

TOWN OF BOW MAR, COLORADO
BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING
July 20, 2015

CALL The regular meeting of the Board of Trustees of the Town of Bow Mar was called for Monday, July 20, 2015, Mayor Rick Pilgrim presiding. The meeting was held at Columbine Valley Town Hall, No. 2 Middlefield Road, Columbine Valley, CO 80123. A quorum was declared present at 7:01 p.m.

PRESENT	Mayor	Rick Pilgrim
	Trustees	Merle McKittrick
		Gary Guilford
		Carrie McLaughlin
		Anne Justen - absent
		Jane Carlson
		Marsha Dennis
	Attorney	Jack Reutzel
	Clerk/Treasurer	Karen Reutzel
	Police Chief	Chief Bret Cottrell
	BMOI Rep.	Chris Murdy
	Public	Mary Babin

Mayor Pilgrim announced that because of a posting irregularity, the Work Session to review the draft Comprehensive Plan with Community Matters planned for 6 p.m. could not be held at an earlier time and would be held at the end of the regular meeting. Town Attorney Jack Reutzel further instructed that although the Board could make reports, it could not take any formal action at an improperly noticed meeting. The meeting proceeded at the regular time of 7 p.m.

Public Comment – Resident Mary Babin commented that it was unfortunate that the community did not have notice of the work session. It was explained that there will be at least one public hearing prior to the adoption of the Comprehensive Plan so residents will have the opportunity to review the plan and provide comments before it is adopted. The resident further spoke about the letter that was mailed out to all residents last month from the Town regarding the proposed annexation. She said she didn't see from the results of the survey (which was available for review at the Community Matters open house in June) that the Town is interested in bigger government and took issue with what was said in the letter. She is very opposed to any annexation proposal and indicated that her husband, Peter Babin, also sent a letter to the Board expressing similar sentiments. Commissioner Carlson said that the letter to residents was drafted in early June before the survey was released. Commissioner Dennis said that the statements in the letter regarding the Town needing reserves would apply only if an annexation occurred in the

future. Mrs. Babin said she took the letter to mean that the reserves were already anticipated by the Town Board.

Public Hearing - Public Hearing and Possible Board Action Regarding Ordinance No. 302, Amending Section 16-8, the Agricultural District. – this item will be rescheduled for the next regular meeting of the Board on August 17.

Consent Agenda – There were no questions or corrections regarding the Minutes of the Regular Meeting on June 15, 2015 or the Treasurer's Report and payments made in June 2015. Both items will be considered for approval at the August meeting.

Commissioner Reports

Public Safety - Public Safety Commissioner Gary Guilford and Police Chief Bret Cottrell reported that there were 69 summons issued in June, with 25 in Bow Mar, 1 arrest and 31 calls for service in Bow Mar. The police have been dealing with mail theft issues, one of which involved a stolen check that was cashed. They have received complaints about speeders and cut through traffic along Wagon Trail, which they are monitoring. Officer Kasmirsky has gone to Cherry Hills so they have an opening to fill and are covering the shifts with existing staff.

Finance – Finance Commissioner Marsha Dennis said that the Town finances to date look really good. Summarizing the month of June, the total revenues were at 75% of the year-to-date budget while expenditures were at 35%. General government expense was at 56% of budget, public safety 49%, parks and rec 40% and public works 12%.

The total year-to-date operating surplus of \$259,678 and the net non-recurring income (building permits and road impact fees less building inspection expense) was \$91,343, which results in a year-to-date surplus of \$351,021. The Board will approve the June financials at the August meeting.

Building – Building Commissioner Jane Carlson reported that the Town continues to be busy in the Building Department. She collected nearly \$17,000 in fees in the prior month including \$5,600 in road impact fees.

Parks & Recreation – Parks & Rec. Commissioner Carrie McLaughlin reported that there is still no water at the Sheridan Circle so the area cannot be watered until the service is restored. There has been lots of vegetation growth and weeds in Town due to all the rain. Some homeowners are not keeping up with their obligation to keep grass mowed and weeds in check on their properties. It was suggested that letters be sent to individual homeowners and a note will be placed in the Bulletin reminding residents that you are obligated to mow grass or weeds that are higher than 5 inches. Commissioner Guilford noted that some residents think you only have to mow the Town easement (culvert area) but that is not true. Commissioner Carlson said all builders in Town have been advised of the need to keep construction sites mowed and weeded.

Public Works - Public Works Commissioner Merle McKittrick said that Metro Pavers has performed their annual maintenance work on the roads (pothole repair) throughout Town. He hasn't had a recent update on the Bow Mar Water and Sanitation District work along Sheridan, but it looks like they are wrapping up. The culvert replacement at Longhorn is going in concurrently. Construction of a retaining wall to address drainage issues in that area is also underway. Regarding the multi-year road reconstruction project, the bids to repair and repave the planned segments for this year came in under budget so he is looking to add an additional segment. The paving is expected to commence in August. As of now, it is anticipated that the project will include the repaving of Homestead and the Berry curve, as well as paving and concrete repair at the Sheridan traffic circle.

Intergovernmental – Intergovernmental Commissioner Anne Justen was absent and had no report.

Clerk Comments – Town Clerk Karen Reutzel reported that the next Regular Meeting of the Board will be held on August 17, 2015. The Town auditor will attend the August meeting to discuss the 2014 audit of the Town financial statements. He had a conflict so was unable to attend this month's meeting. This means that the Town had to obtain a brief extension to file the Town's audit with the State Auditor's office. Senator Linda Newell would like to attend the October meeting to commend the Town for adopting a resolution designating October Conflict Resolution Month. She discussed requested changes to invoicing practices by the Town Engineer and Mayor Pilgrim and Commissioner McKittrick agreed to assist.

Attorney Comments - Town Attorney Jack Reutzel had no comment.

Mayor's Report – Mayor Rick Pilgrim had no comment.

BMOI Report - BMOI President Chris Murdy filled in the Board on BMOI matters. He said that Beach security and non-authorized parties have been the main issues they are dealing with. They may need to post extra guards at the gate. Fourth of July was a big success. Beach concerts are going well. Patrick Bennett Reservoir Company needs to do repairs on the dam/spillway and will be lowering the Lake after Labor Day. Lots of notices will go out to residents. They will be trying to coordinate Marina construction activities at the same time. They are working on beach irrigation issues. They are looking for candidates for the BMOI Board – three members are rotating off in November. Commissioner McLaughlin asked about goose poop in the Beach area. Commissioner McKittrick asked about the permitting that might be required for the dam work. President Murdy said there is a state inspector who will review the dam.

Old Business:

Update and Possible Board Action Concerning Acquisition of Tract C, Bow Mar subdivision (the "McLish sliver") – Town Clerk Karen Reutzel reported that she has completed investigative work on the parcel with Arapahoe County and has located the vesting deed for the property. She is working on getting the property deeded to the Town

and the Town will clear up the tax obligations on the property, which total about \$350. Residents abutting the strip will continue to be responsible for maintenance.

Discussion and Possible Board Action Concerning the Pumphouse on Pinyon.

Commissioner McLaughlin received a bid for the Pumphouse removal and restoration, which was considerably higher than expected. She and Commissioner Guilford have discussed alternative options. Commissioner McKittrick suggested preparing a schematic drawing showing the desired finished result. After demolition, a contractor will need to cap and preserve the wellhead and re-grade and re-landscape to prevent ponding. It was discussed that the best option may be to try negotiating with the bidding contractor and also talking with some of the other contractors in Town about their interest.

New Business:

Discussion and Possible Board Action Regarding Maintenance Issues in Mary's Meadow-

The Town received an email from an adjacent resident concerned about weeds and grass growing in excess in the area. Commissioner McLaughlin reported that the area was mowed in late June/early July. She said a few people think we should be mowing more paths through the Meadow to access other areas. Her thought is that the intent is to keep the area close to its natural state with just a main pathway accessing the area. Weed management in the area is intended to manage the noxious weeds – not to keep the pathway to a specific width. Commissioner Carlson said she walks it every day and there is plenty of room for two people to walk down the path with dogs and that we shouldn't spend extra money to make it look manicured. It was noted that grass is higher this year because of all the rain. The consensus of the Board is that current maintenance is sufficient in the area.

Work Session: Preliminary Review and Discussion Regarding Draft Comprehensive Plan with Community Matters, Inc. (CMI)

The CMI team led an informal discussion with the Board regarding the draft plan. Town Attorney Reutzel started by providing the Board with the statutory basis for a Comprehensive (Master) Plan. He said all Towns require one and the minimum requirements are provided by statute. It is a document that addresses the physical development of the municipality. It is generally adopted by the Planning Commission, but in small towns like Bow Mar that don't have one, the Board of Trustees can sit as the Planning Commission. He noted that before the Board can adopt the plan you have to hold one or more public hearings to allow public comment on the plan.

Resident Allen Gerstenberger (who has volunteered time to assist CMI with the plan) explained that comprehensive plans can address more than the minimum statutory requirements and explained that CMI took a broader approach with the draft document. They are therefore referring to it as a Community Plan. He asked the Board as a preliminary policy question whether they just wanted to comply with the limited state statute issues or have a more comprehensive plan.

Town Attorney Reutzel explained he was concerned about aspects of the draft plan that applied to other entities such as BMOI or made recommendations about Town operational issues that seemed outside the purview of a master plan. He was also concerned about stating goals and policies within the plan that may inadvertently bind future Boards. He said a resident survey should influence but not control what the Board determines its goals and policies for the Town should be. Mr. Gerstenberger responded that the survey is a snapshot of community sentiment and that efficiency of government and economic development services and programs are frequently included in plans. He acknowledges that there are issues about who does what in Bow Mar but the citizens are concerned about the service provided, not who performs the service. It was suggested that a table be included in the plan that identifies who does what in Bow Mar. An organizational chart would also be useful. This could be a structural graph showing how things are related, including support organizations, what they do, and which Boards are elected, and which groups are appointed or volunteers.

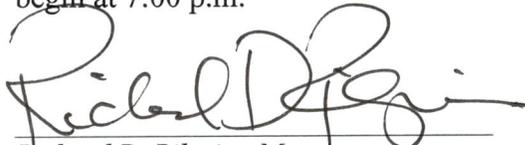
Commissioner Dennis commented that the 60-page document needs to be edited down and she requested that the document focus on facts rather than statements of opinion. CMI President and resident Barb Cole said a summary fold-out plan was planned which would be smaller. Town Attorney Reutzel said that much of the draft is an administrative work plan that seems very detailed. Ms. Cole explained that the principles and policies expressed in the draft provide advisory direction for zoning decisions. The pros and cons of a detailed versus a simpler plan were discussed. Further comments were provided about the text and tone of the document. Commissioner Carlson agreed that being prescriptive on overall goals seems too strict. Commissioner McLaughlin questioned discussing issues regarding the lake and water rights in the plan, which are BMOI issues. Mr. Gerstenberger said the health of the lake is a community issue. Options were discussed to address those areas. They will clean up the draft and send out again for a more detailed review.

Mayor Pilgrim commended the CMI team on the phenomenal amount of information collected for a 58-year old community and thanked them for their work to date. He said it's a nice collection of information gathered together in one place. He agreed that we are a small community and a more concise plan is preferred. He was very impressed by the revised Executive Summary and the structure of that portion of the document. He would like that to serve as a road map for the full Plan. He said he is honored to have been the Mayor for 10 years. He said he has learned many things, one of which is that we do a phenomenal job as volunteers. But he believes there are some things that need to be approached in a more professional manner. He anticipates the final document will help the Board decide how to spend our effort or money. If we are able to hire additional support in certain areas, this document will give some direction to the Board. Ms. Cole said that once the plan is adopted, CMI would like to have a work session with the Board to provide input regarding management and financial issues of the Town, such as the potential for a use tax.

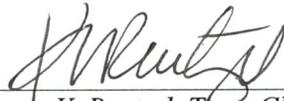
Mike Davenport of CMI asked for feedback about where to incorporate the Three Mile Plan. It was determined that it should be an appendix to the Comprehensive Plan.

It was determined that a second work session with CMI would be a good idea. The Board intends to have a second work session prior to its Regular meeting on August 17 to discuss the plan. After the draft plan is revised following that session, it will be posted on the website for citizen review, followed by a public hearing and the opportunity to comment at the September 21 Board meeting.

Adjournment - There being no further business the meeting was adjourned at 9:12 p.m. (McLaughlin/McKittrick/Guilford/Unanimous). The next Regular Meeting is scheduled for August 17, 2015 at No. 2 Middlefield Road, Columbine Valley, CO. The meeting will begin at 7:00 p.m.



Richard D. Pilgrim, Mayor



Karen V. Reutzell, Town Clerk