

TOWN OF BOW MAR, COLORADO
BOARD OF TRUSTEES
MINUTES OF THE SPECIAL MEETING
MAY 6, 2015

CALL A special meeting of the Board of Trustees of the Town of Bow Mar was called for Wednesday, May 6, 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 7:30 p.m.

PRESENT	Mayor	Rick Pilgrim
	Trustees	Merle McKittrick - absent
		Gary Guilford - absent
		Carrie McLaughlin
		Anne Justen
		Jane Carlson
		Marsha Dennis
	Attorney	Jack Reutzel - absent
	Clerk/Treasurer	Karen Reutzel
	Public	Peter Babin, Hal Kepner

New Business:

Discussion and Possible Board Action Regarding General Growth Partner's Request to Suspend Annexation Petition for the Southwest Plaza Mall Property

Mayor Rick Pilgrim reported on the meeting he attended with Adam Tritt at General Growth Partners, at which Mr. Tritt requested the Town suspend further action on its petition for the Town to annex the Southwest Plaza Mall for the near future. Allen Gerstenberger was also in attendance but is out of the country. Mayor Pilgrim reported that GGP is interested in having a long-term enduring relationship with the community. They were not interested in any kind of acrimonious process with the Town residents; they want to be part of a community that wants a relationship with them. GGP is spending significant amounts on the mall and obtaining new tenants – and they now understand that they need to focus on the redevelopment of the mall so they can demonstrate its stability to the voters. Therefore they believe it best to suspend the annexation process while they focus on their redevelopment efforts.

Mayor Pilgrim thanked Commissioner Anne Justen for quickly assembling a letter to the residents informing them about GGP's request for suspension, which was also reported in a Denver Post article and on 9 News shortly after the meeting.

The Board shared conversations they had had with various residents about the request for suspension. Because it was evident that residents have questions about what this means going forward, the Board determined that it would be helpful to put together a

comprehensive summary for distribution to the residents to provide more details and to summarize the process to date. Mayor Pilgrim agreed to begin a draft of such a summary and asked that each committee write also a summary of its work. This document will be discussed at the May 18 meeting.

The Board agreed to accept GGP's request to suspend the proceedings rather than to ask them to withdraw their proposal at this time. Commissioner Carrie McLaughlin expressed that the process has been positive because it opened up consideration of whether or not Bow Mar needs more money. She noted that the Town has a lot of infrastructure that will need repair over the coming years.

Commissioner Anne Justen said that the Comprehensive Plan process provides a good mechanism for keeping that conversation going and that many differing viewpoints are coming out of the process. Commissioner Dennis agrees that the Town could use more funding and expressed that one finding coming from the financial consultants her committee retained was that when Trustees are actually doing the work of the Town, the Town can lose governmental immunity. She said that issues in Town are getting bigger and more complicated and there could be good reasons to have more staffing – in the areas of compliance/code enforcement, for example.

Mayor Pilgrim discussed comparative expenses for other small communities, and pointed out that Bow Mar's expenses are quite low in comparison. Bow Mar is a low tax, low governance community. He urged that the Town needs to go to a more professional management approach and take Trustees out of the day-to-day operations.

Commissioner Carlson agrees that consideration of a use tax is a good idea, and that other residents think it may be good to raise the property taxes as an alternative.

Mayor Pilgrim noted that the Board may want to authorize its Financial Consultant, S.B. Clark & Co., to do additional follow-up work on a use tax proposal. He noted that a use tax is still a variable source of funds and that most communities would levy it and then spend it in the following year. He said it will be important to capture the information from all the committees so that is available for future Boards. He noted that it was S.B. Clark's conclusion is that there would be a substantial revenue positive financial result for the Town under any scenario after expenses were paid. There would be an accumulation of revenues year upon year. Pilgrim thinks that this should be communicated to the Town.

Mayor Pilgrim also said that at a minimum, the Town needs to invest in professional management of the Town. He suggested the Board needs to make a strong proposal to the Town for this expenditure in light of consultant's recommendations regarding governmental immunity issues.

Two residents in attendance spoke during public comment. Peter Babin said he was appreciative of all the work that has been put into consideration of the annexation proposal. He agrees the Town has significant infrastructure needs and is gratified that the

Board is considering a use tax, which doesn't place a burden on residents – it just takes a share of the taxes away from another jurisdiction that would otherwise collect the tax. He also commented that road damage is significant with new construction and suggested that there be a procedure after really big projects to look at damage that needs to be repaired.

Resident Hal Kepner said that he has worked on improvements to the community for many years. The people he has talked to are completely opposed to the annexation. He expressed that Bow Mar is a wonderful community and is concerned that it would change if it were controlled by other people.

Commissioner Carlson said many residents were assuming that the entire Board was in favor of the annexation, and that the Board was pushing the annexation forward. She wanted to make it clear to residents that the Board felt it was important for the process to occur and to gather the necessary information to allow the Board and the residents to make an informed decision on the proposal.

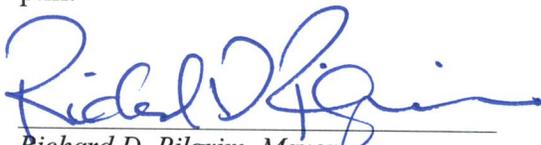
Mayor Pilgrim commended the Board for their leadership over the last year and expressed his appreciation for working with each of the Board members.

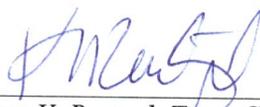
New Business:

A letter from a resident was discussed, who made a complaint about an adjacent homeowner not following Town ordinances, including inoperable vehicles parked on the property. The Board discussed past enforcement actions against the property owner and potential steps for future action.

The Board also discussed a pending request to build a large six-car garage. The Board generally agreed that this would be out of scale with the community and discussed drafting an ordinance to limit garage sizes in Town to a certain percentage of the home size to keep garages in scale with the home. The Board agreed to pursue such an ordinance.

Adjournment - There being no further business the meeting was adjourned at 8:51 p.m. (Dennis/McLaughlin/Unanimous). The next Regular Meeting is scheduled for May 18, 2015 at No. 2 Middlefield Road, Columbine Valley, CO. The meeting will begin at 7:00 p.m.


Richard D. Pilgrim, Mayor


Karen V. Reutzel, Town Clerk