



**TOWN OF LARKSPUR
MINUTES OF THE
REGULAR COUNCIL MEETING
December 5th, 2013
Following Public Hearing
Town Hall**

MEETING CALLED TO ORDER: Mayor Gerry Been called the meeting to order following the public hearing at 6:10 PM.

ROLL CALL:

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

PLEDGE OF ALLEGIANCE: Recited at Public Hearing.

OTHER ATTENDEES: Florence Burch, Kristin Cutbirth, Paul Grant

UNSCHEDULED PUBLIC APPEARANCES: **Kristin Cutbirth** requested Council take into account the impact on Town residents when considering any water and/or sewer rate increases and be careful when notifying residents of the accuracy of such increases. She noted the owner of the mobile home park raised rental rates last month on each mobile home resident equivalent to the rate increase published in the Town’s newsletter which turned out being more than what was provided for in the Ordinance. She felt the mobile home park’s owner should have adjusted the rent increase when the announced sewer rated increase was clarified. Matt responded the mobile home park owner was informed of the mistake and the correct sewer amount increase.

SCHEDULED PUBLIC APPEARANCES: None.

NEW WELL PROJECT:

- **SRF/CWRPDA Loan Agreement Status** - Item deferred to Legal Updates later on the agenda.
- **DOLA Grant** – Matt commented he has not yet received grant paperwork from DOLA and both he and Leroy Cruz has left messages with Clay Brown.

NEW TOWN HALL:

- **Edge Agreement/Lease** – Deferred to Legal Updates
- **Peoples Bank Loans** – Deferred to Legal Updates

Kristin Cutbirth asked why the purchase of a building by the Town did not have to go to a vote of the people. Scotty Krob explained that this transaction was a lease purchase option arrangement with a bank and by State statutes did not require voter approval.

PARK UPDATES: Matt informed Council preparations for the tree lighting were almost complete with only the set ups left to take place Saturday morning. Heaters will be in the picnic shelters and tents and the bonfire will provide additional warmth. He encouraged everyone to attend and enjoy the bonfire, hayride, free cookies, hot chocolate, coffee, and spiced wine. He also noted the LVFA all you can eat chili fundraiser beginning at 3 p.m.

MINUTES: Minutes for the November 7th meeting were presented for approval. **A motion was made by Sandy McKeown to approve regular Council meeting minutes for October 17th, 2013. The motion was seconded by Joseph Jeske. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.**

Minutes for the November 21st meeting were presented for approval. **Joe Jeske made a motion to approve the regular Council meeting minutes for November 21st, 2013. Lester Burch seconded the motion. A roll call vote was taken. Three (3) in favor, zero (0) against, two (2) abstentions (Jennelle VanGorder, Sandy McKeown); motion carried.**

SEMOCOR REPORT:

- **Upper and Lower Tank Maintenance Status** – Paul Grant informed Council Inland Marine was scheduled to perform the work on November 21st and 22nd but had to cancel due to weather conditions. They are planning on completing the work sometime between now and the end of December.
- **2014 Semocor Contract** – Matt provided copies of the revised proposed contract and explained the revisions as they related to the State Revolving Funds loan/grant requirements. He asked Council to review the document and raise any questions before the next Council meeting in order to be able to approve the contract.

CONTINUING BUSINESS:

- **Directional Signs update** – Mayor Been informed Council that Castle Rock signs department has been extremely busy and he would resume discussions with them after the holidays

LEGAL UPDATES:

- **Perry Park Water & Sanitation Settlement Proposal and Well site easement agreement** – The court hearing scheduled for December 5th was continued to December 23rd to allow time for the County to complete the “sliver parcel” transfers and subordinate the PB&T Deed of Trust for the PPW&S easement.
- **OSI Subdivision and Land Transfer documentation** – The subdivision application and land transfer agreement were completed and submitted to the

Town today and will be presented to Council at their next meeting to schedule a public hearing.

- **SRF/CWRPDA Loan Agreement Status** – Following review of the loan agreement received from SRF by Matt Krimmer, Leroy Cruz, Vince Weis, Scotty Krob, and Wayne Lorenz, Scotty submitted a letter to SRF with changes to correct and/or clarify language in and understanding of the loan agreement. This letter was sent on December 4th.
- **Edge Agreement and Lease with Peoples Bank** – Actions to complete the acquisition of the Edge building and land and the lease agreements with Peoples Bank are underway between the bank's and the Town's attorneys.
- **Flood Plain Ordinance** – Scotty Krob informed Council of the requirement to complete a current flood plain Ordinance for submission to the State no later than January 14, 2014. His office will prepare a draft Ordinance for presentation to the Council at the next meeting.

NEW BUSINESS:

• **Resolution 13-12** certifying the Town's Mill Levy to the Douglas County BOCC. **Sandy McKeown made a motion to approve Resolution 13-12 setting the Town's Mill Levy at 15.00 and certifying said Levy to the Douglas County Board of County Commissioners. Joseph Jeske seconded the motion. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.**

- **Cable Fencing in Park** – Matt informed Council of a concern from a community resident regarding the Park fence cables as a hazard due to poor visibility, particularly at night. Following a discussion which considered solutions and alternatives such as colored plastic around cables and reflectors, Council directed Town staff to research more substantial solar lighting to be placed at the openings in the fence for access to and between different areas of the Park.
- **2014 Water Rates/Capital Improvement Surcharge** – This topic was discussed during the preceding Council Public Hearing and briefly during Legal Updates for the SRF/ Colorado Water Resourced & Power Development Authority (CWRPDA) Loan. Discussion centered on the requirement from the CWRPDA that water rates needed to be raised during the life of the loan to a revenue-expense breakeven level. Matt suggested instead of raising rates consider using a surcharge which is being used by many water districts elsewhere and which can be applied and removed more easily. Mayor Been recommended an annual water rate increase of \$0.50 similar to the wastewater rate increase now in effect through Ordinance 5.29. Joseph Jeske suggested an increase of up to \$3.00 but no less than \$1.00. Jennelle VanGorder agreed as did Lester Burch. Council will bring this topic up for further discussion at the next meeting when absent Council members are present.

MANAGERS REPORT: None.

COUNCIL COMMENTS: None.

MAYORS COMMENTS: Mayor Been asked Paul Grant if sewer markers located along Frink Road could be relocated since poles where several markers were placed have been removed. Paul stated he did not see a problem doing this.

A motion was made by Joseph Jeske and seconded by Jennelle VanGorder to adjourn. Motion carried by unanimous voice vote and Mayor Been adjourned the Council meeting at 6:50 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 digital recording of the meeting, maintained in the office of the Town Clerk.