



**TOWN OF LARKSPUR
MINUTES OF THE
REGULAR COUNCIL MEETING
September 5th, 2013
6PM
Town Hall**

MEETING CALLED TO ORDER: Mayor Gerry Been called the meeting to order at 6:05 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, Jim Callahan, Dave Betzler, Ted Rinebarger

UNSCHEDULED PUBLIC APPEARANCES: None.

SCHEDULED PUBLIC APPEARANCES:

Health Advocacy Partnership (HAP) – Ted Rinebarger and Dave Betzler presented a brief history of the Tri-Lakes HAP which was founded in 1996 as a non-profit volunteer organization to address community health issues focused on senior citizen health needs through development of a necessary and sustainable community resource base of participants, volunteers, and leaders. Ted and Dave summarized the services provided by HAP which include Immunization Clinics, Blood Drives and Blood Pressure Screenings, Medical Equipment Loans, Senior Dental Clinic, Senior Meals, Senior Citizens Center, HAP Thrift Store, Neighborhood Nurse, Medical and Child Dental Clinics, Medical Foot Care Clinic, and more. They are reaching out to Larkspur as a Tri-Lakes Community to encourage active participation in HAP with the goal of developing a partnership with the Town similar to that of Palmer Lake and Monument. Council commented they welcome the opportunity and to work with HAP in bringing awareness to the community. Ted and Dave thanked Council for their time and willingness to support the organization and its programs.

Wine Tastings and Business Expansion – Jim Callahan, owner of Spruce Mountain Wine and Spirits, informed Council of his plans to conduct wine tastings at his store and that he passed the necessary training and been certified to conduct tastings. A

copy of the certificate of completion has been provided to Matt and is on file at Town Hall. Matt reminded Jim he still needs approval from the Local Licensing Authority, i.e. Council, for on-site open container consumption of alcohol via tastings only. Jim asked the Council for approval to hold wine, craft beer, and cordial tastings at his liquor store. **A motion was made by Shannon Buss and seconded by Jennelle VanGorder to approve wine, craft beer, and cordial tastings at Spruce Mountain Wine and Spirits, 8993 Spruce Mountain Road, on specified dates and at specified times only, and only for consumption on the premises. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.**

PARK UPDATE:

- **Farmers and Flea Market** – Shannon Buss announced the Market was canceled last weekend because of the Labor Day weekend holiday.
- **Autumn Harvest and Craft Fest Sep 14 – Chamber**
 - ✓ **Staffing** – Matt informed Council that Jerry Perkins, Town Maintenance man, and Cedrick Sandoval, Mountain Vista H. S., was also volunteering to work with Jerry and would be on site in the Park from 7 a.m. to 3 p.m. on Saturday to keep restrooms clean and collect filled trash bags.

Mayor Been proposed Council offer a \$100 gift card to Cedrick Sandoval for the hundreds of volunteer hours he spent this past summer helping Jerry Perkins in the Park and with a variety of maintenance jobs.

Shannon Buss made a motion to give a \$100 gift card to Cedrick Sandoval for the many volunteer hours he gave to the Town this past summer working with the Town Maintenance man on a variety of jobs in the Park and elsewhere. The motion was seconded by Janelle VanGorder. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

- ✓ Matt also commented that over forty vendor booths have been confirmed for the Craft Fest and all components for a successful event are in place.

- **Park Fees for 2014** – Matt reminded Council to consider new park fees for 2014.

MINUTES: August 15

Matt presented minutes from the August 15th regular Council meeting for approval. Mayor Been and Shannon Buss pointed out a couple of minor corrections on pages 3 & 4 of the minutes.

A motion was made by Shannon Buss and seconded by Matias Cumsille to approve regular Council meeting minutes for August 15, 2013 with noted corrections. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

CONTINUING BUSINESS:

- **Water Tank Maintenance** – This item was tabled for discussion at the next meeting.
- **Town Highway and Directional Signs** – Matt commented he has discussed use of the Town of Castle Rock’s sign building department to make some signs for Larkspur with their Town Manager, Mark Stevens, and received his okay to enter in to discussions with Don Wisely. Matt also noted his contact with Stewart Sign Company and their request for additional time to prepare a proposal. Sandy

McKeown asked about the blue CDOT signs on I-25 and the advertising of diesel fuel in Town. Matt responded that businesses pay CDOT for the privilege of advertising on the blue signs and the Corner Market has evidently chosen not to correct the sign since he does not have diesel fuel at his pumps.

- **New Town Hall**-Matt informed Council of his research into steel and modular buildings noting costs upwards of \$350,000 to complete a building approximately 5-10 thousand square feet. Following a brief discussion Council directed Matt to research additional sources and reduce the square footage to 3000 or less.
- **Spruce Mountain Road Re-pavement** – Matt commented on the paving of Spruce Mountain Road noting he was not very happy with the outcome. The road has dips in spots and is particularly bad on the south end by the Corner Market and on the north where the road crosses Upper Lake Gulch Road. He also noted the shoulders were not completed as stated in the contract. Matt will contact the County’s Project Manager to have these problems resolved and send an email to the County Commissioners if necessary.
- **Gravel Road Maintenance** – Matt presented a comparative bid from Fischer Enterprises to blade the roads in Larkspur Heights, Plum Avenue, and Frink and Frank Roads. Mayor Been commented on severe erosion bumps on Colorado Avenue and Douglas Blvd. and Matt stated the access road to the wells was also in need of repair. The drainage in Larkspur Heights was discussed and it was agreed to have the Town Engineer (Archer & Associates) take a look at the site and offer recommendations for better drainage management. Matt suggested holding off on the road blading until the Engineer has had an opportunity to observe the roads. Mayor Been agreed and stated he would also look at other options for grading the roads. Matt will schedule the Town Engineer to look at the roads.
- **Trash Facility Ordinance, Rules and Regulations** – Matt reminded Council to review the Towns Ordinances regarding use of the Town’s trash facility. Shannon Buss noted Resolution 12-01 also provided guidelines and procedures for dump card applications.
- **Property Exchange Proposals** –
 - ✓ **Buss/Cardenas** – Shannon Buss reviewed their proposal regarding the donation of 5+/- acres to the town to support the build out of the Larkspur Trail, in exchange for two, one inch taps, one for 8546 Spruce Mountain Rd. and one for 8670 Spruce Mountain Rd. She explained that the DC Assessor values the land at \$25,000 per acre putting the value of the 5 acres at \$125,000 and the price of a two, one inch water and sewer taps is \$57,200 thereby giving the Town approximately \$70,000 in property equity. Joe Yavorski’s proposal was also discussed and Matt explained that the town gave him a 50% reduction and that he was going to pay \$105,700. Shannon disagreed with that statement and went on to clarify that Joe Yavorski of OSI, donated 5+/- acres to the Town for the trail system in exchange for two, 2” inch taps and a one-time tap fee of \$50,000 (\$25,000 for each 2 inch tap). The outcome of this discussion was that Joe would pay \$50,000 which is an approximate 50% reduction in tap fees.

Shannon Buss excused herself from the remainder of the discussion and left the building. Mayor Been reopened the discussion regarding the Buss/Cardenas property exchange presented at the last meeting. Comparisons were made between this offer and the Yavorski property exchange previously approved by Council. A conclusion was reached not to accept the Buss/Cardenas offer at this time, however, it would be revisited in the future when development build out plans for the property are provided. Shannon was asked to return to the Council table and informed of the discussion outcome by attorney Scotty Krob.

✓ **Trueblood** – Matt informed Council of a proposal made by Anne Trueblood to exchange two parcels of land across the street from Town Hall for a residential water tap. Matt explained Anne had heard the Town was looking for a site for the County to use as a maintenance facility. Mayor Been stated the property was not well suited for a maintenance facility however may have value to the Town for other uses. Following a short discussion Council noted-further consideration would be given to this proposal if Anne presented her offer to the Council in person.

LEGAL UPDATES:

- **Perry Park Water & Sanitation Settlement Proposal** – Scotty Krob informed Council of the on-site meeting held with PPW&S representatives stating PPW&S agreed to help construct a trailhead and that portion of the trail from Upper Lake Gulch Road to the northern most well site location in exchange for easement access rights to the three well locations. PPW&S also agreed to plant trees and landscape the areas around the well sites to hide them from view from the roads and development sites. He also researched the question of how far away development construction had to be from a well site and determined it to be 100 feet. Council directed Scotty to work with PPW&S in drafting an agreement.
- **OSI Land Transfer to Town** – Scotty will work with Matt in completing a subdivision of the property and will draft an agreement for the transfer.
- **Federation Agreement for Replacement Water** – Based on discussion from the last meeting it is up to the Federation to request a residential well permit from the State. Matias stated he will inform Max Cumsille of this next step.
- **Planning for next year and out year budgets** – Scotty informed Council he researched other municipality budget reserve numbers and determined the average to be approximately 30 %. Matt recommended budget planning be done at a retreat off site. Council agreed to a four hour retreat nearby on a Saturday. This will be addressed again at the next meeting.

NEW BUSINESS:

- **MuckFest MS Special Events Permit** – Matt presented the MuckFest MS special events permit application from the organizer, Event 360, for the five mile run and obstacle course to be held at the CRF grounds on September 21st. Matt noted all the fees have been paid and insurance papers filed.

Matias Cumsille made a motion to approve the Special Events Permit for Event 360 to conduct MuckFest MS for the National Multiple Sclerosis Society at the CRF on September 21, 2013. Joseph Jeske seconded the motion. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

MANAGERS REPORT:

- **Marijuana Petitions** – Scotty Krob requested this item be addressed in Executive Session
- **Electronic Recycling** – Matt informed Council that Alexa Weber was holding an electronic recycling event at the Larkspur Elementary School this Saturday, September 7th from 10 a.m. to 2 p.m.
- **Youth Congress** – Matt informed Council of the Partnership’s Youth Initiative Youth Congress on Monday, September 16th from 8 a.m. to 4:30 p.m. at the State Capital Building
- **County Commissioners DCL Trustee Selection Panel** – Matt presented a request from the County Commissioners for an elected official from Larkspur to participate on a panel in the selection of nominees for Douglas County Library Trustee vacancies. Mayor Been stated he would consider it.
- **Town Signs** – Matt informed Council that Stewart Signs requested additional time to prepare a proposal for the Town. Matt also stated he had reached his contact in CDOT’s Golden office and that they would work to have the electronic sign on I 25 in Monument changed from Tomah Road to Larkspur.
- **Colorado Lottery Starburst Award** – Matt announced to Council that Larkspur has been selected to receive this year’s Colorado Lottery Starburst Award for Excellence in the Application of Lottery Funds for benefit of the people of Colorado in the promotion of recreation, outdoor lifestyles, and healthy communities. The award is scheduled to be presented at the Council meeting on October 17th.

COUNCIL COMMENTS:

Shannon Buss asked if Joe Yavorski has paid the tap fees for the two new buildings to be constructed. Matt responded he has not.

Matias Cumsille requested Mayor Been do a better job enforcing time limits on speakers. **Lester Burch** stated the 3 minute time limit for unscheduled appearances should be strictly adhered to.

MAYORS COMMENTS:

Mayor Been informed Council he was working with Scott Monroe in addressing the power issue on the wells and the sewer lift station. The Mayor also informed Council he would be attending the CML Mayors training on Tuesday, September 10th.

Mayor Been made a motion to enter into Executive Session which was seconded by Jennelle VanGorder. Motion carried by unanimous voice vote 7-0. Scotty Krob declared executive session open at 8:22 p.m. The public audience left Council chambers. Scotty Krob explained his review of the latest marijuana petitions and consultation with other attorneys including CML. The executive session ended at 8:42 p.m. and the public audience was invited back into Council Chambers.

ADJOURN: Jennelle VanGorder 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 8:44 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.