



**TOWN OF LARKSPUR
MINUTES OF THE
REGULAR COUNCIL MEETING
August 1st, 2013
6PM
Town Hall**

MEETING CALLED TO ORDER: Mayor Gerry Been called the meeting to order at 6:00 PM.

ROLL CALL:

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

PLEDGE OF ALLEGIANCE: Recited.

OTHER ATTENDEES: Florence Burch, Kristin Cutbirth, Paul Grant, Gary Abel, James McVaney, Lois Wymore, Marvin Cardenas, Matthew Krob

UNSCHEDULED PUBLIC APPEARANCES: Deputy Chris Washburn, DC Sheriffs, read pre-prepared statement asking Council when water will become the number one on Council minds.

James McVaney commented on Michele Burhenn's letters of intent to file petitions to repeal Ordinance 6.23, accept regulations on marijuana businesses, and impose a tax on marijuana sales. James stated he believed the dates set in Amendment 64 to implement regulation of marijuana were misinterpreted by the Town's Attorney. He informed Council he has consulted with an attorney, Ralph Cory, who is helping to reformulate the petitions and will resubmit them to the Town Clerk.

SCHEDULED PUBLIC APPEARANCES: None.

NEW WELL PROJECT:

Matt provided a brief update on the well grant/loan applications noting he, Vince Weis, Leroy Cruz, and WWE were working on responses to questions raised by CDPHE. He also stated the application to Rural Development would be presented to the Colorado Water Resources and Power Development Authority at their meeting on August 22nd for a final decision and someone from the Town may be asked to attend.

PARK UPDATE:

- **Maintenance** – Matt stated Park maintenance was improving and with summer help for Jerry Perkins the lawns and ball field grass are beginning to come back to where they should be. The next big task is to address the weeds along the road, around the basketball court, baseball field, and on the pathways and trails.
- **Park Train Project** – Marvin Cardenas presented a proposal to invest in a trackless train which would operate along the trails in the Park and provide historic information to visitors. The Town would not incur any costs to initiate this project. Funding would be sought from the Burlington Northern and Union Pacific railroads and other sources. He also noted operation of the train would be covered by the Town's insurance carrier, CIRSA, for liability. Marvin asked for the Council's consent to move forward on a business plan for this project.

A motion was made by Joseph Jeske and seconded by Sandy McKeown to approve Marvin Cardenas to create a business plan for a trackless train to operate within the Town of Larkspur. A roll call vote was taken. Four (4) in favor, one (1) against (Lester Burch); motion carried.

- **Farmers Flea Market** – Marvin Cardenas and Shannon Buss met with the Larkspur Area Chamber of Commerce last Monday to discuss a Farmers Flea Market at the Park beginning on Saturday August 10 and every Saturday thereafter through September 28 from 9 a.m. – 3 p.m. Marvin stated the Chamber agreed to support the market and share the cost of a banner which will be hung across Spruce Mountain Road at Petunia Park. The estimated cost of the banner is \$300. Marvin also noted that fliers will be posted and circulated throughout the area. Matt informed Marvin that a business/sales tax license would have to be acquired to collect and report market sales and pay taxes. It can be a single license with the licensee responsible for consolidated tax collections and payments.
- **2013 Park Fees Received to date** – Matt reported that \$2530 in Park facility use fees and \$2750 in ball field rentals have been received to date. Mayor Been requested fees paid by the Operation Rescu Foundation for rental of the large and small picnic shelters on July 24 for fund raising be waived and refunded since they are a non-profit organization that benefits Renaissance Festival performers and workers in helping with transportation, housing, and medical expenses. Council agreed pending verification of the organizations status as a 501c3.

Lester Burch made a motion to waive and refund fees paid by the Operation Rescu Foundation for use of the large and small picnic shelters. The motion was seconded by Shannon Buss. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

- **Park Fees for 2014** – Matt pointed to Ordinance 4.26 setting fees for use of Park facilities and requested Council give some thought to raising fees for 2014. Copies of the Ordinance were included in Council packets.

MINUTES: June 20 and July 18

Matt presented minutes from the June 20th and July 18th regular Council meetings for approval. Matt pointed out a correction from Scotty Krob on page 2 of the June 20th minutes regarding acre feet of water annual use.

A motion was made by Shannon Buss and seconded by Lester Burch to approve regular Council meeting minutes from June 20, 2013 with noted corrections. A roll call vote was taken. Three (3) in favor, zero (0) against, two (2) abstained (Sandy McKeown, Shannon Buss); motion carried.

Shannon Buss asked for additional wording to be added on page 3 of the July 18th minutes regarding the Town Accountants procedures for handling petty cash.

Sandy McKeown made a motion to approve regular Council meeting minutes from July 18, 2013 with requested changes. The motion was seconded by Lester Burch. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

CONTINUING BUSINESS:

- **Water Tank Maintenance** – Matt presented the proposal from Inland Potable Services to clean the water tanks and which was postponed from the last meeting. Council asked Paul Grant, Semocor, to solicit other bids. Paul stated he would attempt to have other bids for the next meeting.
- **Town Highway and Directional Signs** – Matt presented information from Stewart Signs and Council asked that other bids be requested for the highway monument signs. Shannon Buss and Mayor Been informed Council they had been in touch with Don Wisely, Signs and Markings Supervisor for the Town of Castle Rock, and who is very interested in helping Larkspur with our sign needs. We will follow up with him regarding the directional signs.
- **New Town Hall-Edge Building, 8720 Spruce Mountain Road** – Mayor Been informed Council a meeting will be scheduled with Joey Edge as soon as possible to discuss options and financing for acquiring the Edge building for a new Town Hall.
- **Dump Cameras** – Matt informed Council Joe Yavorski and his IT professional tech looked at the cameras and supporting equipment at the dump and concluded the best solution would be microwave towers at the dump and town hall to beam the signals and avoid the internet connection. Joe asked for details on make and model of cameras stated they would work with Town staff and prepare a proposal. A brief discussion followed regarding what to do with the cameras installed by Security Surveillance Systems should they not be usable for another system. Options discussed were return them, reuse them in the Park or elsewhere, and sell them.

LEGAL UPDATES: Mayor Been deferred Legal Updates to the end of the regular meeting agenda in order to enter into executive session.

NEW BUSINESS:

- **TST Inc. Municipal Engineering Services** – Matt distributed a bound booklet with information describing TST, Inc., the types of services provided, and a rate sheet breaking down a variety of engineering and support services. Matt stated TST is marketing their services to governmental entities and prepared the booklet for Larkspur as a possible target client.

MANAGERS REPORT:

- Matt reminded Council of the Senior Initiative Listening Tour meeting in Larkspur on Thursday, August 23, at 12 noon at the LFPD.
- Matt also informed Council of a DUI community service worker on board for 24 hours of community service who has been working with Mayor Been and Jerry Perkins. He has completed about 18 hours to date.
- Matt then addressed the petitions received from Michelle Burhenn thru James McVaney to repeal the recreational marijuana moratorium Ordinance 6.23, adopt a tax on recreational marijuana, and establish regulations governing the sale of marijuana in Larkspur. Matt explained the petitions were returned for not complying with state statutes as to form and content. James McVaney took exception to Scotty's interpretation of Amendment 64 regarding when regulations were to be in place and when it a vote could be held regarding marijuana sales. Scotty Krob explained his interpretation and position.
- Matt presented new election laws taking effect this year and answered questions from the Council and the audience. He also advised the Council and audience to contact their State Representatives to voice any complaints regarding these new laws. When asked who the State Representatives were he stated the information would be made available on the Town's website.

COUNCIL COMMENTS:

Shannon Buss commented on the length of the grass at Town Hall.

MAYORS COMMENTS:

Mayor Been made a motion to enter into Executive Session which was seconded by Shannon Buss. Motion carried by unanimous voice vote 5-0. Scotty Krob declared executive session open at 7:25 p.m. Scotty Krob explained the current status of the Perry Park Water & Sanitation exclusion action and Council discussion followed. The executive session ended at 8:15 p.m.

ADJOURN: Shannon Buss made a motion to adjourn the regular Council meeting. Lester Burch seconded the motion. Motion carried by unanimous voice vote. Mayor Been adjourned the Council meeting at 8:16 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.