

TOWN OF BOW MAR, COLORADO
BOARD OF TRUSTEES
MINUTES OF THE SPECIAL MEETING
JULY 5, 2016

CALL: The special meeting of the Board of Trustees of the Town of Bow Mar was called for Tuesday, July 5, 2016, Mayor Tom Feldkamp presiding. The meeting was held at 2 Middlefield Road, Columbine Valley, CO 80123. A quorum was declared present at 6:58 p.m.

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| PRESENT: | Mayor | Tom Feldkamp |
| | Trustees | Steve Fabricant |
| | | Barb Cole |
| | | Carrie McLaughlin |
| | | Anne Justen |
| | | Jane Carlson |
| | | Marsha Dennis |
| | Attorney | Brian Jumps |
| | Clerk | Sue Blair, CRS of Colorado |
| | | Angie Kelly, CRS of Colorado |
| | Public | Ann Patinga |
| | | David Komatz |

Public Comment:

David Komatz – Mr. Komatz is the Chairman of the ACC. He asked what is the purpose for the proposed 3% use tax? He stated it appears one sided to those doing construction instead of the community as a whole. He is against the use tax since he is not clear on the purpose. Mr. Komatz stated he is aware of the significant burden on people doing improvements on their home, and he believes an additional tax will impact the improvements people can do on their home. Also, he is concerned that by imposing the use tax it will lead to additional future taxes, i.e., sales tax on cars. He stated that taxes do not go away.

Ann Patinga – Ms. Patina would like additional information on the use tax. She has read the proposed ordinance and is concerned at the retail level and wants retail defined. As she reads it, if you go and buy hot water heater you will be charged use tax. However, if you hire contractor to buy hot water heater, and he uses his license, it would not be subject to use tax. She encouraged the Board to make sure language is defined that the contractor is the agent, and include definition of retail.

New Business:

First Reading: To consider an ordinance to impose a 3% use tax on the use or consumption of construction and building materials and supplies, subject to approval of the registered electors of the Town of Bow Mar.

Mayor Feldkamp noted that the goal of the Town is to offset the retail sales tax - get certificate when pay use tax don't pay sales tax. Mr. Jumps stated that the proposed Ordinance mirrors State statute, with the exception that State statute allows motor vehicle also, which is excluded from the Town's ordinance. Mayor Feldkamp further stated that we need to educate the residents to ensure it is very clear that autos are excluded.

Mr. Jumps read the proposed ordinance into the record.

After discussion, it was suggested that a work session for questions and answers be scheduled. The Trustees want to understand the specifics before the 2nd reading on the ordinance. The Trustees want to be educated on the use tax so they can help to educate the community. Commissioner Cole stated that at this time, the Town does not need a full ordinance. She asked why we are rushing into an ordinance when all that is needed is a ballot title and resolution. Ms. Blair responded if there is an ordinance it can be used as a document you can give to electors to help educate them. Commissioner Cole asked what Cherry Hills approach was? She further stated that she is very concerned with the upcoming election.

Ms. Blair suggested that the election be conducted as an independent mail ballot election to separate it from the lengthy general election ballot. Commissioner Cole stated that she understands that a separate election would look like waiting money. Further, she stated that Arapahoe County has provided election services for all of Bow Mar in the past.

Ms. Blair will send out dates for the work session, and will invite the Columbine Valley manager and treasurer to the meeting.

Road Work: Commissioner Fabricant moved for approval for additional work on the roads. The 2016 budgeted allotment is \$225,000. With the addition of upper Lakeshore Dr., the total cost for 2016 is \$208,000, which is under budget. Upon second by Director Cole, vote was taken and motion carried unanimously.

Commissioner Fabricant has met with Metro Pavers, and will negotiate reduced rates for homeowners' driveways.

Adjournment There being no further business, the meeting was adjourned at 7:41 p.m. (Cole/Fabricant/Unanimous).



Tom Feldkamp, Mayor



Sue Blair, Town Clerk