. On or before May 31, 2025, the Applicants must submit an application for a permanent conditional use permit that fully complies with all applicable Town regulations, including but not limited to screening and/or structure to enclose materials. Such application will be subject to review and recommendation by the Planning Commission and approval by the Board. If no such application is submitted by May 31, 2025, or if such application is not approved, then Applicants must immediately cease use of the Property for the temporary conditional use.

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

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

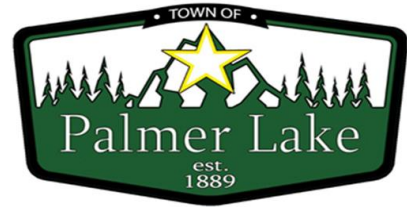
INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 27TH DAY OF JUNE 2024.

TOWN OF PALMER LAKE, COLORADO

Glant Havenar, Mayor

ATTEST:

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



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

DATE: June 27, 2024	ITEM NO.	SUBJECT: Authorize Additional Fund Balance for Upper Glenway/PLES Water Line and Roadway Improvement Project
Presented by: Town Administrator Dawn Collins		

Recommended Action

Staff recommends completing the entire project – Base and Alternate Bid, completing the Upper Glenway and Pie Corner improvement project utilizing additional fund balance from GF/Water.

Background

These projects are estimated nearly three years in advance to plan and be awarded funding.

Reference GMS memo and budget (proposed change) spreadsheet, specifically [A], [B] fund balance impact to the GF and Water budget.

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.

MEMORANDUM

Via Electronic Mail (No Hard Copy to Follow)

TO: Board of Trustees
Ms. Glant Havenar, Mayor
Ms. Dawn Collins, Town Administrator/Clerk
Town of Palmer Lake

DATE: June 27, 2024

FROM: Mr. Mark A. Morton, P.E.
GMS, Inc., Consulting Engineers

RE: Town of Palmer Lake
Palmer Lake Elementary School Road Improvements Project

Ladies and Gentlemen:

GMS, Inc. completed the bidding and construction documents for the Palmer Lake Elementary School Road Improvements project. This project scope of work included replacement of water system pipelines, valves, service lines and meter pit assemblies; installation and replacement of drainage system structures and pipelines; sidewalk, drive apron and curb and gutter installations and replacements; and asphalt pavement installation and replacement. The project construction covers Upper Glenway Road from High Street to Pie Corner, and also a portion of Pie Corner from Upper Glenway Road to approximately 175 feet south of Columbine Road.

The bidding documents were distributed to five (5) construction organizations. At the advertised time and date for submittal of bids, only one organization submitted bid documents. Based on our review of the submitted documents, it appears the submittal is responsive to the bidding requirements. In addition, we have coordinated the completion of the post-bid forms by the organization, and their submittal to the Colorado Department of Transportation (CDOT), as requested by the CDOT Local Agency Representative. A tabulation of the bid submitted is shown below. The Base Bid Schedule generally includes the improvements in Upper Glenway Road. Alternate Bid Schedule No. 1 generally includes the work in Pie Corner.

Scope of Work	West Fork Construction LLC	Engineer's Estimate
Base Bid Schedule – Upper Glenway Road	\$928,998.50	\$1,068,466.00
Alternate Bid Schedule No. 1 – Pie Corner	\$391,531.00	\$350,315.00
Total – Base and Alternate Bid Schedules	\$1,320,529.50	\$1,418,781.00

In considering the award options for the project, we have reviewed the bid results with Town staff against budgeted funds for the project. The Town was successful in winning a grant award for a portion of the construction of this project. The grant award was coupled with a local match requirement. The grant and local match dollars will allow for the award of the Base Bid Schedule, plus a contingency allowance of 10% of the bid amount. In order to award the Base Bid and Alternate Bid schedules together, additional funds would be required by the Town. Below is a summary of the project funds for each award scenario.

	Base Bid Schedule Only	Base and Alternate Bid Schedules
Award	\$928,998.50	\$1,320,529.50
Contingencies (10%)	\$92,899.85	\$132,052.95
Total Cost	\$1,021,898.35	\$1,452,582.45
Project Funds (Grant + Local Match)	\$1,022,066.00	\$1,022,066.00
Cost Difference	\$167.65	-\$430,516.45

Should the Board of Trustees see the dedication of additional funding to the project as not feasible at this time, we would recommend the Board consider a contract award of the Base Bid Schedule only based on the submitted bid by West Fork Construction LLC, together with a contingency allowance of approximately 10 percent (10%) of the submitted bid. The Base Bid Schedule only option would result in a contract award to West Fork Construction LLC in the amount of \$928,998.50. To assist the Town in providing record of a proposed action for the award of the Base Bid Schedule only, we suggest a motion similar to the following be made:

I move to approve the award of the contract between the Town and West Fork Construction LLC for the Palmer Lake Elementary School Road Improvements project for the Base Bid Schedule only in the amount of \$928,998.50.

Should the Board find that additional funding being dedicated to this project is acceptable, and the funding is available within the Town's budget, we would recommend the award of the entire project. There is a cost efficiency that can be realized by awarding the entire project at one time, rather than having to complete a separate project in the future. In this case, we would recommend the Board consider a contract award of the entire project (Base Bid Schedule and Alternate Bid Schedule No. 1) based on the submitted bid by West Fork Construction LLC, together with a contingency allowance of approximately 10 percent (10%) of the submitted bid. Considering award of the entire project would result in a contract award to West Fork Construction LLC in the amount of \$1,320,529.50. To assist the Town in providing record of a proposed action for the award of the entire project, we suggest a motion similar to the following be made:

I move to approve the award of the contract between the Town and West Fork Construction LLC for the Palmer Lake Elementary School Road Improvements project for the Base Bid Schedule and Alternate Bid Schedule No. 1 in the amount of \$1,320,529.50.

If you should have any questions or desire additional information, please feel free to contact us at your convenience.

GENERAL FUND			
2024 Budget			
		Adopted	
		Budget	
		FY2024	2024 Budget Explanatory Notes
	Description		
GENERAL FUND REVENUE			
	CDOT PL Elementary Road Improvement	807,648	PLES remaining design funds (63k) plus construction (745k less 12% water line upgrade)
GENERAL FUND EXPENDITURES			
	Capital Improvements - Roads	100,000	Other road improvement
	CDOT PL Elementary Road Improvement	1,006,580	Remaining design work (77k), construction (1,023,000 less 12% water line), temp easement work (8k)
TOTAL REVENUE OVER (UNDER) EXPENDITURES		3,336,420	
NEW REVENUE OVER (UNDER) EXPENDITURES		(217,165)	Rev over (under) Exp increases (decreases) Fund Bal. If Expenses are over Revenue, the difference may be covered by fund balance per Board's direction.
APPROPRIATE FROM (TO) UNASSIGNED FUND BALANCE		217,165	To cover revenues (under) expenditures, this does not affect ending fund balance for 2024, as these funds are pulled from beginning fund balance 2024.
FUND BALANCE - BEGINNING OF YEAR		3,553,585	
FUND BALANCE - END OF YEAR*		\$ 3,336,420	End Fund Balance = Beg Fund Balance + Revenue - Expenditures

GENERAL FUND			
2024 Budget - PROPOSED			
		Adopted	
		Budget	
		FY2024	2024 Budget Explanatory Notes
	Description		
GENERAL FUND REVENUE			
	CDOT PL Elementary Road Improvement	807,648	PLES remaining design funds (63k) plus construction (745k less 12% water line upgrade)
GENERAL FUND EXPENDITURES			
	Capital Improvements - Roads	100,000	Other road improvement
	CDOT PL Elementary Road Improvement	1,358,580	Remaining design work (77k), construction (1,023,000 less 12% water line), temp easement work (8k). Approved (1,006,580) + additional (400,000*88%=352,000)
TOTAL REVENUE OVER (UNDER) EXPENDITURES		2,984,420	
NEW REVENUE OVER (UNDER) EXPENDITURES		(569,165)	Rev over (under) Exp increases (decreases) Fund Bal. If Expenses are over Revenue, the difference may be covered by fund balance per Board's direction.
APPROPRIATE FROM (TO) UNASSIGNED FUND BALANCE		569,165	Appropriation already approved (217,165) + additional (352,000)
FUND BALANCE - BEGINNING OF YEAR		3,553,585	
FUND BALANCE - END OF YEAR*		\$ 2,984,420	End Fund Balance = Beg Fund Balance + Revenue - Expenditures

Item 11.

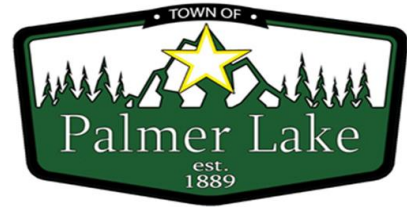
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WATER FUND			
2024 Budget			
		Proposed	
		Budget	
		FY2024	2024 Budget Explanatory Notes
	Description		
WATER FUND REVENUE			
	PLES Upper Glenway Water Improvement	101,520	12% of PLES Upper Glenway grant award
WATER FUND EXPENDITURES			
	Capital Improvement (Dist) - PLES Upper Glenway	141,900	PLES Upper Glenway improvement (grant)
TOTAL REVENUE OVER (UNDER) EXPENDITURES		998,306	
NEW REVENUE OVER (UNDER) EXPENDITURES		33,221	Rev over (under) Exp increases (decreases) Fund Bal. If Expenses are over Revenue, the difference may be covered by fund balance per Board's direction.
APPROPRIATE FROM (TO) UNASSIGNED FUND BALANCE		-	To cover revenues (under) expenditures, this does not affect ending fund balance for 2024, as these funds are pulled from beginning fund balance 2024.
FUND BALANCE - BEGINNING OF YEAR		1,278,708	
FUND BALANCE - END OF YEAR*		\$ 1,311,929	End Fund Balance = Beg Fund Balance + Revenue - Expenditures

WATER FUND			
2024 Budget - PROPOSED			
		Adopted	
		Budget	
		FY2024	2024 Budget Explanatory Notes
	Description		
WATER FUND REVENUE			
	PLES Upper Glenway Water Improvement	101,520	12% of PLES Upper Glenway grant award
WATER FUND EXPENDITURES			
	Capital Improvement (Dist) - PLES Upper Glenway	189,900	PLES Upper Glenway improvement (grant). Approved (141,900) + additional (400,000*12%=48,000)
TOTAL REVENUE OVER (UNDER) EXPENDITURES		950,306	
NEW REVENUE OVER (UNDER) EXPENDITURES		(14,779)	Rev over (under) Exp increases (decreases) Fund Bal. If Expenses are over Revenue, the difference may be covered by fund balance per Board's direction.
APPROPRIATE FROM (TO) UNASSIGNED FUND BALANCE		14,779	Proposed appropriation to cover additional cost (48,000).
FUND BALANCE - BEGINNING OF YEAR		1,278,708	
FUND BALANCE - END OF YEAR*		\$ 1,263,929	End Fund Balance = Beg Fund Balance + Revenue - Expenditures

Item 11.

B



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

DATE: June 27, 2024	ITEM NO.	SUBJECT: Authorize Additional Fund Balance for Upper Glenway/PLES Water Line and Roadway Improvement Project
Presented by: Town Administrator Dawn Collins		

Recommended Action

Staff recommends completing the entire project – Base and Alternate Bid, completing the Upper Glenway and Pie Corner improvement project utilizing additional fund balance from GF/Water.

Background

These projects are estimated nearly three years in advance to plan and be awarded funding.

Reference GMS memo and budget (proposed change) spreadsheet, specifically [A], [B] fund balance impact to the GF and Water budget.

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 35-2024

**A RESOLUTION TO AWARD BID AND AUTHORIZE AN AGREEMENT WITH
CONTRACTOR FOR THE PALMER LAKE ELEMENTARY SCHOOL (PLES), UPPER
GLENWAY, WATER LINE AND ROADWAY IMPROVEMENT PROJECT, PALMER LAKE,
COLORADO**

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

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

WHEREAS, a bid process and opening were conducted for the PLES, Upper Glenway water line and roadway improvement project for the Town of Palmer Lake; and

WHEREAS, bids were received and staff has provided a recommendation to award the bid based on the bid tab review.

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

1. The Town Board of Trustees hereby awards the bid to the recommended contractor, as identified and directed by the Board, in Exhibit A.
2. The Town Board further authorizes entering into an agreement approved by the Town Attorney with the awarded bidder to complete the water line and roadway improvement project.
3. 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.
4. 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 27th DAY OF JUNE 2024.**

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor

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

TELEPHONE (719) 475-2935
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 DAVID R. FRISCH, P.L.S.

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

MEMORANDUM
Via Electronic Mail (No Hard Copy to Follow)

TO: Board of Trustees
 Ms. Glant Havenar, Mayor
 Ms. Dawn Collins, Town Administrator/Clerk
Town of Palmer Lake

DATE: June 27, 2024

FROM: Mr. Mark A. Morton, P.E.
GMS, Inc., Consulting Engineers

RE: Town of Palmer Lake
 Palmer Lake Elementary School Road Improvements Project

Ladies and Gentlemen:

GMS, Inc. completed the bidding and construction documents for the Palmer Lake Elementary School Road Improvements project. This project scope of work included replacement of water system pipelines, valves, service lines and meter pit assemblies; installation and replacement of drainage system structures and pipelines; sidewalk, drive apron and curb and gutter installations and replacements; and asphalt pavement installation and replacement. The project construction covers Upper Glenway Road from High Street to Pie Corner, and also a portion of Pie Corner from Upper Glenway Road to approximately 175 feet south of Columbine Road.

The bidding documents were distributed to five (5) construction organizations. At the advertised time and date for submittal of bids, only one organization submitted bid documents. Based on our review of the submitted documents, it appears the submittal is responsive to the bidding requirements. In addition, we have coordinated the completion of the post-bid forms by the organization, and their submittal to the Colorado Department of Transportation (CDOT), as requested by the CDOT Local Agency Representative. A tabulation of the bid submitted is shown below. The Base Bid Schedule generally includes the improvements in Upper Glenway Road. Alternate Bid Schedule No. 1 generally includes the work in Pie Corner.

Scope of Work	West Fork Construction LLC	Engineer's Estimate
Base Bid Schedule – Upper Glenway Road	\$928,998.50	\$1,068,466.00
Alternate Bid Schedule No. 1 – Pie Corner	\$391,531.00	\$350,315.00
Total – Base and Alternate Bid Schedules	\$1,320,529.50	\$1,418,781.00

In considering the award options for the project, we have reviewed the bid results with Town staff against budgeted funds for the project. The Town was successful in winning a grant award for a portion of the construction of this project. The grant award was coupled with a local match requirement. The grant and local match dollars will allow for the award of the Base Bid Schedule, plus a contingency allowance of 10% of the bid amount. In order to award the Base Bid and Alternate Bid schedules together, additional funds would be required by the Town. Below is a summary of the project funds for each award scenario.

	Base Bid Schedule Only	Base and Alternate Bid Schedules
Award	\$928,998.50	\$1,320,529.50
Contingencies (10%)	\$92,899.85	\$132,052.95
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Project Funds (Grant + Local Match)	\$1,022,066.00	\$1,022,066.00
Cost Difference	\$167.65	-\$430,516.45

Should the Board of Trustees see the dedication of additional funding to the project as not feasible at this time, we would recommend the Board consider a contract award of the Base Bid Schedule only based on the submitted bid by West Fork Construction LLC, together with a contingency allowance of approximately 10 percent (10%) of the submitted bid. The Base Bid Schedule only option would result in a contract award to West Fork Construction LLC in the amount of \$928,998.50. To assist the Town in providing record of a proposed action for the award of the Base Bid Schedule only, we suggest a motion similar to the following be made:

I move to approve the award of the contract between the Town and West Fork Construction LLC for the Palmer Lake Elementary School Road Improvements project for the Base Bid Schedule only in the amount of \$928,998.50.

Should the Board find that additional funding being dedicated to this project is acceptable, and the funding is available within the Town's budget, we would recommend the award of the entire project. There is a cost efficiency that can be realized by awarding the entire project at one time, rather than having to complete a separate project in the future. In this case, we would recommend the Board consider a contract award of the entire project (Base Bid Schedule and Alternate Bid Schedule No. 1) based on the submitted bid by West Fork Construction LLC, together with a contingency allowance of approximately 10 percent (10%) of the submitted bid. Considering award of the entire project would result in a contract award to West Fork Construction LLC in the amount of \$1,320,529.50. To assist the Town in providing record of a proposed action for the award of the entire project, we suggest a motion similar to the following be made:

I move to approve the award of the contract between the Town and West Fork Construction LLC for the Palmer Lake Elementary School Road Improvements project for the Base Bid Schedule and Alternate Bid Schedule No. 1 in the amount of \$1,320,529.50.

If you should have any questions or desire additional information, please feel free to contact us at your convenience.

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 36 - 2024

**A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN
FUNKY LITTLE THEATER CO., AND TOWN OF 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 Funky Little Theater Co., seeks support from the Town of Palmer Lake for the performances brought to the community; and

WHEREAS, performances are a substantial benefit to the Town; and

WHEREAS, the Town of Palmer Lake may permit the Theater use of the historic town hall; and

WHEREAS, the Memorandum of Understanding (MOU) attached as Exhibit A, sets forth the agreement of the parties as to the conditions and responsibilities for each party.

**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 the Mayor to sign the MOU, attached as Exhibit A.
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 27th DAY OF JUNE 2024.**

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor

MEMORANDUM OF UNDERSTANDING

FUNKY LITTLE THEATER CO AND THE TOWN OF PALMER LAKE, COLORADO

This Memorandum of Understanding ("MOU") is made this 25 day of June, 2024, by and between the Director of the Funky Little Theater Co., ("Theater") and Town of Palmer Lake, Colorado ("Town"). The Theater and Town may be collectively referred to herein as the "Parties".

This MOU is entered into in consideration of the benefits that theater brings to the Town, the benefit that use of the Town Hall provides to Theater, and of the rights and obligations set forth below

PURPOSE

The purpose of the MOU is to formalize a cooperative relationship between the Parties for the purpose of supporting sponsorship of Theater arts in the Town of Palmer Lake. Upon any dissatisfaction with the agreement or a change of Theater company, this arrangement shall be reviewed by the Town of Palmer Lake Town Board of Trustees.

THEATER RESPONSIBILITY

The Theater agrees to include the Town as a sponsor in all listings of sponsors related to performances in the Town of Palmer Lake and maintain the historic town hall throughout the use of the hall for performances. One damage deposit per calendar year (pursuant to the master fee schedule) is required. Tentative performance dates must be requested by Theater no less than six months in advance of performances and rehearsal and set up shall be coordinated with other reserved events.

TOWN RESPONSIBILITY

The Town agrees to waive fees for the Theater to utilize the historic town hall for scheduled events throughout the calendar year. This MOU does not waive the process to request dates and review events by staff for approval.

INDEMNIFICATION

The Theater and the Town, to the extent allowed by law, shall at all times indemnify and hold harmless the other Party against all actions, claims, demands, costs, damages and expenses of any kind which may be brought or made against the other party, or which the Theater or Town may pay or incur including reasonable attorney's fees, by reason of the negligent performance or failure to perform, any of the obligations and duties of the Theater or Town, its employees, members or agents, under the provisions of this agreement. 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.

□TERMINATION

This agreement may be terminated at any time by either the Town Board of the Town of Palmer Lake and the Theater Director of the Funky Little Theater Co., Colorado with a written notice of thirty days.

NOTICES

All notices or other communications to the Parties shall either be personally delivered or be sent by email, to the addresses set forth below or to any other address which the Parties may substitute in writing upon provision of such notice as provided herein.

To Theater: Attn: Chris Medina

Director

Funky Little Theater Co

chris@funkylittletheater.org

1628 W. Bow St
CO 80904

To Town: Town Administrator / Clerk

Town of Palmer Lake

P.O. Box 208

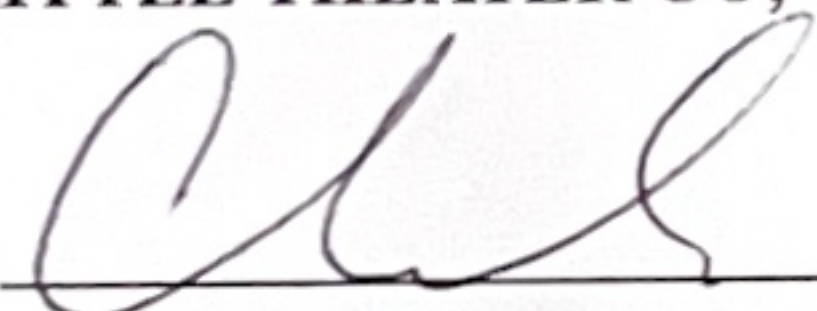
Palmer Lake, CO 80133

dawn@palmer-lake.org

IN WITNESS WHEREOF, the Parties have executed this Agreement the day and year first above written.

FUNKY LITTLE THEATER CO, COLORADO

By:

 - 6/25/24

Director Chris Medina

TOWN OF PALMER LAKE, COLORADO

By:

Mayor Glant Havenar

Attest:

Town Administrator / Clerk



KROB LAW OFFICE, LLC
Attorneys at Law

MEMORANDUM

To: Palmer Lake Mayor and Board of Trustees

From: Scotty P. Krob, Town Attorney

Date: July 24, 2024

Re: SB24-131 Prohibiting Carrying Firearms in Sensitive Spaces

Municipalities are authorized to regulate the possession and use of firearms within their limits. It appears the only regulations related to firearms that have been adopted by the Town of Palmer Lake are (1) Section 9.52.010 which prohibits the discharge of a fire arm within town limits, subject to certain exceptions and (2) Section 12.12.040(4) which prohibits possession of a fire arm in any park.

During the last legislative session, the general assembly adopted SB24-131 Prohibiting Carrying Firearms in Sensitive Spaces.

As applied to the Town, SB24-131 prohibits carrying loaded or unloaded firearms in:

- spaces used by the Board of Trustees for meetings
- offices of the Mayor or Trustees
- the office of the Town administrator
- buildings used for municipal court proceedings, and
- parking areas adjacent to such areas,

These restrictions apply unless the Town adopts an “ordinance, regulation, or other law” that allows carrying in one or more of the Town buildings covered by the bill.

The Act exempts peace officers carrying firearms pursuant to their authority and persons having a concealed carry permit that are carrying a handgun in an adjacent parking area

Options available to BOT:

1. Do nothing, in which event the prohibition against carrying firearms in the areas listed above will become effective July 1, 2024, or
2. Adopt a resolution designating which of the Town buildings a person will be permitted to carry a firearm in, and indicating whether the ability to carry a firearm in such buildings is limited to individuals having a concealed carry permit.

Schools

The bill also prohibits carrying a firearm, both openly and concealed, on school property, with certain exceptions (law enforcement, for example). The bill does not provide for opting out of the limitations related to schools.

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 37 - 2024

A RESOLUTION REGULATING THE CARRYING OF FIREARMS WITHIN THE TOWN OF PALMER LAKE AND OPTING OUT OF THE PROVISIONS OF SB24-131 PROHIBITING CARRYING FIREARMS IN SENSITIVE SPACES

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 Colorado Legislature has adopted SB24-121 Prohibiting Carrying Firearms in Sensitive Spaces; and

WHEREAS, as applied to the Town, SB24-131 would prohibit carrying loaded or unloaded firearms in:

- spaces used by the Board of Trustees for meetings
- offices of the Mayor or Trustees
- the office of the Town administrator
- buildings used for municipal court proceedings, and
- parking areas adjacent to such areas; and

WHEREAS, the restrictions on carrying of firearms contained in SB24-131 apply to the Town of Palmer Lake, effective July 1, 2024, unless the Town adopts an “ordinance, regulation, or other law” that allows carrying firearms in one or more of the Town buildings covered by the bill; and

WHEREAS, the Board of Trustees wishes to adopt this Resolution in order to opt out of the provisions of SB24-131 as they relate to certain Town buildings, provided the person carrying the firearm possesses a valid concealed carry permit, as set forth more specifically, below.

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

1. Persons holding a valid concealed carry permit shall be permitted to carrying loaded or unloaded firearms in:

- spaces used by the Board of Trustees for meetings
- offices of the Mayor or Trustees
- the office of the Town administrator
- buildings used for municipal court proceedings, and
- parking areas adjacent to such areas.

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 27th DAY OF JUNE, 2024.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor

5.06.010 Purpose.**

The purpose of this chapter is to provide for and regulate the use of public property owned by the town for special events and to ensure that public property is reasonably available and safe for use by the public.

5.06.020 Definitions.**

For purposes of this chapter, the following terms shall have the following meanings:

"Block party" means a gathering on a residential street or right-of-way requiring the closure of a street or right-of-way, or a portion thereof, to vehicular traffic and the use of the street for the gathering including but not limited to barbecue, music or games.

"Major special event" means a special event that has either:

1. One hundred or more participants;
2. Directly impacts a street, public right-of-way or public park area for more than one hour; or
3. Requires a special event liquor permit pursuant to liquor licensing regulations.

"Minor special event" means a special event which does not qualify as a major special event and may be approved administratively.

"Parade" means a march or procession with individuals, animals or vehicles, or combination thereof, on any public street, sidewalk or public right-of-way within the town boundaries.

"Parks" means all municipal recreational areas and facilities owned, leased, or operated by the town and open to the public or available for public use.

"Private event" means an event that is not open to the general public but occurring on public property, including but not limited to birthday parties, weddings, reunions, and require a venue rental application.

"Public property" means any property owned or controlled by the town and open to the public or available for public use, including but not limited to public streets, rights-of-way, sidewalks, parks, and public buildings.

"Special event" means a temporary activity open to the general public and occurring on public property, including without limitation, block parties, parades, soap box derbies, rallies, walks, running or bicycle races, fundraisers, picnics, or sports tournaments.

5.06.030 Permit or reservation requirement.**

- A. Any person desiring to conduct a special event on public property shall first obtain a special event permit from the town.
- B. Any person desiring to hold a private event shall obtain appropriate approval from the town office utilizing the respective venue rental reservation application. Private events requiring a street closure shall obtain a permit pursuant to this chapter. Private events not requiring a street closure are governed by the town's facility use rules.

5.06.040 Application.**

- A. Any person desiring to sponsor or conduct a special event shall apply for a special event, as applicable, by filing an application provided by the town.
- B. At a minimum, the application shall include the following information:
 1. The applicant's name, address, and phone number and if applicable, the main contact for the special event;

2. The date and time of the special event, including the estimated set-up period, the start time, the end time, and the estimated break-down and clean-up period;
 3. A map showing the proposed location of the special event including a detailed map of the route, if applicable, and layout of the special event;
 4. The nature of the special event;
 5. The estimated number of participants and animals, if any;
 6. The estimated number of vehicles;
 7. A waste disposal and clean-up plan;
 8. A parking plan, if the number of participants is anticipated to be one hundred or more;
 9. A list of vendors, if items will be sold at the special event;
 10. A description of any planned amplified noise, and the respective request form completed;
 11. A statement as to whether the special event will involve hazardous, combustible or flammable materials and, if so, the safeguards planned; and
 12. Any other information requested by the town relevant to either this criteria or the possible conditions that may be imposed that will aid the town in deciding whether to issue the special event permit and under what conditions.
- C. Applications for major special events must be filed with the town not less than six months nor more than one year prior to the event.
- D. Applications for minor special events must be filed with the town not less than sixty days nor more than one year prior to the event.
- E. Applications for private events, requiring a reservation, shall be filed with the town as soon as possible prior to the private event.
- F. The town office may waive the application deadlines above for good cause demonstrated by the applicant. Good cause shall not include circumstances where the applicant had the opportunity to apply by the applicable deadline but failed to do so without a reasonable basis.
- G. Each application shall be accompanied by a nonrefundable application fee as set by Resolution in the Town Master Fee Schedule, which shall defray the costs of processing the application.
- H. Each application shall also be accompanied by any applicable deposit as established by Resolution in the Town Master Fee Schedule. Deposits shall be refunded if the application is denied.
- I. Each application shall be accompanied by an indemnification agreement stating that the applicant, in exchange for issuance of the special event, agrees to reimburse the town for any costs incurred by the town in repairing damages to public property caused by the sponsors of the special event or the participants in the event, or by actions that the sponsors directed, authorized, or ratified, and also agreeing to defend the town against, and indemnify and hold the town harmless from any liability to any person or property that arise from or are related to the special event.

5.06.050 Criteria for denial.**

- A. The town shall approve an application for a special event unless the town determines, upon consideration of the application and other pertinent information, that:
1. Information contained in the application or supplemental information obtained from the applicant is found to be false or misleading in any material detail;

2. The applicant has failed to complete the application after having been notified of any additional information or documents required;
 3. Another special event has already been issued, or an application has been received prior in time, to hold another event on the same date and time, or so close in time and place as to cause undue vehicular or pedestrian traffic congestion, or as to burden the town's ability to meet the needs of public services, police, fire or other emergency services to the remainder of the town;
 4. The time, route or size of the special event will substantially interrupt the safe and orderly movement of vehicular or pedestrian traffic on or contiguous to the site or route, or will disrupt the use of a public street at a time when it is usually subject to traffic congestion;
 5. The size, nature or location of the special event will present a substantial risk to the health or safety of the public, or participants in the special event, or other persons;
 6. The size of the special event will require diversion of so great a number of police officers or firefighters to ensure that participants stay within the boundaries or route of the special event, or to protect participants in the special event, as to prevent normal protection to the rest of the town; provided that nothing herein authorizes denial of a permit because of the need to protect participants from the conduct of others, if reasonable conditions can be imposed to allow for adequate protection of participants with the number of police officers available to police the special event;
 7. The location of the special event will substantially interfere with any construction or maintenance work scheduled to take place on or near a public street, sidewalk or public right-of-way or with any previously issued public right-of-way permit;
 8. The special event will occur at a time when a school is in session at a location near the school, and the noise created by the activities of the special event would substantially disrupt the educational activities of the school;
 9. The special event involves the use of hazardous, combustible or flammable materials which create a fire or safety hazard;
 10. The special event, as described in the application, would violate any applicable law;
 11. The applicant has failed to pay costs, fees or deposits for any previous special event; or
 12. The applicant has failed to abide by the terms or conditions of any previous special event.
- B. When the grounds for denial of an application can be corrected by altering said detail, including but not limited to date, time, duration, route or location of the special event, the town shall, instead of denying the application, conditionally approve the application upon the applicant's acceptance of appropriate corrective conditions. The permit shall not be issued until the applicant has accepted the conditions in writing. If the applicant does not accept the conditions, the application shall be considered denied.

5.06.060 Conditions.**

- A. The town may impose reasonable conditions on any permit necessary to protect the safety of persons and property and the control of traffic, including but not limited to the following:
1. Alteration of the date, time, duration, frequency, route or location of the special event;
 2. Conditions concerning the area of assembly and disbanding of other events occurring along a route;
 3. Conditions concerning accommodation of available parking, pedestrian or vehicular traffic, including restricting the special event to only a portion of a street or right-of-way;
 4. Requirements for the use of traffic cones, barricades or other traffic-control devices to be provided, placed and removed by the applicant at its expense;
 5. Requirements for provision of emergency access and first aid or sanitary facilities;

6. Requirements for arrangement of town staff to be present at the special event at the applicant's expense;
7. Requirements to use third party vendors for cleanup and security;
8. Requirements for providing notice of permit conditions to participants;
9. Restrictions on the number and type of vehicles, animals or structures at the special event and inspection and prior approval of structures or decorated vehicles for fire safety;
10. Requirements for use of trash receptacles, cleanup and restoration of property;
11. Restrictions on use of amplified sound;
12. A requirement that notice be provided to the residents of dwellings and businesses along any affected streets;
13. Compliance with any applicable law and obtaining any other legally required permits or licenses; and
14. Designation of a contact person with decision making authority who will be continuously available to law enforcement personnel and present at the special event.

5.06.070 Issuance.**

- A. The Town Administrator shall designate an individual responsible for reviewing applications with respective departments within five to ten business days of receipt of application and administratively issue private and minor special event permits under this chapter.
- B. The Town Administrator shall designate an individual responsible for reviewing applications for major special events with the applicant and respective departments within fifteen to thirty days of receipt of completed application. The designee, along with department supervisors, shall review the application, consider the criteria, and subsequently approve, conditionally approve, or deny the application. If a department member determines that the major special event may have significant impact to the community, the designee may refer the completed application to the Town Board of Trustees for review.
- C. If any application is denied, the town shall inform the applicant in writing of the grounds for denial and the applicant's right of appeal to the Board of Trustees. If the application is approved, the Town Administrator will report special events to the Board of Trustees, post to the town website, and designee shall inform the applicant, including any conditions.

5.06.080 Insurance—Special events.**

- A. In addition to any other condition applied, the town clerk may require the applicant to possess public liability insurance to protect against loss from liability imposed by law for damages for bodily injury or property damage arising from the special event. The town clerk shall determine whether to require such insurance and the amount of insurance that shall be required based upon the considerations routinely taken into account by the town in evaluating loss exposures, including, without limitation, whether the special event poses a substantial risk of damage or injury due to the anticipated number of participants, the nature of the special event and the physical characteristics of the proposed site or route. Such insurance shall name the town and its officers, employees and agents as additional insureds.
- B. If insurance coverage is required, a copy of the certificate of insurance along with all necessary endorsements shall be filed with the town clerk or designee no less than ten days before the special event.
- C. If the applicant is unable to provide insurance, the town clerk may offer to cover the special event at the applicant's expense.
- D. Failure to maintain insurance coverage as required by this section may result in revocation of the permit or may constitute ground for denial of future permit application.

5.06.090 Deposit.**

- A. The applicant shall provide a private and special event non-refundable fee at the time of the application for the review and processing the application. The fee shall be the amount established by resolution by the Town Board of Trustees. If department services are required, an estimate of the town costs incurred for the special event must be provided to the applicant prior to the start of the event.
- B. A required refundable deposit shall be returned after the private or special event if the property used for the event is cleaned and restored to the same condition as existed prior to the special event.
- C. If the property used for the private or special event is not properly restored, the deposit, or a portion thereof, shall be applied toward payment of the actual costs incurred by the town in restoring the property. If after the town uses the deposit, or a portion thereof, for restoring the property, the town shall refund any remaining amount of the deposit to the applicant.

5.06.100 Duties of applicant.**

- A. The applicant shall comply with all terms and conditions of the approved application.
- B. The applicant shall ensure that the person leading or in charge of the private or special event is familiar with provisions of the approved event and this chapter and other municipal code regulations.
- C. Immediately following the completion of the event, the applicant shall ensure that the area used for the event is cleaned and restored to the same condition prior to the event.

5.06.110 Revocation.**

- A. The town clerk may, at any time prior to a private or special event, revoke or terminate a permit that has been issued for the event if conditions change so that the application could have been denied in the first instance.
- B. The town clerk may revoke a permit during the course of the private or special event if continuation of the event presents a clear and present danger to the participants or the public health, safety or welfare of the town property, and for noncompliance with any term or condition of the approval.
- C. A decision to revoke a permit may be made by the town clerk, administrator, police chief, fire chief, or public works supervisor.

5.06.120 Fee reductions, grants and noise variances.**

- A. An applicant may request a fee reduction from the town clerk at the time of filing its application. In determining whether to grant a fee reduction, the town clerk or designee shall consider the following criteria, as applicable:
 - 1. Whether the applicant has had any violations of other private or special event permits previously issued from the town.
 - 2. Fee reductions do not apply to application fees or refundable deposits.
 - 4. There is a limit of one fee reduction per organization per year.
 - 5. The sponsoring organization is a nonprofit corporation and proof of such status is provided.
 - 6. There is a direct benefit to town programs, activities or facilities as a result of the event.
 - 7. The sponsoring organization is located within the town zip code.
 - 8. The event is a frequent event within the town.
 - 9. There is significant potential to attract visitors to the town and encourage tourist activity.

10. The ability of applicant to provide an in-kind or other contribution of goods, services, or programs that will benefit the town or its residents. The in-kind or other contribution must be equal to or exceed the value of the reduced fee.
- B. If an applicant requires a noise variance related to a special event, the applicant shall file the outdoor amplified sound request form with the town at the same time as filing the application for a private or special event.

5.06.130~~xx~~ Appeals.

- A. Any denial or revocation of a special event permit under this chapter may be appealed by the applicant to the Town Board of Trustees by filing a written notice of appeal, setting forth the grounds for appeal, within five (5) days after the decision is communicated.
- B. The Town Board of Trustees shall review the appeal and issue a written decision no later than thirty (30) days after the filing of the appeal. The applicant and the town clerk may present written evidence or argument to assist in the review. The decision of the Town Board of Trustees on an appeal shall be final, subject only to judicial review.
- C. Filing of an appeal does not stay the decision of the application and does not require the town to reserve the date(s) and time(s) requested in the application on appeal.

5.06.140~~xx~~ Violation; penalty; and enforcement.

- A. It is unlawful for any person to sponsor or conduct a private or special event without approval under this chapter. It is unlawful for any person to participate in an event without a permit with knowledge that the sponsor of the event has not been approved.
- B. It is unlawful for any person to interfere with or disrupt a lawful event.
- C. It is unlawful for an applicant to violate the terms and conditions of approval, or for any participant with knowledge thereof to knowingly violate the terms and conditions of approval.
- D. Any person convicted of a violation of this chapter shall be subject to the penalties set forth in Chapter 1.12 of this code.

TOWN OF PALMER LAKE, COLORADO

ORDINANCE NO. 5 -2024

**AN ORDINANCE AMENDING THE PALMER LAKE MUNICIPAL CODE BY
ADDING chapter 5.06 REGULATING THE USE OF PUBLIC PROPERTY OWNED BY
THE TOWN THROUGH THE ADOPTION AND IMPLEMENTATION OF A SPECIAL
EVENTS PERMIT SYSTEM FOR SUCH USES**

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; and

WHEREAS, the Town owns multiple public properties that are or may, under certain conditions, be suitable for special events; and

WHEREAS, the Board of Trustees has determined that in order to protect public property owned by the Town, it is necessary and in the best interest of the public health, safety and welfare to adopt and implement a special events permit system governing the use of Town properties for special events; and

WHEREAS, The Board of Trustees has received, reviewed and considered proposed additions to the Town Code, as set forth in Exhibit A, attached, establishing Chapter 5.06, a system for issuing special events to use Town property; and

WHEREAS, the Board of Trustees has concluded that it is in the best interest of the health, safety and welfare of the Town to adopt Chapter 5.06 regarding special event permits as set forth on Exhibit A, attached and add it to the Town Code.

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

1. The Palmer Lake Municipal Code is hereby amended by adding Chapter 5.06 Special Event Permits, as set forth in its entirety on Exhibit A, attached.
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 AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 27th DAY OF JUNE 2024.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor

5.06.010 Purpose.

The purpose of this chapter is to provide for and regulate the use of public property owned by the town for special events and to ensure that public property is reasonably available and safe for use by the public.

5.06.020 Definitions.

For purposes of this chapter, the following terms shall have the following meanings:

"Block party" means a gathering on a residential street or right-of-way requiring the closure of a street or right-of-way, or a portion thereof, to vehicular traffic and the use of the street for the gathering including but not limited to barbecue, music or games.

"Major special event" means a special event that has either:

1. One hundred or more participants;
2. Directly impacts a street, public right-of-way or public park area for more than one hour; or
3. Requires a special event liquor permit pursuant to liquor licensing regulations.

"Minor special event" means a special event which does not qualify as a major special event and may be approved administratively.

"Parade" means a march or procession with individuals, animals or vehicles, or combination thereof, on any public street, sidewalk or public right-of-way within the town boundaries.

"Parks" means all municipal recreational areas and facilities owned, leased, or operated by the town and open to the public or available for public use.

"Private event" means an event that is not open to the general public but occurring on public property, including but not limited to birthday parties, weddings, reunions, and require a venue rental application.

"Public property" means any property owned or controlled by the town and open to the public or available for public use, including but not limited to public streets, rights-of-way, sidewalks, parks, and public buildings.

"Special event" means a temporary activity open to the general public and occurring on public property, including without limitation, block parties, parades, soap box derbies, rallies, walks, running or bicycle races, fundraisers, picnics, or sports tournaments.

5.06.030 Permit or reservation requirement.

- A. Any person desiring to conduct a special event on public property shall first obtain a special event permit from the town.
- B. Any person desiring to hold a private event shall obtain appropriate approval from the town office utilizing the respective venue rental reservation application. Private events requiring a street closure shall obtain a permit pursuant to this chapter. Private events not requiring a street closure are governed by the town's facility use rules.

5.06.040 Application.

- A. Any person desiring to sponsor or conduct a special event shall apply for a special event, as applicable, by filing an application provided by the town.
- B. At a minimum, the application shall include the following information:
 1. The applicant's name, address, and phone number and if applicable, the main contact for the special event;

2. The date and time of the special event, including the estimated set-up period, the start time, the end time, and the estimated break-down and clean-up period;
 3. A map showing the proposed location of the special event including a detailed map of the route, if applicable, and layout of the special event;
 4. The nature of the special event;
 5. The estimated number of participants and animals, if any;
 6. The estimated number of vehicles;
 7. A waste disposal and clean-up plan;
 8. A parking plan, if the number of participants is anticipated to be one hundred or more;
 9. A list of vendors, if items will be sold at the special event;
 10. A description of any planned amplified noise, and the respective request form completed;
 11. A statement as to whether the special event will involve hazardous, combustible or flammable materials and, if so, the safeguards planned; and
 12. Any other information requested by the town relevant to either this criteria or the possible conditions that may be imposed that will aid the town in deciding whether to issue the special event permit and under what conditions.
- C. Applications for major special events must be filed with the town not less than six months nor more than one year prior to the event.
- D. Applications for minor special events must be filed with the town not less than sixty days nor more than one year prior to the event.
- E. Applications for private events, requiring a reservation, shall be filed with the town as soon as possible prior to the private event.
- F. The town office may waive the application deadlines above for good cause demonstrated by the applicant. Good cause shall not include circumstances where the applicant had the opportunity to apply by the applicable deadline but failed to do so without a reasonable basis.
- G. Each application shall be accompanied by a nonrefundable application fee as set by Resolution in the Town Master Fee Schedule, which shall defray the costs of processing the application.
- H. Each application shall also be accompanied by any applicable deposit as established by Resolution in the Town Master Fee Schedule. Deposits shall be refunded if the application is denied.
- I. Each application shall be accompanied by an indemnification agreement stating that the applicant, in exchange for issuance of the special event, agrees to reimburse the town for any costs incurred by the town in repairing damages to public property caused by the sponsors of the special event or the participants in the event, or by actions that the sponsors directed, authorized, or ratified, and also agreeing to defend the town against, and indemnify and hold the town harmless from any liability to any person or property that arise from or are related to the special event.

5.06.050 Criteria for denial.

- A. The town shall approve an application for a special event unless the town determines, upon consideration of the application and other pertinent information, that:
1. Information contained in the application or supplemental information obtained from the applicant is found to be false or misleading in any material detail;

2. The applicant has failed to complete the application after having been notified of any additional information or documents required;
 3. Another special event has already been issued, or an application has been received prior in time, to hold another event on the same date and time, or so close in time and place as to cause undue vehicular or pedestrian traffic congestion, or as to burden the town's ability to meet the needs of public services, police, fire or other emergency services to the remainder of the town;
 4. The time, route or size of the special event will substantially interrupt the safe and orderly movement of vehicular or pedestrian traffic on or contiguous to the site or route, or will disrupt the use of a public street at a time when it is usually subject to traffic congestion;
 5. The size, nature or location of the special event will present a substantial risk to the health or safety of the public, or participants in the special event, or other persons;
 6. The size of the special event will require diversion of so great a number of police officers or firefighters to ensure that participants stay within the boundaries or route of the special event, or to protect participants in the special event, as to prevent normal protection to the rest of the town; provided that nothing herein authorizes denial of a permit because of the need to protect participants from the conduct of others, if reasonable conditions can be imposed to allow for adequate protection of participants with the number of police officers available to police the special event;
 7. The location of the special event will substantially interfere with any construction or maintenance work scheduled to take place on or near a public street, sidewalk or public right-of-way or with any previously issued public right-of-way permit;
 8. The special event will occur at a time when a school is in session at a location near the school, and the noise created by the activities of the special event would substantially disrupt the educational activities of the school;
 9. The special event involves the use of hazardous, combustible or flammable materials which create a fire or safety hazard;
 10. The special event, as described in the application, would violate any applicable law;
 11. The applicant has failed to pay costs, fees or deposits for any previous special event; or
 12. The applicant has failed to abide by the terms or conditions of any previous special event.
- B. When the grounds for denial of an application can be corrected by altering said detail, including but not limited to date, time, duration, route or location of the special event, the town shall, instead of denying the application, conditionally approve the application upon the applicant's acceptance of appropriate corrective conditions. The permit shall not be issued until the applicant has accepted the conditions in writing. If the applicant does not accept the conditions, the application shall be considered denied.

5.06.060 Conditions.

- A. The town may impose reasonable conditions on any permit necessary to protect the safety of persons and property and the control of traffic, including but not limited to the following:
1. Alteration of the date, time, duration, frequency, route or location of the special event;
 2. Conditions concerning the area of assembly and disbanding of other events occurring along a route;
 3. Conditions concerning accommodation of available parking, pedestrian or vehicular traffic, including restricting the special event to only a portion of a street or right-of-way;
 4. Requirements for the use of traffic cones, barricades or other traffic-control devices to be provided, placed and removed by the applicant at its expense;
 5. Requirements for provision of emergency access and first aid or sanitary facilities;

6. Requirements for arrangement of town staff to be present at the special event at the applicant's expense;
7. Requirements to use third party vendors for cleanup and security;
8. Requirements for providing notice of permit conditions to participants;
9. Restrictions on the number and type of vehicles, animals or structures at the special event and inspection and prior approval of structures or decorated vehicles for fire safety;
10. Requirements for use of trash receptacles, cleanup and restoration of property;
11. Restrictions on use of amplified sound;
12. A requirement that notice be provided to the residents of dwellings and businesses along any affected streets;
13. Compliance with any applicable law and obtaining any other legally required permits or licenses; and
14. Designation of a contact person with decision making authority who will be continuously available to law enforcement personnel and present at the special event.

5.06.070 Issuance.

- A. The Town Administrator shall designate an individual responsible for reviewing applications with respective departments within five to ten business days of receipt of application and administratively issue private and minor special event permits under this chapter.
- B. The Town Administrator shall designate an individual responsible for reviewing applications for major special events with the applicant and respective departments within fifteen to thirty days of receipt of completed application. The designee, along with department supervisors, shall review the application, consider the criteria, and subsequently approve, conditionally approve, or deny the application. If a department member determines that the major special event may have significant impact to the community, the designee may refer the completed application to the Town Board of Trustees for review.
- C. If any application is denied, the town shall inform the applicant in writing of the grounds for denial and the applicant's right of appeal to the Board of Trustees. If the application is approved, the Town Administrator will report special events to the Board of Trustees, post to the town website, and designee shall inform the applicant, including any conditions.

5.06.080 Insurance—Special events.

- A. In addition to any other condition applied, the town clerk may require the applicant to possess public liability insurance to protect against loss from liability imposed by law for damages for bodily injury or property damage arising from the special event. The town clerk shall determine whether to require such insurance and the amount of insurance that shall be required based upon the considerations routinely taken into account by the town in evaluating loss exposures, including, without limitation, whether the special event poses a substantial risk of damage or injury due to the anticipated number of participants, the nature of the special event and the physical characteristics of the proposed site or route. Such insurance shall name the town and its officers, employees and agents as additional insureds.
- B. If insurance coverage is required, a copy of the certificate of insurance along with all necessary endorsements shall be filed with the town clerk or designee no less than ten days before the special event.
- C. If the applicant is unable to provide insurance, the town clerk may offer to cover the special event at the applicant's expense.
- D. Failure to maintain insurance coverage as required by this section may result in revocation of the permit or may constitute ground for denial of future permit application.

5.06.090 Deposit.

- A. The applicant shall provide a private and special event non-refundable fee at the time of the application for the review and processing the application. The fee shall be the amount established by resolution by the Town Board of Trustees. If department services are required, an estimate of the town costs incurred for the special event must be provided to the applicant prior to the start of the event.
- B. A required refundable deposit shall be returned after the private or special event if the property used for the event is cleaned and restored to the same condition as existed prior to the special event.
- C. If the property used for the private or special event is not properly restored, the deposit, or a portion thereof, shall be applied toward payment of the actual costs incurred by the town in restoring the property. If after the town uses the deposit, or a portion thereof, for restoring the property, the town shall refund any remaining amount of the deposit to the applicant.

5.06.100 Duties of applicant.

- A. The applicant shall comply with all terms and conditions of the approved application.
- B. The applicant shall ensure that the person leading or in charge of the private or special event is familiar with provisions of the approved event and this chapter and other municipal code regulations.
- C. Immediately following the completion of the event, the applicant shall ensure that the area used for the event is cleaned and restored to the same condition prior to the event.

5.06.110 Revocation.

- A. The town clerk may, at any time prior to a private or special event, revoke or terminate a permit that has been issued for the event if conditions change so that the application could have been denied in the first instance.
- B. The town clerk may revoke a permit during the course of the private or special event if continuation of the event presents a clear and present danger to the participants or the public health, safety or welfare of the town property, and for noncompliance with any term or condition of the approval.
- C. A decision to revoke a permit may be made by the town clerk, administrator, police chief, fire chief, or public works supervisor.

5.06.120 Fee reductions, grants and noise variances.

- A. An applicant may request a fee reduction from the town clerk at the time of filing its application. In determining whether to grant a fee reduction, the town clerk or designee shall consider the following criteria, as applicable:
 - 1. Whether the applicant has had any violations of other private or special event permits previously issued from the town.
 - 2. Fee reductions do not apply to application fees or refundable deposits.
 - 4. There is a limit of one fee reduction per organization per year.
 - 5. The sponsoring organization is a nonprofit corporation and proof of such status is provided.
 - 6. There is a direct benefit to town programs, activities or facilities as a result of the event.
 - 7. The sponsoring organization is located within the town zip code.
 - 8. The event is a frequent event within the town.
 - 9. There is significant potential to attract visitors to the town and encourage tourist activity.

10. The ability of applicant to provide an in-kind or other contribution of goods, services, or programs that will benefit the town or its residents. The in-kind or other contribution must be equal to or exceed the value of the reduced fee.
- B. If an applicant requires a noise variance related to a special event, the applicant shall file the outdoor amplified sound request form with the town at the same time as filing the application for a private or special event.

5.06.130 Appeals.

- A. Any denial or revocation of a special event permit under this chapter may be appealed by the applicant to the Town Board of Trustees by filing a written notice of appeal, setting forth the grounds for appeal, within five (5) days after the decision is communicated.
- B. The Town Board of Trustees shall review the appeal and issue a written decision no later than thirty (30) days after the filing of the appeal. The applicant and the town clerk may present written evidence or argument to assist in the review. The decision of the Town Board of Trustees on an appeal shall be final, subject only to judicial review.
- C. Filing of an appeal does not stay the decision of the application and does not require the town to reserve the date(s) and time(s) requested in the application on appeal.

5.06.140 Violation; penalty; and enforcement.

- A. It is unlawful for any person to sponsor or conduct a private or special event without approval under this chapter. It is unlawful for any person to participate in an event without a permit with knowledge that the sponsor of the event has not been approved.
- B. It is unlawful for any person to interfere with or disrupt a lawful event.
- C. It is unlawful for an applicant to violate the terms and conditions of approval, or for any participant with knowledge thereof to knowingly violate the terms and conditions of approval.
- D. Any person convicted of a violation of this chapter shall be subject to the penalties set forth in Chapter 1.12 of this code.

Chapter 5.~~X10~~ FARMER'S MARKETS

5.~~X10.X010~~ Permit required.

It is unlawful for any person to operate a farmer's market without a valid farmer's market permit issued by the Town Clerk or designee. In addition to the license requirements of this title, farmer's market applicants shall provide any other pertinent information requested by the Town Clerk or designee for the purpose of administering the provisions of this title. The manager of the farmer's market must obtain the permit and assume responsibility of all vendors. A copy of market rules, all dates, permission from the property owner if applicable, a vendor list, and copy of the certificates of insurance must be provided to the Town Clerk prior to the start of the market.

5.~~X.X10.020~~ Intent.

The intent of these regulations is to ensure that farmer's markets operate safely; are not detrimental to the public health; do not substantially interfere with traffic, or pedestrian circulation, or public services; and are compatible with surrounding property.

5.10.030.~~X.X~~ Description.

- A. Farmer's markets are permitted on non-residential property and on publicly-owned property with a proper permit.
- B. A farmer's market is a seasonal outdoor market set up with two or more qualifying vendors primarily for the sale or promotion of sale of the following items:
 - 1. Produce;
 - 2. Handcrafted food and beverage;
 - 3. Dairy product;
 - 4. Meat and seafood;
 - 5. Honey and other products from bees;
 - 6. Baked good;
 - 7. Handmade furniture;
 - 8. Flowers and plants;
 - 9. Kitchen goods;
 - 10. Handmade arts and clothing;
 - 11. Food sold from mobile food carts.
- C. The following items are prohibited at a farmer's market:
 - 1. Tobacco products;
 - 2. Sexually oriented business items;
 - 3. Appliances;
 - 4. Electronics;
 - 5. Firearms.

- D. Peddler's permit. Mobile food vending, meaning the use of a legal motorized wheeled vehicle, legal towed wheeled vehicle, or pushcart, or other temporary operation designed and equipped to prepare and/or serve food and/or non-alcoholic beverages, may require a peddler's permit and inspection by the Fire department. If a vendor has a current business license established with the Town, a peddler's permit is not required.

5.10.040X.X Manager responsibilities.

- A. Managers shall obtain a Farmer's Market Permit from the Town Clerk. The farmer's market shall operate under one permit for an established and agreed schedule of dates and time.
- B. Managers shall provide a list of market rules.
- C. Managers shall provide written permission from a non-residential landowner, if property is not town owned, upon whose property the farmer's market may be held.
- C. Managers shall provide all required approvals by the El Paso County Department of Public Health and Safety for each food vendor.
- D. Managers shall report sales tax receipts to the Town as agreed pursuant to the established market rules.
- E. Managers shall ensure that all sanitary facilities are maintained to prevent any health or environmental issues.
- F. Managers shall provide contact information and license numbers, as applicable, for every vendor, as well as a certificate of insurance.
- G. Managers shall provide a site map showing placement of all vendors, parking areas, and loading/unloading areas.
- H. Managers shall ensure that all structures and material are removed when market is not operating.
- I. Managers shall ensure that all vendors comply with all Town and County ordinances, and all relevant State Statutes.
- J. Managers shall, during the time of the permit, maintain liability insurance coverage and/or certificates of insurance from vendors, as acceptable to the Town Clerk.

510.050.X.X Vendor responsibilities.

- A. Vendors shall ensure that their site / form of set up is safe for customer traffic, including securing all loose objects in high wind conditions (including making sure tents/easy-ups, etc., are properly tied down), protecting the public from hazards such as extension cords and items blocking walk routes on site and public sidewalks, and keeping cooking or heating facilities away from areas open to the public.
- B. Vendors shall remit sales tax to the Colorado Department of Revenue.

5.10.060X.X Other provisions.

- A. Motorized vehicles may not be parked, stored, or driven on any unpaved areas, except for gravel surfaces and may not be parked on sidewalks, or blocking any access area or driveways.
- B. The playing of musical instruments by individuals or small bands is pursuant to general nuisance and noise ordinances. An Outdoor Amplified Sound Request will be required.
- C. Animals must be kept on a leash and abide by the Farmer's Market management rules.
- D. Alcohol is prohibited.

5.10.070 ~~X-X~~ Permit process.

An application for a farmer's market must be submitted by the Manager to the Town Clerk or designee for review. All permit applications shall be accompanied by the applicable fee. All permit applications shall be accompanied by the appropriate documents applicable to this chapter. The Town Clerk or designee shall not accept a permit application unless accompanied by the required fee and applicable documents.

The Town Clerk or designee may require additional information during the review period and may send referrals to Town staff and/or outside referral agencies for review. The Town Clerk may approve, approve with conditions, or deny any application based upon the approval criteria herein.

510.080 ~~X-X~~ Approval criteria.

An application for a farmer's market may be approved if it conforms to the following criteria, as applicable. Approval is discretionary, and the Town is under no obligation to issue an approval.

- A. The application is in conformance with all applicable Town or other government regulations. The applicant and vendors will obtain any required permits or approvals, including a Town business license.
- B. The market will not cause significant impacts, disturbance, or damage to the property, surrounding properties, and/or Town streets, and will not compromise the public health and safety.
- C. The site will provide sufficient parking and not obstruct traffic. Gravel surfaced parking may be approved for a farmer's market.
- D. Adequate restroom services will be provided for the public.
- E. Adequate provisions have been made for cleanup and, if applicable, restoration of the site in a timely fashion upon termination of the market. A sufficient clean up/site restoration deposit has been provided, if required, based upon the anticipated costs of cleanup or restoration.
- F. Each Manager shall, during the time of the permit, maintain liability insurance coverage acceptable to the Town Clerk.

5.10.090 ~~X-X~~ Permit expiration and renewals.

No permit issued shall be assignable to another applicant. Every permit issued shall expire according to the date established by the permit, not exceeding one calendar year.

5.10.100 ~~X-X~~ Revocation of permit.

If, upon review, the conditions or restrictions imposed by this Code, county ordinance or state statute or by the permit have not been complied with, the Town Clerk may take any action deemed necessary to remedy the noncompliance, including but not limited to, revocation of the permit or pursuing the noncompliance as a Code violation. The Town reserves the right to revoke a permit at any time if there is an emergency that substantially interferes with the market.

5.10.110 Appeals.

- A. Any denial or revocation of a farmer's market permit under this chapter may be appealed by the applicant to the Town Board of Trustees by filing a written notice of appeal, setting forth the grounds for appeal, within five (5) days after the decision is communicated.
- B. The Town Board of Trustees shall review the appeal and issue a written decision no later than thirty (30) days after the filing of the appeal. The applicant and the town clerk may present written evidence or argument to assist in the review. The decision of the Town Board of Trustees on an appeal shall be final, subject only to judicial review.

C. Filing of an appeal does not stay the decision of the application and does not require the town to reserve the date(s) and time(s) requested in the application on appeal.

5.140 Violation; penalty, and enforcement.

A. It is unlawful for any person to sponsor or conduct a farmer's market without approval under this chapter. It is unlawful for any person to participate in a farmer's market with knowledge that the sponsor has not been approved, that farmer's market permit has not been approved, or that the permit has been revoked.

B. It is unlawful for any person to interfere with or disrupt a lawful farmer's market.

C. It is unlawful for an applicant to violate the terms and conditions of approval, or for any participant with knowledge thereof to knowingly violate the terms and conditions of approval.

D. Any person convicted of a violation of this chapter shall be subject to the penalties set forth in Chapter 1.12 of this code.

TOWN OF PALMER LAKE, COLORADO

ORDINANCE NO. 6 - 2024

**AN ORDINANCE AMENDING THE PALMER LAKE MUNICIPAL CODE BY
ADDING CHAPTER 5.10 REGULATING THE USE OF PROPERTY TO CONDUCT
FARMER'S MARKETS WITHIN THE TOWN THROUGH THE ADOPTION AND
IMPLEMENTATION OF A PERMIT SYSTEM**

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; and

WHEREAS, the Town has recently received expressions of interest in conducting farmer's markets within the Town; and

WHEREAS, the Board of Trustees has determined that it wishes to encourage farmer's markets, and that it is necessary and in the best interest of the public health, safety and welfare to adopt and implement a farmer's market permit system authorizing and governing the conduct of farmer's markets within the Town; and

WHEREAS, The Board of Trustees has received, reviewed and considered proposed additions to the Town Code, as set forth in Exhibit A, attached, establishing Chapter 5.10, a system for issuing permits for farmer's markets within the Town; and

WHEREAS, the Board of Trustees has concluded that it is in the best interest of the health, safety and welfare of the Town to adopt Chapter 5.10 authorizing and regulating farmer's markets, as set forth on Exhibit A, attached and add it to the Town Code.

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

1. The Palmer Lake Municipal Code is hereby amended by adding Chapter 5.10 Farmer's Market Special Event Permits, as set forth in its entirety on Exhibit A, attached.
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 AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 27th DAY OF JUNE 2024.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor

Chapter 5.10 FARMER'S MARKETS

5.10.010 Permit required.

It is unlawful for any person to operate a farmer's market without a valid farmer's market permit issued by the Town Clerk or designee. In addition to the license requirements of this title, farmer's market applicants shall provide any other pertinent information requested by the Town Clerk or designee for the purpose of administering the provisions of this title. The manager of the farmer's market must obtain the permit and assume responsibility of all vendors. A copy of market rules, all dates, permission from the property owner if applicable, a vendor list, and copy of the certificates of insurance must be provided to the Town Clerk prior to the start of the market.

5.10.020 Intent.

The intent of these regulations is to ensure that farmer's markets operate safely; are not detrimental to the public health; do not substantially interfere with traffic, or pedestrian circulation, or public services; and are compatible with surrounding property.

5.10.030 Description.

- A. Farmer's markets are permitted on non-residential property and on publicly-owned property with a proper permit.
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 - 8. Flowers and plants;
 - 9. Kitchen goods;
 - 10. Handmade arts and clothing;
 - 11. Food sold from mobile food carts.
- C. The following items are prohibited at a farmer's market:
 - 1. Tobacco products;
 - 2. Sexually oriented business items;
 - 3. Appliances;
 - 4. Electronics;
 - 5. Firearms.

- D. Pedder's permit. Mobile food vending, meaning the use of a legal motorized wheeled vehicle, legal towed wheeled vehicle, or pushcart, or other temporary operation designed and equipped to prepare and/or serve food and/or non-alcoholic beverages, may require a peddler's permit and inspection by the Fire department. If a vendor has a current business license established with the Town, a peddler's permit is not required.

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- C. Managers shall provide all required approvals by the El Paso County Department of Public Health and Safety for each food vendor.
- D. Managers shall report sales tax receipts to the Town as agreed pursuant to the established market rules.
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- C. The site will provide sufficient parking and not obstruct traffic. Gravel surfaced parking may be approved for a farmer's market.
- D. Adequate restroom services will be provided for the public.
- E. Adequate provisions have been made for cleanup and, if applicable, restoration of the site in a timely fashion upon termination of the market. A sufficient clean up/site restoration deposit has been provided, if required, based upon the anticipated costs of cleanup or restoration.
- F. Each Manager shall, during the time of the permit, maintain liability insurance coverage acceptable to the Town Clerk.

5.10.090 Permit expiration and renewals.

No permit issued shall be assignable to another applicant. Every permit issued shall expire according to the date established by the permit, not exceeding one calendar year.

5.10.100 Revocation of permit.

If, upon review, the conditions or restrictions imposed by this Code, county ordinance or state statute or by the permit have not been complied with, the Town Clerk may take any action deemed necessary to remedy the noncompliance, including but not limited to, revocation of the permit or pursuing the noncompliance as a Code violation. The Town reserves the right to revoke a permit at any time if there is an emergency that substantially interferes with the market.

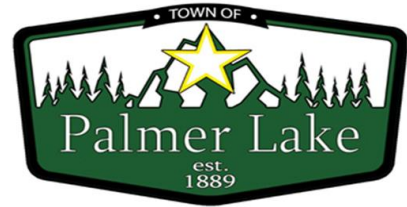
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5.10.120 Violation; penalty; and enforcement.

- A. It is unlawful for any person to sponsor or conduct a farmer's market without approval under this chapter. It is unlawful for any person to participate in a farmer's market with knowledge that the sponsor has not been approved, that farmer's market permit has not been approved, or that the permit has been revoked.
- B. It is unlawful for any person to interfere with or disrupt a lawful farmer's market.
- C. It is unlawful for an applicant to violate the terms and conditions of approval, or for any participant with knowledge thereof to knowingly violate the terms and conditions of approval.
- D. Any person convicted of a violation of this chapter shall be subject to the penalties set forth in Chapter 1.12 of this code.



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

DATE: June 27, 2024	ITEM NO.	SUBJECT: Direction on Amended Code Regulating Peddlers Permits
Presented by: Town Administrator Dawn Collins		

Recommended Action

Consider amended code relating to the Peddlers permit application process.

Background

Per Board direction, enclosed is additional information gathered from other municipalities relating to peddler regulation and permit process.

The background that is currently conducted is similar to a business license and is high level – checking for felony and/or warrants.

The amended language does revise this to a calendar year for those temporary vendor/business that do not have a business license within the town.

MUNICIPALITY
MONUMENT

BACKGROUND CHECKS
Yes, CBI background check

LIC. TYPE
Solicitor

Item 17.

[Chapter 5.56 - SOLICITORS | Code of Ordinances | Monument, CO | Municode Library](#)

EVANS

Yes, CBI background check

Temp Use/Structure
App Package

https://www.google.com/url?client=internal-element-cse&cx=a1efcd2747f674537&q=https://www.evanscolorado.gov/media/Departments/Planning_and_Zoning/Applications/2021_temporary_use.3.pdf&sa=U&ved=2ahUKEwi04MaXh_qGAxWXIkQIHUVEDTwQFnoECAQQAQ&usg=AOvVaw05Dpo7kSEWomS9JE6x6jfd&arm=e&fexp=72519171,72519168

PLATTEVILLE

Yes, CBI background check

Business License/Sales Tax
Contractors License

<https://www.plattevillegov.org/2161/Licenses-Permits>

LARKSPUR

Yes, “investigation” not defined

Solicitor’s/Canvasser’s
Peddler’s

<https://larkspur.municipal.codes/Code/5.32>

LEADVILLE

No, background check

Business License

https://library.municode.com/co/leadville/codes/code_of_ordinances?nodeId=TIT5BULIRE_CH5.04BULI

MEEKER

Yes, “investigation” not defined

Peddlers/Solicitor
Transient

https://library.municode.com/co/meeker/codes/municipal_code?nodeId=TIT5BUTALIRE_CH5.10PESOTRME

- CODE OF ORDINANCES
Title 5 - BUSINESS LICENSES AND REGULATIONS
CHAPTER 5.12. PEDDLERS

CHAPTER 5.12. PEDDLERS¹

5.12.010. Permit and license required.

It is unlawful for any person to engage in the business of peddler, as defined in section 5.12.020, within the limits of the town without first obtaining a permit ~~pursuant to the provisions of this Chapter 5.12, or a ~~and~~ business~~ license ~~pursuant to Chapter section 5.04, therefore as provided herein.~~

(Code 1973, § 5.12.010; Ord. No. 8-1954, § 1, 1954)

5.12.020. Definitions.

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

Peddler means and includes any person, whether a resident of the town or not, traveling by foot, wagon, automotive vehicle, or any other type of conveyance, from place to place, from house to house, or from street to street, carrying, conveying, or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck, services for hire, or making sales and delivering articles to purchasers, or who, without traveling from place to place shall sell or offer the same for sale or hire from a wagon, ~~automotive vehicle, railroad car,~~ or other ~~vehicle or~~ conveyance, and further provided that one who solicits orders and as a separate transaction makes deliveries to purchasers as a part of a scheme or design to evade the provisions of this chapter shall be deemed a peddler subject to the provision of this chapter. ~~The term "peddler" includes the terms "hawker" and "huckster."~~

(Code 1973, § 5.12.020; Ord. No. 8-1954, § 2, 1954)

5.12.030. Permit and license—Application; contents.

Applicants for permits and licenses under this chapter must file with the town ~~clerk~~~~clerk a sworn a completed~~ application in writing, which shall give the following information:

- (1) Name and address of the applicant;
- (2) Permanent home address and full local address, if any, of the applicant;
- (3) A brief description of the nature of the business and the goods or services to be sold and in the case of farm products, whether the products are grown by the applicant;
- (4) If employed, the name and address of the employer;
- (5) The length of time for which the right to do business is desired;
- (6) If a vehicle is to be used, a description of the same, together with the license number or other means of identification;

¹State law reference(s)—Municipal authority to license, tax, regulate, suppress and prohibit peddlers, C.R.S. § 31-15-501(1)(g).

- (7) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor, or violation of any municipal ordinance, the nature of the offense, ~~and/or~~ the punishment or penalty assessed therefor;
- (8) Such other matters as may be from time to time deemed necessary or desirable by ~~the town clerk~~
~~the board of trustees.~~

(Code 1973, § 5.12.030; Ord. No. 8-1954, § 3, 1954)

5.12.040. Permit and license—Investigation and issuance.

- (a) Upon receipt of such application, the town clerk, or designee, shall cause investigation of the applicant's business and moral character to be made for the protection of the public good.
- (b) If, as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the town clerk shall deny the request and notify the applicant in writing of such disapproval and that no permit and license will be issued.
- (c) If, as a result of such investigation, the applicant's character or business responsibility are found to be satisfactory, the town clerk shall endorse approval and execute a permit in favor of the applicant for the carrying on of the business applied for upon payment of the prescribed license fee, and issue a license ~~for the~~
~~calendar year~~. Such license shall contain the signature and seal of the ~~issuing officer~~
~~town clerk or designee~~ and shall show the name ~~and address~~ of said licensee, the ~~type of license issued, and the~~ kind of goods or services to be sold thereunder, ~~the amount of fee paid,~~ the date of issuance, and the length of time the same shall be operative, as well as the ~~license number or other~~ identifying description of any vehicle used in such peddling. The town ~~clerk or designee~~
~~clerk~~ shall keep a permanent record of all licenses issued ~~within a~~
~~calendar year~~.

(Code 1973, § 5.12.040; Ord. No. 8-1954, § 4, 1954)

5.12.050. Permit and license—Fees.

There shall be due and payable for each license or permit issued hereunder, the sum defined in the master fee schedule.

(Code 1973, § 5.12.050; Ord. No. 8-1954, § 5, 1954)

5.12.060. License nontransferable.

No license issued under the provisions of this chapter shall be transferred to or used by any person other than the one to whom it was issued.

(Code 1973, § 5.12.060; Ord. No. 8-1954, § 6, 1954)

5.12.070. Use of streets.

No peddlers shall have any exclusive right to any location in the public streets, nor shall any be permitted in a stationary location, nor shall ~~any~~
~~he~~ be permitted to operate in any congested area where ~~their~~
~~his~~ operations might impede or inconvenience the public. For the purpose of this chapter, ~~a licensed peddler may participate in~~
~~accompany a special events and farmers markets as determined by a special event coordinator or farmer's market~~
~~manager respectively.~~ ~~The judgment of a police officer the town clerk exercised in good faith~~ shall be deemed

conclusive as to whether the area is appropriate for peddlers. ~~congested or the public impeded or inconvenienced.~~
A party holding a business license with the town is not required to apply for a peddlers permit.

(Code 1973, § 5.12.070; Ord. No. 8-1954, § 7, 1954)

5.12.080. Exhibition of license.

Peddlers are required to exhibit their license at the time of service. ~~request of any citizen.~~

(Code 1973, § 5.12.080; Ord. No. 8-1954, § 8, 1954)

5.12.090. Chapter enforcement.

It shall be the duty of any police officer of the town to require any person-party ~~seen~~ peddling, and who is not known by such officer, to be duly licensed to produce a peddler's license or business license. ~~-~~ and to enforce the provisions of this chapter against any person found to be violating the same.

(Code 1973, § 5.12.090; Ord. No. 8-1954, § 9, 1954)

5.12.100. Violations record.

The police ~~official~~ department of the town shall report to the town clerk all convictions for violations of this chapter and the town clerk, ~~in his record for each license issued,~~ shall record the reports of violations therein.

(Code 1973, § 5.12.100; Ord. No. 8-1954, § 10, 1954)

5.12.110. Revocation.

(a) Permits and licenses issued under the provisions of this chapter may be revoked by the board ~~town clerk of trustees of the town, after notice and hearing,~~ for any of the following causes:

- (1) Fraud, misrepresentation, or false statement contained in the application for license;
- (2) Fraud, misrepresentation, or false statement made in the course of carrying on his or her business as peddler;
- (3) Any violation of this chapter;
- (4) Conviction of any crime or misdemeanor involving moral turpitude;
- (5) Conducting the business of peddling in an unlawful manner or in such a manner as to constitute a breach of peace or to constitute a menace to the health, safety, or general welfare of the public.

(b) Notice of the revocation hearing or for an appeal of a revocation of license shall be given in writing setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed postage prepaid to the licensee at their ~~his~~ last known address at least 15 days prior to the date set for hearing.

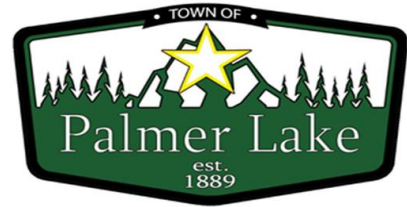
(c) An appeal hearing to a revocation will be scheduled before the Board of Trustees. The decision of the Board of Trustees shall be final.

(Code 1973, § 5.12.110; Ord. No. 8-1954, § 11, 1954)

5.12.120. Expiration; ~~renewal fee.~~

~~All annual~~The peddler's licenses and permits issued under the provisions of this chapter shall expire ~~one at the end of a calendar year, from the date of issue, other than annual licenses and permits which expire on the date specified therein.~~ one at the end of a calendar year. ~~There shall likewise be due and payable for the renewal of each license and permit issued hereunder the sum defined in the master fee schedule.~~

(Code 1973, § 5.12.120; Ord. No. 8-1954, § 12, 1954)



Item 18.

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

DATE: June 13, 2024	ITEM NO.	SUBJECT: Update on Advisory Committee Vision Plan - ER Property
Presented by: Town Administrator Collins		

Recommended Action

Informational.

Background

The Advisory Committee is near 100% of completion. Susan Miner will review the options with department staff for input early July. The presentation of the vision for elephant rock property will be in a workshop format on Wed., July 10, at 5 pm, with additional time for questions pending on Thu., July 11, at 5pm (prior to the next Board meeting). Visual and supporting material will be provided at the July 10 workshop.