



**TOWN OF LARKSPUR  
MINUTES OF THE  
REGULAR COUNCIL MEETING  
January 17<sup>th</sup>, 2013  
6PM  
Town Hall**

**MEETING CALLED TO ORDER:** Mayor Gerry Been called the meeting to order at 6 PM.

**ROLL CALL:**

<b>PRESENT</b>	<b>ABSENT</b>	<b>NON-VOTING</b>
Lester Burch	Jennelle VanGorder	Town Attorney- Scott Krob
Sandy McKeown	Shannon Buss	Town Clerk/Manager-
Matias Cumsille		Matt Krimmer
Joseph Jeske		
Mayor Gerry Been		

**PLEDGE OF ALLEGIANCE:** Recited.

**OTHER ATTENDEES:** Gary Abel, Paul Grant, Kristin Cutbirth, James McVaney, Lt. Dan McMillan

**UNSCHEDULED PUBLIC APPEARANCES:**

**Lt. Dan McMillan** informed Council he had nothing to report in the way of crime activity in the Larkspur area and asked if anyone had any concerns or questions about anything. Gary Abel asked if the DCSO was using drones anywhere in the County and Lt. McMillan responded that the DCSO is not and has no plans to use drones in their law enforcement activities.

**James McVaney** addressed the Council stating that the moratorium enacted at the last meeting on issuance of licenses for marijuana businesses was a mistake and the Town was depriving itself of revenue from legitimate operations. He also added that the Council should reconsider its position and as a home rule Town did not have to wait for the State to issue rules to regulate marijuana businesses.

**SCHEDULED PUBLIC APPEARANCES:** None.

**NEW WELL PROJECT:** Matt summarized the meeting held on January 9, 2013 with Leroy Cruz, Margaret Deiotte, Paul Grant, and Joseph Jeske. After researching all known possible sources for funding via loan or grant it was concluded that there are two major sources, 1) the State Revolving Fund (SRF) USDA Rural Development grant/loan for which the application is due June 15 with an advance submission of the PER due before April, and 2) the DOLA grant for which the application is due April 1. The SRF-USDA Rural Development offers loan forgiveness or 0% interest for up to \$2 million and the DOLA grant could be up to \$1 million. A third source is CDBG, the application for

which is due December 1, however with the uncertainty of Federal funding for CDBG this may be a limited resource and the amount of work required to complete the application may not be worth the effort. The recommendation is to wait on the outcome of the first two funding source applications before making a decision on CDBG.

Margaret and Leroy looked at numerous other possible sources and determined none were worth pursuing. Leroy is on schedule to meet the submission dates for both the SRF-USDA and DOLA applications.

Matt informed Council that USDA Rural Development requires a public meeting be held to inform the constituents of the well project and the application for funding.

**Matias Cumsille made a motion to set a public meeting on Thursday, February 21, 2013, 5:30 p.m. at Town Hall to present and obtain public comment on the new well project and the application for loan/grant funding going to USDA Rural Development. The motion was seconded by Lester Burch. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.**

Matt also informed Council of a grant opportunity from the Colorado State Energy Office. Matt had Leroy Cruz, and Scotty Krob review the eligibility requirement and all three agreed the criteria did not fit the well project and therefore recommended not submitting an application.

**PARK UPDATE:** Matt informed Council that Jim Callahan of Larkspur Wine and Spirits was working to form a coed softball league with six or eight teams. Matt also mentioned he was meeting with the COO of the DCSD and principals from Larkspur Elementary and the DCSD Center for Outdoor Education (formerly Emily Griffith School) to create a partnership in use of outdoor facilities and providing outdoor opportunities and education in the Larkspur area. Included in the discussion will be the construction of the fitness trail and types of fitness stations to be installed.

**COUNCIL COMMENTS:** Matias Cumsille asked about the status of an Ordinance directing a percentage of surplus funds be placed in the Water and Sewer Fund. Scott Krob stated he believed it was covered in Resolutions 12-12 approving the Mill Levy and 12-14 passing the budget. Scotty will review the resolutions to confirm. Matias clarified that an Ordinance for future years directing a percentage of surplus money automatically be placed in the water fund was also discussed and asked that it be addressed sometime in the future.

**MINUTES: Public Hearing and meeting December 12<sup>th</sup> and meeting December 20<sup>th</sup>** Matt presented minutes from the December 12<sup>th</sup> and 20<sup>th</sup> Council meetings and the December 12<sup>th</sup> Public Hearing.

**Matias Cumsille made a motion to approve the Public Hearing minutes of December 12<sup>th</sup> 2012. The motion was seconded by Joseph Jeske. A roll call vote was taken. Three (3) in favor, zero (0) against, two (2) abstentions (Sandy McKeown, Joseph Jeske); motion carried.**

**A motion was made by Matias Cumsille and seconded by Sandy McKeown to approve the Town Council meeting minutes of December 12<sup>th</sup> 2012. A roll call vote was taken. Three (3) in favor, zero (0) against, two (2) abstention (Sandy McKeown, Joseph Jeske); motion carried.**

**A motion was made by Joseph Jeske and seconded by Matias Cumsille to approve the Town Council meeting minutes of December 20<sup>th</sup> 2012. A roll call vote was taken. Four (4) in favor, zero (0) against, one (1) abstention (Sandy McKeown); motion carried.**

**BILLS TO BE PAID: \$39,818.30**

Matt presented bills to be paid in the amount of \$39, 818.30. A question was raised regarding charges for two alignment and wheel balancing charges from 1 Stop Tire and Auto for the Town truck. It was agreed to withhold payment of the \$54.90 invoice pending clarification of the charges.

**A motion was made by Sandy McKeown and seconded by Matias Cumsille to pay bills totaling \$39,763.40. A roll call vote was taken. Five (5) in favor, zero (0) against, with Mayor Been abstaining on approval of invoice payments to Fischer Enterprises; motion carried.**

**SEMOCOR REPORT:** Paul Grant informed Council that the upper and lower water tanks are in need of cleaning and cleaning dates will be scheduled in conjunction with the cleaning of Perry Park Water District tanks in order to save money. Semocor will advise the Town when dates have been selected and confirmed.

**CONTINUING BUSINESS:**

- **Town Signs** – Matt informed Council he and Becky Mobley are still working with a representative from Yesco Signs to come up with design options and related costs. Becky is also working with Douglas County to produce maps needed to identify sign locations as required by Yesco Signs.
- **Draft Uniform Penalty Ordinance** – Matt presented Ordinance 4.27 establishing a uniform penalty for code violations for all Ordinances without penalty clauses and eliminating imprisonment as a possible penalty.

**Matias Cumsille made motion to approve Ordinance 4.27, AN ORDINANCE ESTABLISHING A UNIFORM PENALTY FOR OFFENSES WITHOUT SPECIFIED PENALTIES AND ELIMINATING IMPRISONMENT AS A POSSIBLE PENALTY. The motion was seconded by Sandy McKeown. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.**

- **Recognition plaque standards** – Matt reminded Council to identify standards for recognition plaques allowed on Town Property and in particular at the Town Parks for discussion at the next meeting.
- **Park Official Grand Opening** - Matt informed Council he has solicited and received approval from the Larkspur Chamber of Commerce to help the Town in organizing the Community Park's Official Grand Opening on June 1, 2013. This partnership will also be seeking support from the Larkspur Volunteer Fire Auxiliary, the Larkspur Historical Society, and the Jellystone Yogi Bear Campground. The next planning meeting for this event is Monday, Feb 11, 2013 and the Spur at 6 P.M.
- **Greenland Ranch Wells update** – Matt informed Council he has been contacted by a reported from the Denver Post regarding this project. There is no new information to report at this time.

**LEGAL UPDATES:** Scotty Krob reported on Shannon Buss's question regarding preparation of an Ordinance to regulate Oil and Gas drilling (fracking) noting that the issue is much larger than Larkspur and recommending the Town wait on taking action. Matt noted that he attends regular meetings chaired by Town of Castle Rock planners and representing the Partnership of Douglas County Governments. This group, the Douglas County Regional Coalition of Jurisdictions and Water Districts – Oil and Gas Team (DCOGT), is preparing standards to be presented to the Colorado Oil & Gas Conservation Commission (COGCC) addressing

1. Protection of ground water;
2. Protection of public surface water and alluvial wells;
3. Implementation of local oil and gas well and well site inspections; and
4. Specifying set back requirements.

Scotty also reported that Matt had requested his review of the annexation agreement with the Jellystone Yogi Bear campground and concurrence in Matt's findings of the campground not having met the conditions set forth therein regarding sales tax share backs scheduled to start in 2013. Matt's findings were confirmed.

**NEW BUSINESS:**

- **New 2013 Grants for Park and Roads** – Matt informed Council of new 2013 grant opportunities for the Park and for Roads and mentioned he has discussed this with Margaret Deiotte for application submissions.
- **New Road at GlenWalk and Gravel Road Annual Maintenance** – Matt mentioned the new owner of the former Hensen property on Glen Walk requested some road improvements for easier access to and from the property. Mayor Been suggested investigating new road construction at the time the annual maintenance is performed on the Town's gravel roads. Matt stated he would get bids from DC Asphalt.
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**MANAGERS REPORT:**

- **Leadership of Douglas County Government Day Jan 9, 2013** – Matt informed Council of his participation at the Douglas County Leadership Class Government Day on January 9, 2013 on behalf of the Town and Mayor Been.
- **Payroll and Bank conversion to ADP and Peoples Bank respectively** – Matt informed Council that payroll processing has been moved from PAYCHEX to ADP effective with the paychecks due tomorrow, January 18, 2013 and that movement of bank accounts from Guaranty Bank to Peoples has started with the final checking account being closed at Guaranty Bank once all the checks from the last check run have cleared payment.
- **New Phone System and COMCAST** – The new Town Hall phone system has been installed and is working fine with a few minor bugs being worked out. The switch for service providers from Century Link to COMCAST has also been completed.
- **Grading Road to Wells** – Matt mentioned the road to the well site needed grading and Mayor Been suggested we have it professionally graded. Matt will get estimates to have this done.

- **Volunteer Portal** – Matt informed Council of a meeting to establish a volunteer portal which could be accessed by all Douglas County jurisdictions and districts to identify volunteers needed for a broad range of work and provide such volunteers to participating agencies. Becky Mobley will represent Larkspur on this work group.

**MAYORS COMMENTS:** None.

**ADJOURN:** Matias Cumsille made a motion to adjourn the regular Council meeting. Sandy McKeown seconded the motion. Motion carried by unanimous voice vote. Mayor Been adjourned the Council meeting at 7:28 PM.

Respectfully submitted,  
Matt Krimmer  
Town Clerk/Manager

These minutes are only a summary of the proceedings of the meeting. They are not intended to be comprehensive or to include each statement, person speaking or to portray with complete accuracy. The most accurate record of the meeting is the audiotape of the meeting, maintained in the office of the Town Clerk.