

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

on
September 21, 2015

CALL - The regular meeting of the Board of Trustees of the Town of Bow Mar was called for Monday, September 21, 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 7:05 p.m.

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

Public Comment – Resident Peter Babin asked if the Board was comfortable with the methodology of the community survey sent out in June by CMI. Mayor Pilgrim said he found the survey to be informative and educational. He said he has struggled a little with some of the interpretations of the data offered by the survey conductors/summarizers and questioned how they drew some of the inferences they drew. Commissioner Justen said it was a valid research instrument and the descriptive statistics based on selected answer frequencies are correct.

Public Hearing - Public Hearing and Possible Board Action Regarding Request for a 20 Foot Variance into the North Side Setback and 15 foot Variance into the West Rear Setback at 5495 Bow Mar Drive (Guthrie) for the Construction of a Fire Pit.

Building Commissioner Jane Carlson said that the directional reference of the variance has been corrected so matter was properly noticed. A motion was made and seconded to approve the variances. There was a question about the height of the wall, which is 26 inches tall. It was explained that even though no building permit was required (due to the low height of the wall and no gas service to the fire pit), this still constituted a structure in the setback area, which requires a variance from the Town's ordinances. There was no public comment and no further questions from the Trustees. The variances were approved by roll call vote. (Carlson/McLaughlin/5-0-1 absent).

Justen – aye
Carlson – aye
Dennis – aye
McLaughlin – aye
Guilford - aye
McKittrick – absent

Public Hearing - Public Hearing and Possible Board Action Regarding Ordinance No. 303 to Rezone a 33-Acre Parcel of Land otherwise known as the “Historic King Farm” from Recreation District to Agricultural District. Town Clerk Karen Reutzel read the title of the Ordinance into the record and noted that the public hearing had been published as required, but the property had not been posted so it was not ready for public hearing. A motion was made and seconded to consider the matter. (McLaughlin/Dennis). A second motion was made and approved to continue the public hearing until the October regular meeting. (Carlson/McLaughlin/Unanimous).

Consent Agenda - the Minutes of the Regular Meeting on August 17, 2015 were approved by motion. (Dennis/Carlson/Unanimous). The Treasurer's Report and payments made in August 2015 were approved by motion. (Dennis/McLaughlin/Unanimous).

Commissioner Reports

Public Safety – Public Safety Commissioner Gary Guilford and Police Officer Janna Olinger presented the report of the previous month (no summary totals were available this month). There was nothing serious to report. Overall, public safety incidents seem to be the same or somewhat reduced from normal.

Finance – Finance Commissioner Marsha Dennis reported that during the month of August, the total revenues were at 98% of the year-to-date budget while expenditures were at 51%. General government expense was at 74% of budget, public safety 66%, Parks and Rec. 71% and Public Works 27%. The Public Works percentage will increase after all of the road work has been invoiced to the Town.

The total year-to-date operating surplus of \$289,972 and the net non-recurring income (building permits and road impact fees less building inspection expense) was \$102,452 which results in a year-to-date surplus of \$392,424. It was noted that approximately \$230,000 of the surplus is owed for the public works improvements made to date and that revenues are historically high at this time of year because of the receipt of tax revenues from the County in advance of our expenditures. The August 2015 financial statements were approved unanimously by motion. (Carlson/McLaughlin/Unanimous).

Building – Building Commissioner Jane Carlson reported that building permit activity was lighter in August than it has been recently, with a few smaller projects permitted. She reported that several of the new homes under construction are finishing up and a couple of new homes will be starting in the next couple of months. A drainage issue at one of the new home construction sites was discussed.

Parks & Recreation – Parks & Rec. Commissioner Carrie McLaughlin reported that a large truck ran over part of the Belleview traffic circle and caused some damage, which

she is working on having repaired. The merits of additional signage at the traffic circle as well as other potential methods to solve the problem were discussed.

Public Works – Public Works Commissioner Merle McKittrick was absent but submitted a report that Mayor Pilgrim read for the Board, which is summarized as follows:

In 2015, the Town has completed the following public works projects to date: drainage work at Sheridan & Longhorn (culvert improvements, ditch regrading, retaining wall), and, except for final finish work, the Year 1 Road Work of the 10-Year Road Plan, which included 1) Homestead (full road reconstruction), 2) the Sheridan Circle (> 60% circle concrete curbing repaired, repaving), and 3) Prospect (partial street repaving). All of the street and drainage construction work was managed and observed in the field by Town Engineer Bowman Consulting. The Total 2015 Road expense to date is approximately \$230,000.

The remaining 2015 tasks are as follows: 1) reseeding the Sheridan/Longhorn ditch in the fall, 2) stop bar and speed bump painting around Town, 3) speed bump on Homestead installed last week of September, 4) minor ditch work along Homestead – blending some turf to new road level, 5) backfill along Sheridan Circle concrete work and 6) ongoing Bow Mar street sign reconditioning & painting.

Commissioner McKittrick is further suggesting to the Board that the 2016 Road Work (Year 2 of 10-Year Road Plan) should include repairing and repaving the remainder of Bow Mar Drive west of Sheridan in Jefferson County. He would also like to engage Bowman Consulting to prepare a drainage study on Lakeshore Drive (the portion along the Lake). The recommended drainage improvements in that area will be designed and coordinated with adjacent homeowners, who are responsible for maintaining proper drainage along their street frontages. The plan is to have the drainage improvements completed in 2016 so that Lakeshore can be repaved in summer 2017 (Year 3 of 10-Year Plan).

Mayor Pilgrim commented that the Homestead paving looks great. Finishing work is still ongoing. A resident suggested that there should be a police presence at bus stop hours when paving is occurring for the safety of children.

Intergovernmental – Intergovernmental Commissioner Anne Justen said she continues to track the Columbine Square development and updated the Board on the latest developments, which indicates that the project is still planned. She attended the DRCOG meeting the prior week and the main issues were aging, air quality and ozone standards.

Clerk Comments Town Clerk Karen Reutzel reported that the next Regular Meeting of the Board will be held on October 19, 2015. In follow up to a discussion from the prior month about who owns and maintains the fence and gate between Grant Ranch and Mary's Meadow, she reported that the multi-party Stormwater Agreement assigns the responsibility to the Metropolitan District that serves Grant Ranch (Bowles Metropolitan District), although the Town owns the fence and gate. The gate is necessary so District personnel and the ditch rider can access the area for required maintenance and testing.

Commissioner Guilford said the gate is secure, but Commissioner McLaughlin said that they are behind on maintenance work which is making it difficult for Town contractors to get access to control noxious weeds in the area. Mayor Pilgrim suggested that if there is an issue two Trustees should meet and walk the property with two BMOI board members because this affects their interests too.

Clerk Reutzel further reported that the Historic King Farm cattle permit has been renewed for another year. In addition, the McLish strip of land (Tract C, Bow Mar) has been transferred to Town ownership. She said a Grant Ranch resident who lives adjacent to Mary's Meadow reported concern that coyotes in the area have mange and suggested that additional signage be posted. The area is already posted with signs warning about contact with coyotes so this seems unnecessary. Reutzel noted that October is Conflict Resolution month and Senator Linda Newell has asked to attend the October Trustees meeting in support of that effort.

Attorney Comments Town Attorney Jack Reutzel was absent and submitted no report.

Mayor's Report – Mayor Pilgrim reported that he will be speaking at the Colorado Municipal League's Mayor's Summit in late September on a panel for transportation issues.

BMOI Report – Commissioner Carlson read BMOI President Chris Murdy's report in his absence. See the BMOI report for full details. Jane Carlson updated the Board on the ACC meeting regarding the Clubhouse plans. Mayor Pilgrim asked if the history wall was still part of the Clubhouse plan. Resident Bob Olsen did portraits of all of the past Mayors and it would be nice to display them in the Clubhouse. They are currently in the Lamb building.

Old Business:

Discussion and Possible Board Action Regarding Annual Road Maintenance Expenditures and/or Capital Road Improvement Plan Expenditures – The Board reviewed and approved payments to Town Engineer Bowman consulting for Project Revisions & Final Bid Review related to the 2015 Road Work in the amount of \$4,750 by motion (Dennis/Guilford/Unanimous) and for Project Oversight & 3rd Party Testing in the amount of \$12,360 by separate motion. (Dennis/Carlson/Unanimous)

New Business:

Discussion Regarding 2016 Town Budget – Commissioner Dennis discussed the budget spreadsheet she provided the Board for 2016 budget preparation purposes. Mayor Pilgrim said that as part of the General Government budget, the Board needs to consider having both a Town Administrator and a Town Clerk (whether two full time people, two part time or a combination) and a contract with a municipal attorney to serve as Town Attorney. (The Town Clerk and Town Attorney are both leaving their positions and need to be replaced). He suggested that the budget might need to be increased by up to a third

to accommodate this. The Town has a healthy reserve account, and a sales and use tax (discussed below) might also be a source of additional funds. He said the Board could 1) hire one or more persons as employees, 2) outsource to another independent contractor as the Town currently has or to a company who provides such services, or 3) explore whether one of our neighboring communities like Columbine Valley might be interested in a partnership arrangement. The Board rejected the employee option and liked the idea of exploring the second and third options. Commissioner Justen said the Board needs to be careful with changes to the volunteer model and that any changes must be explained fully. Community plan research indicated a reverence for the volunteerism in the community. It was noted that the Town Clerk position has always been a paid position and that it is difficult to find a resident attorney to take on the Town Attorney position for a small honorarium of \$300 per month. The Board members serve as volunteers, but the Town has recently been advised by its consultants that the Trustees should be managing their departments, rather than doing hands on work because that can raise governmental immunity concerns.

Discussion and Possible Action to Authorize a Contract Amendment with SB Clark Companies to Assess the Sources, Uses and Potential Yields of Sales and Use Taxes in the Town of Bow Mar

Mayor Pilgrim asked the Board to authorize an amount up to \$5,000 to analyze the potential revenues that could be derived if the Town imposed a sales and/or use tax. The Board approved the expenditure unanimously by motion with a report expected no later than the November meeting. (Carlson/McLaughlin/Unanimous). A sales or use tax requires voter approval before imposition.

Commissioner Dennis expressed concern that residents who were opposed to the annexation proposal will be alarmed by discussions about a sales tax and asked if the analysis should be limited to a use tax. Commissioner Justen suggested that both be analyzed. Ann Pitinga also suggested that both be evaluated and the differences between the two be explained in the report. She said that looking at one without the other gives an incomplete picture.

Discussion and Possible Board Action Regarding Denver Property Owner's Fence Accessing Bow Mar from South Perry Street – a resident complained about a home in Littleton adjacent to the dead end on Longhorn, which has a gate leading to Longhorn that is used to transport tree cuttings and yard waste off the property. Sometimes the owners stockpile the yard waste on Bow Mar property. Clerk Reutzel showed the Board pictures and the property lines on the plat. All agreed that this was inappropriate. As an initial measure, the Board directed the Clerk to mail the property owner a letter asking them to stop the activity.

Board Discussion on the Comprehensive Plan –

The Board held a Work Session at 6:00 p.m. before the Regular Meeting to discuss edits to the revised version of the Comprehensive Plan. A sub-committee work group

comprised of Mayor Pilgrim and Trustees Jane Carlson and Marsha Dennis met previously to provide comments on the version of the Plan presented in August. The work group updated the rest of the Board on the changes they had requested. They explained that they wanted to keep the stated goals in the plan general and not too prescriptive for the benefit of future boards. The merit of this concept was discussed. Commissioner Dennis went over the edits in detail for the benefit of the other Trustees who did not participate in the sub-committee group. The survey results and the action items recommended by CMI are important and will be available as appendices to the Plan. There was discussion about whether or not the duties/responsibilities of BMOI versus the Town needed be addressed in more detail. Commissioner Justen commented that the comments to the survey should be made available to whoever wants to see them. The methods for making the comments available were discussed. The Board confirmed final edits with Ann Pitinga, who has been volunteering her time to assist Community Matters with the project. A final draft will be made available to residents prior to a planned public hearing in October, with a plan for the Board to consider the resolution to adopt the Plan at the November meeting.

During the Regular Meeting, a follow-up discussion was held. All agreed that the Board will not be ready to consider approval of the Plan at the October meeting. It was determined to hold a Public Hearing on the Comprehensive Plan in October and schedule it for final review and possible adoption in November. The document will be available on the website for public review once finalized in early October. Ann Pitinga advised that the Town should also send courtesy copies to Arapahoe and Jefferson Counties, Denver, Littleton, Columbine Valley, and Sheridan.

Adjournment - There being no further business the meeting was adjourned at 9:05 p.m. (Dennis/Guilford/Unanimous). The next Regular Meeting is scheduled for October 19, 2015 at No. 2 Middlefield Road, Columbine Valley, CO. The meeting will begin at 7:00 p.m.


Richard D. Pilgrim, Mayor


Karen V. Reutzl, Town Clerk