



**TOWN OF LARKSPUR
MINUTES OF THE
REGULAR COUNCIL MEETING
June 20th, 2013
6PM
Town Hall**

MEETING CALLED TO ORDER: Mayor Gerry Been called the meeting to order at 6:03 PM.

ROLL CALL:

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

PLEDGE OF ALLEGIANCE: Recited.

OTHER ATTENDEES: Florence Burch, Gary Abel, Kristin Cutbirth, Clyde Parker, James McVaney, Max Cumsille, Farid Sayad, Joe Yavorski, Jerry Perkins

UNSCHEDULED PUBLIC APPEARANCES:

Jerry Perkins, Town maintenance man, introduced himself to the Council providing a short summary of his experience and thanking Council for hiring him. He stated he enjoyed working for the Town and briefly discussed some of the items requiring his attention. Council had a few questions and thanked him for coming to the meeting.

Myrna Been (by phone) requested Council reimburse her for costs to repair frozen water pipes in her house as a result of a frozen water meter. Myrna described the sequence of events leading to the repair and following discussion Council agreed to waive the governmental immunity and reimburse her \$200 for the cost of her plumbing repairs.

A motion was made by Shannon Buss and seconded by Jennelle VanGorder to waive the Town’s governmental immunity regarding reimbursements to property owners for damages caused by infrastructure equipment failures and to credit Myrna Been’s water and sewer account the sum of \$200. A roll call vote was taken. Three (3) in favor, one (1) against (Matias Cumsille), one (1) abstention (Mayor Been); motion carried.

SCHEDULED PUBLIC APPEARANCES:

Max Cumsille, Irrigation Well – Max presented a brief background of his request of the Town to provide replacement water from the Town’s wastewater treatment plant for water used by the Federation from an alluvial irrigation well to be drilled for irrigation. The Town has a decree from the State of Colorado permitting such use for augmentation

purposes. Scotty Krob recommended approval of a ten year lease with the Federation subject to annual renewal for a cost to the Federation of \$10 per acre foot per year. The annual estimated use per year is between 8 - 10 acre feet per year.

Shannon Buss made a motion to approve a lease agreement with the American Federation of Human Rights (AFHR) for ten years to be renewed annually at a cost of \$10 per acre foot per year for the AFHR to receive treated water from the Town's wastewater ponds replacing water taken from their alluvial irrigation well. The motion was seconded by Lester Burch. A roll call vote was taken. Four (4) in favor, zero (0) against, one (1) abstention (Matias Cumsille); motion carried.

Farid Sayad, Security Surveillance Systems – Farid presented Council a brief background of the problems the Town has been having with the security cameras installed at the Town dump. The problem has been narrowed to being either a camera issue or a network issue. Farid offered to replace the possible malfunctioning camera(s) however was going to work with the manufacturer to do one more troubleshooting diagnostic. He promised Council the problem would be found and fixed, if possible. Farid stated he would order replacement cameras for the two that are not working and he committed to having them installed within 1 ½ weeks. He also stated if the problem was not the cameras and turned out to be the network, he recommended placing a DVR in the control house thereby having only one network connection which should eliminate the overload on the network. Council accepted Farid's proposal for one more troubleshooting attempt.

NEW WELL PROJECT: Matt addressed the letter from Colorado Department of Public Health & Environment (CDPHE) requesting answers to specific questions raised regarding the loan application to the State Revolving Fund. Matt presented WWE's cost estimate of \$3000 for responding to the questions. Council agreed it was necessary to have WWE prepare the response.

A motion was made by Matias Cumsille and seconded by Lester Burch to approve up to \$3000 for WWE to research, prepare, and submit responses to the questions from CDPHE for the State Revolving Fund loan application. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

PARK UPDATE:

- **Softball League Tournament** - Matt informed Council of the upcoming Adult Softball League Tournament scheduled for June 29th and beginning around 1 p.m.
- **Park & Ball Field Maintenance** – Mayor Been presented an offer from Bob Maloney from Castle Rock Parks and Recreation Department to aerate, rake, add soil and fertilizer, and roll the Park and ball field lawns at no cost to the Town except paying for materials used estimated at around \$1900. Mayor Been explained Mr. Maloney was a former colleague who agreed to help Larkspur on his own time and with the approval of Mark Stevens, Castle Rock Town Manager. Mayor Been asked Council to approve a \$100 gift card for Mr. Maloney as token of the Town's thanks.

A motion was made by Matias Cumsille and seconded by Shannon Buss to approve \$100 for a Visa or Master Card gift card for Mr. Bob Maloney in

appreciation for his time in performing maintenance on the Town's Park and ball field lawns. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

MINUTES: Regular Council meetings June 6th - Matt presented minutes from the June 6th Council meeting.

A motion was made by Matias Cumsille and seconded by Lester Burch to approve the regular Council meeting minutes for June 6th. A roll call vote was taken. Four (4) in favor, zero (0) against, one (1) abstention (Jennelle VanGorder); motion carried.

BILLS TO BE PAID: \$58,305.73

Matt presented bills for approval in the amount of \$61,560.98. Shannon Buss asked the payment of \$3797.50 to Inland Marine Services for cleaning the water tanks not be made until a final report had been received. Shannon also asked a report from Outside the Box for the grant research outcomes be provided before the payment of \$232.75 is made. Matt added a \$775 late bill received from Angry Squirrel for tree removal be included in the bill approvals. Revised bill total approvals is \$58,305.73.

A motion was made by Matias Cumsille and seconded by Shannon Buss to approve payment of bills totaling \$58,305.73. A roll call vote was taken. Four (4) in favor, zero (0) against, one (1) abstention for bills paid to Fischer Enterprises (Mayor Been); motion carried.

SEMOCOR REPORT: Paul Grant informed Council he expected the report from Inland Marine Services any day. There were no other comments or questions.

CONTINUING BUSINESS:

- **Bid Proposal for Drip Line at Corner Market** – Matt presented a proposal from Douglas County Maintenance & Repair to install a drip line in the landscape area along the east side of the sidewalk at the Corner Market. The bid received is for \$650 for the main line and drip nozzles as required by the plantings.

A motion was made by Shannon Buss and seconded by Jennelle VanGorder to approve the \$650 bid from Douglas County Maintenance & Repair to install a drip line and nozzles on the east side of the sidewalk at the Corner Market. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

- **Council Tour of 9375 Spruce Mountain Road (Old Firehouse)** – Several Council members and Town Staff toured the Old Firehouse to see if it would meet the needs to serve as a Town Hall. It satisfies office space requirements however major shortcomings are the available parking, the meeting room on the second floor with no handicap access, and small lot. Another factor is the estimated cost at around \$1,000,000. Todd Liebe, owner, asked if the Council would be willing to split the cost of an appraisal to establish a more accurate value for the property. In discussions Council determined the negative factors outweigh the positives and therefore no further consideration of the property for a Town Hall would be made.
- **Council Tour of 8520 Spruce Mountain Road acreage** – Joe Yavorski, in his quest to add two more buildings on his property is seeking a reduction in tap fees

in exchange for approximately five acres of land east of Plum Creek which the Town could use to build its Larkspur trail. Joe asked Council to reduce water and sewer tap fees by \$25,000 each. Matt asked Joe if he would include a portion of the northeast corner of his property west of Plum Creek as previously discussed to allow a less expensive creek crossing to be built. Joe agreed and stated he would stake the property in question. Lester Burch commented he was strongly opposed to reducing tap fees for anyone since the fees were just raised to meet the needs of the Town in increasing revenue to support drilling a new well.

A motion was made Shannon Buss to approve reducing the water and sewer tap fees by \$25,000 each for two new buildings to be built at 8520 Spruce Mountain Road owned by Joe Yavorski in exchange for approximately five acres of land east of Plum Creek to include a portion of the northeast corner of land west of the creek to be agreed upon by the Town and Mr. Yavorski. The motion was seconded by Matias Cumsille. A roll call vote was taken. Four (4) in favor, one (1) against (Lester Burch); motion carried.

LEGAL UPDATES:

- **PPW&S Exclusion Petition** – Attorney Scotty Krob stated the petition is in the hands of PPW&S and he is awaiting a response from their attorney.

NEW BUSINESS:

- **Budget Discussion** – Council member Matias Cumsille asked Council to consider an ordinance or resolution directing all surplus funds be set aside and saved in a restricted account to build reserve funds for water and sewer use only. Council discussed several ideas around this request including splitting surplus funds and allocating them fifty percent to the General Fund and fifty percent to the Water & Sewer Fund. Attorney Scotty Krob commented he was not aware of any other municipality have such an ordinance or resolution. Scotty will research this and contact CML attorneys for their input. Council directed Scotty to prepare several options for them to consider for the next meeting.

MANAGERS REPORT:

- Matt reported the CRF had its best opening weekend ever based on feedback from vendors paying taxes.
- Matt informed Council that Sharon Roman will be attending liquor license training on June 25 in Castle Rock.
- Matt also reminded Council Town Hall will be closed July 4-5, 2013 and that Jerry Perkins, Town Maintenance man will be working on July 5th.
- Matt presented a request from Black Forest Boy Scouts to use the Town Park north field for its annual Day Camp activities on August 1, 2, 8, & 9, 2013 which include bow and arrow and pellet gun shooting ranges. Matt explained the Scouts lost their facilities in Black Forest to the recent fire and the shooting ranges will be fully supervised and managed by trained range officers. Matt also requested the Council waive Park fees. Council asked for a representative(s) from the Boy Scout troop attend the next Council meeting to provide more information on the shooting ranges to include a safety plan and confirm safety concerns.

Matias Cumsille made a motion to waive the fees for use of the Town Park by the Black Forest Boy Scouts for their Day Camp on August 1, 2, 8, & 9 and to have them provide a safety plan for the shooting ranges. The motion was seconded by Jennelle VanGorder. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

COUNCIL COMMENTS: Lester Burch restated his opposition to the reduction of tap fees for Joe Yavorski to build two new buildings.

Shannon asked Matt for a status on changing CDOT's electronic sign in Monument from Tomah Road to Larkspur. Matt stated he has not yet taken action on this item. Shannon also mentioned receiving an email from Becky Nelson, DC ED Coordinator regarding completion of an application to the State for an ED assessment. Matt stated he has not seen the email however will open it and meet with Shannon to discuss. There were no other Council comments.

MAYORS COMMENTS: None.

ADJOURN: Matias Cumsille made a motion to adjourn the regular Council meeting. Jennelle VanGorder seconded the motion. Motion carried by unanimous voice vote. Mayor Been adjourned the Council meeting at 8:27 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.