



**TOWN OF LARKSPUR
MINUTES OF THE
REGULAR COUNCIL MEETING
SEPTEMBER 20th, 2007**

MEETING CALLED TO ORDER: Mayor Sherilyn West called the meeting to order at 6:03 P.M.

ROLL CALL:

PRESENT	ABSENT	NON-VOTING
Mayor Sherilyn West		Town Attorney-Scotty Krob
Mayor Pro-tem Steve Smith		Town Clerk/Manager-
Eve Curry-Harbison		Matt Krimmer
Kristin Cutbirth		
Florence Burch		
Lester Burch		
Sheryl Jones		

UNSCHEDULED PUBLIC APPEARANCES: William Lucero, 192 Colorado Boulevard, Larkspur, CO 80118. Mr. Lucero informed the Council that a young man, first name Phillip, is available for approximately 28 hours of community service work and requested that he be assigned to work on trees in the Town Park, adding mulch, etc. After a brief discussion, Council agreed Mr. Lucero’s request would be taken into consideration. Mayor West asked Mr. Lucero to have Phillip bring his paper work to the Town Hall office so he can be scheduled.

SCHEDULED PUBLIC APPEARANCES: None.

OTHER ATTENDEES: None.

APPROVE MINUTES: Council reviewed minutes of the August 16th, 2007 meeting. Draft minutes provided to the Council before this meeting had been corrected by the Town Clerk/Manager per feedback from Council member Jones and Mayor West. The corrections were to clarify the reasons for repealing ordinances 4.23 and 3.90 and replacing them with ordinance 1.15 to read as *“Two ordinances previously adopted, 4.23 and 3.90, are duplicate ordinances both including fees for use of the Town Park however, they are not in the correct ordinance section. Ordinance 1.15 corrects this problem and organizes the fees in table format”*; and correct Sheryl Jones’ statement regarding a proposed salary raise for Sharon Roman to read *“Sheryl responded that if Sharon got a raise then Mike and Matt should also receive a raise in pay”*. **A motion to approve the August 16th, 2007 regular council meeting minutes as corrected was made by Sheryl Jones and seconded by Lester Burch. A roll call vote was taken. Six (6) in favor, zero (0) against, one (1) abstaining (Eve Curry-Harbison, not present at August 16th meeting); motion carried.**

Council reviewed minutes of the September 10th, 2007 special meeting. There was no discussion. **Eve Curry-Harbison made a motion to approve the Special Council Meeting minutes of September 10th, 2007 as presented. The motion was seconded by Sheryl Jones. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.**

FINANCIALS/BILLS TO BE PAID: Council reviewed the bills to be paid. Mayor West informed the Council the electric bill from IREA for the Arapahoe well seemed excessive. To check for a possible problem, Mayor West will provide Scott Monroe, SEMOCOR, with copies of the monthly bills for Scott to review against meter readings and compare usage. Eve Curry-Harbison asked about the Fischer culvert charge. Matt explained Fischer helped in the culvert cleaning when Mike was out with his knee injury. Florence Burch commented on a donation to Tri-County Health for receiving chemicals at the Douglas County Chemical Roundup. Mayor West explained that all the tires, propane tanks and chemicals being taken to the roundup warranted a \$100 donation from the Town.

Mayor West clarified the corrected billing from Heartland excluded the tax and return fee charges.

Kristin Cutbirth asked about the Home Depot charge for a bagging mower and conduit for the maintenance shop. The mayor stated she believed it was to replace an old mower bag and would check with Mike Burhenn. The Mayor also said she believed the conduit was for all the electrical work he has been doing. Kristin asked why such a purchase was not approved by the Town office staff. Florence Burch commented that a dollar limit should be placed on items purchased without approval. Mayor West agreed and suggested a single ticket item of \$100.00 or more requires approval. All Council members agreed and the mayor said she would inform Mike.

Florence Burch made a motion to approve and pay all bills totaling \$19,437.09 pending clarification of the Home Depot charge for a bagging mower. The motion was seconded by Steve Smith and a roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

ADVISORY BOARD REPORTS:

Economic Development Advisory Board (EDAB) – Marvin Cardenas submitted an application for membership to the Economic Development Advisory Board. A discussion ensued regarding EDAB membership and the number of active members. Also, the subject of a Board quorum was discussed and according to the Town's attorney, a quorum for boards is not necessary. If only two people choose to meet they can and present recommendations to the Council. Mr. Cardenas informed the Council that 1st Bank in Castle Rock had expressed interest in helping EDAB pay for efforts to entice new businesses to Larkspur. Sheryl Jones noted that any money for EDAB needs to come through the Town Council.

A motion was made by Eve Curry-Harbison and seconded by Sheryl Jones to appoint Marvin Cardenas to the Economic Development Advisory Board effective

immediately. A roll call vote was taken. Five (5) in favor, one (1) against (Kristin Cutbirth), one (1) abstaining (Lester Burch); motion carried.

Water and Sewer Board (W&S) - Marvin Cardenas submitted an application for membership to the Water and Sewer Board. Mayor West asked for a discussion of staffing the water and sewer board at this time. Council agreed it would be prudent to have a board staffed in the event related issues become necessary. Kristin commented she would like to see him connect to Larkspur Water and Sewer for lines installed on his property.

Kristin Cutbirth questioned Mr. Cardenas on his reasons for seeking membership and he responded “to help the Town grow its businesses in order to bring in more tax money”.

A motion was made by Steve Smith and seconded by Eve Curry-Harbison to appoint Marvin Cardenas to the Water and Sewer Board effective immediately. A roll call vote was taken. Six (6) in favor, one (1) in favor with stipulation (Kristine Cutbirth); motion carried.

Lester agreed to be Council liaison to the Water and Sewer Board.

Parks & Recreation (P&R) – Matt Krimmer provided a copy of a memorandum for record of the September 17th, 2007 meeting and briefly commented on each item discussed. Eve Curry-Harbison asked about the LFPD open house on October 6th. Matt explained that arrangements were made with the fire chief for a spot to hand out fliers and answer questions about the Towns government, business, and recreational activities. Matt will be at the open house to meet attendees.

Planning Commission (PC) – A meeting was held on September 10th which addressed the Fischer sign application, master plan, requirements for a town planner, and issues regarding the AFHR amended site plan. PC meeting minutes are available for that date. The next meeting is scheduled for September 24th.

- **AFHR amended site plan:** The PC recommended AFHR amended site plan approval pending review and approval of the Town Engineer. Mayor West noted that Wright Water engineering approval had been received and read appropriate portions to the Council.

The mayor also informed Council that LFPD apologized for not paying more attention to dates and not keeping the Town informed. She also stated she had talked to the County elevator inspector who had no explanation for what had transpired and said he guessed at the date of his letter. County staff admitted fault at not coming back to the Town before giving approval.

Eve Curry-Harbison commented that the Town needs to have a “building process” map. Mayor West stated that she and the Town Clerk/Manager were developing a checklist addressing site plans, building permits, zoning, etc. Eve asked about a timeline for completion of the checklist to which the mayor replied it should be done by the end of the year as the budget process has a higher priority.

Florence asked about the Tilley building to which the mayor responded they had encountered a foundation issue with the County Building Department and had to re-do the foundation walls.

The mayor remarked this site plan building process has been an educational experience from which many lessons were learned.

Florence Burch made a motion to approve the AFHR amended site plan showing the basement addition. Lester Burch seconded the motion. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

SEMOCOR MONTHLY REPORT: All systems are working satisfactorily. Mayor West stated the water quality pilot study will be a topic for discussion at the next SEMOCOR meeting on October 8th with Scott Monroe.

Lester Burch asked about the status of the aerator motor. The mayor informed Council that Mike found two motors in the maintenance building and were tested for operability. Both were found to work and one has been installed.

Scotty Krob asked about water and sewer balancing. The mayor responded that they were now in balance.

Lester asked about the well tank overflow. Mayor West informed Council that the control panel sensor was not functioning which allowed the well to continue pumping and overflow the tank. The sensor has been replaced and everything is working properly.

MONKEY FACE OBSERVER: Kristin asked if the Town Hall would be closed in observance of Columbus Day on Monday, October 8th. Mayor West responded “no” as it is not one of the holidays identified as a non-business day for the town.

Kristin Cutbirth asked the Council for input to the Monkey Face Observer as she was running out of items to interest to include. Bill Lucero suggested including something on weed control stressing not using weed killer (herbicides). Bill believes weeds should be pulled so as not to pollute the ground with chemicals. Florence suggested using Coke as an alternative.

Marvin Cardenas suggested including tips for conservation, preparing for winter, labor saving ideas, and helping senior citizens. Kristin stated she had an email from an Alliance Health Services registered nurse (RN) regarding advertising in the Monkey Face for a flu shots event to be held in Town. Kristin explained we cannot accept advertising. The mayor suggested contacting the LFPD for items to be included in the newsletter.

CONTINUING BUSINESS:

Quit Claim Deed on Roads in the Pines

Matt Krimmer informed the Council that he had been contacted by the AFHR’s attorney requesting coordinates for the roads in the Pines. Upon researching this with the County Assessor and the County Clerk and Recorder, the County’s records showed ownership of the properties in the Pines was not correctly recorded requiring action by the property owners to correct and that coordinates for a quit claim deed were not required. Street name identification is all that the County requires to process a quit claim deed. This information, along with Scotty Krob’s contact information was provided the AFHR’s attorney. Scotty asked for

name and contact information for the AFHR attorney. Matt said he would provide the information after the council meeting adjourned.

Perry Park Water & Sanitation IGA Committee

Mayor West informed the Council the committee has not been able to meet during the past month due to schedule conflicts with the PPW&SD committee members. She noted, however, that Wright Water engineering had provided flow and discharge numbers for inclusion in the IGA. The next meeting is tentatively scheduled for October 8th, 2007.

Household Chemical Cleanup

Mayor West informed Council that she and Mike Burhenn would be taking the chemical waste to the County for disposal on Saturday, September 22nd. A discussion regarding metals took place and Marvin Cardenas suggested metal recycling as a way to clean up properties and make money for the Town at the same time. He suggested placing a sign at the town dump and obtaining a recycling bin for metals. He also suggested having Parks and Recreation Board implement a metal recycling program to raise money for the Town Park. Mayor West said she would check with Haulaway on recycling bins.

CIRSA air quality results

The CIRSA air quality report was received on September 10th which showed high levels of mold spore in the basement and above average mold on the main level of the Town Hall. Recommendations were:

- 1) clean the basement removing all mold generating material (wood, paper files, food items, etc.),
- 2) spray the walls and crawl space to reduce mold potential,
- 3) create negative air flow in the basement by adding a “radon style” exhaust fan to vent the air to the outside on the north side of the building,
- 4) install supplemental air conditioning system,
- 5) clean or replace the main floor carpet,
- 6) maintain a positive air flow on the main floor by sealing off the ceiling exhaust fan, circulating air from the return air ducts using the furnace fan, and replacing and installing new weather stripping around doors and windows.

CIRSA provided two names of contractors however one just does inspections; the other responded by email and will come out to provide an estimate. Mayor West is waiting to hear on two other calls out,. Florence asked if mold was covered by the insurance; the mayor responded mold was excluded. The mayor stated we needed to minimize mold environmental conditions. She also recommended replacing the carpet with solid flooring. Mayor explained we needed to create positive air flow in the main level of the building and vent air out of the basement.

Electrical projects

Mayor West briefed Council on the electric work completed at the well house by SEMOCOR and Mike. The above ground cables have been buried and routed through the well house wall with PVC pipe and meets CIRSA safety requirements. Although eleven thousand dollars (\$11,000) had been approved for this work based on bids received from electrical contractors, only five hundred dollars (\$500) was spent.

Electricity at the chlorine shed and pump house has been repaired and a short in a maintenance building outlet has been fixed by PD Electric.

Mike Burhenn believing PD Electric's contract for work in the maintenance yard included the Town Hall garage sent him to do the job. PD Electric rewired the garage before we realized it had not been included in original work order. The cost for the garage was nine hundred sixteen dollars and thirty one cents (\$916.31). The bid received from Mr. Sparky to repair and replace the wiring at the Town Hall and garage was twenty five hundred dollars (\$2500). Mayor West asked the Council to approve the work and authorize payment to PD Electric. Mayor West pointed out that CIRSA's inspector said all the electrical work done was a good job. Kristine Cutbirth stated she had a real problem with Mike doing things on his own and not getting proper authorization. The mayor stated she will stay on top of Mike to keep this type of thing to a minimum. Florence Burch asked about the insulation and drywall in the garage. The mayor commented that Mike will be completing those jobs with community service people when the right ones are available.

Kristin wanted to know what Mike was doing filling pot holes in the parking lot at the Spur and other businesses in that area. Mayor West explained that it was something that had always been done as a courtesy since he was working on the right of way shoulder along Spruce Mountain Road. Kristin asked Scotty about the Town's liability for doing that and Scotty stated that the Town would be liable for damages or injury if it occurred on their properties. Matt asked about replacing dirt and gravel in the Waggle driveway which was damaged from improper drainage off Spruce Mountain Road. Scotty stated that the Town was responsible if the historic drainage pattern had been changed causing damage. He suggested having the Waggles write a letter explaining the damage and giving the Town permission to repair the damage on their property.

Sheryl Jones made a motion to authorize electrical rewiring of the Town Hall garage and approve payment to PD Electric in the amount of nine hundred sixteen dollars and thirty one cents (\$916.31). The motion was seconded by Florence Burch. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

Marvin Cardenas suggested the Town look at road repairs on the north end of Spruce Mountain Road and in front of the LFPD where the asphalt has crumbled and/or is missing and some potholes exist. Matt Krimmer stated he and Mike would look at those areas and is aware that many roads in Town are in serious need of repair.

Advisory board quorum review

A discussion was held regarding the requirement for the Town's advisory boards to have a quorum at their meetings in order to conduct business. It was determined only two (2) bodies, the Town Council and the Town Planning Commission, required a quorum at their meetings to conduct official business for the Town. All of the other boards and committees may conduct business with any number of members present.

CDBG Status

Kristin Cutbirth and Mayor West met with County personnel administering the CDBG program. The program will be opened to more people however all original applicants will be taken care of first. A letter from the County will be sent to all applicants on September 21st, 2007 explaining the status of the program and informing them of a public meeting to be held at the Larkspur Town Hall on October 17th, 2007 at 7 P.M. The mayor would like the County to explain what can be expected and when something will be received. She does not have a great deal of confidence in how the program is being managed and administered. Eve Curry-Harbison commented that there is a message in the fact that of the original twenty five (25) applicants only eighteen (18) remain in town.

NEW BUSINESS:

CIRSA property loss review

Mayor West reported the CIRSA inspector was impressed and very pleased with the work completed particularly the electric lines at the well house. He did recommend a sign be placed at the maintenance building about wearing safety goggles and that a metal cabinet for storage of chemicals and hazardous materials be obtained.

IREA Right Of Way (ROW) permit application

IREA requested a permit to install a cable under Perry Park Avenue just west of Douglas Boulevard to provide additional electric service to the AFHR pavilion. **Sheryl Jones made a motion to approve a Right Of Way permit for the IREA to install an electric cable under Perry Park Avenue. The motion was seconded by Eve Curry-Harbison. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.**

Castle Rock Campground plans for expansion

Mayor West informed Council of a meeting she attended with Douglas County Commissioner Steve Board, Castle Rock Campground owner Ian Steyn, and the business manager for the National Association of Campgrounds. The Castle Rock Campground has been selected as the site for the National Association of Campgrounds headquarters and will begin headquarters operations as early as December 2007. The mayor explained Ian Steyn had purchased thirty five (35) acres with house from Joey Edge to expand his campground and accommodate the headquarters. Mr. Steyn is currently in negotiations to purchase the Mandell property adjacent to the Town and the Iron Horse Ranch property

across I25 where he would like to establish a horse motel. Mr. Steyn is also looking at acquiring the Cordiera property to the west. Commissioner Board would like the Town of Larkspur to be involved in the development process as part of a committee working with Mr. Steyn. Although not discussed at the meeting, the possibility of future annexation to the Town was mentioned.

Florence Burch commented she did not think annexation would be a good idea as it would increase our road maintenance responsibility. Eve Curry-Harbison noted in her study of small towns, a master plan report for Lyons indicated the town was not capturing all its tax potential. Marvin Cardenas commented he believed the growth of the campground presented a prime opportunity for Larkspur to gain momentum in economic development and derive increased revenue. Scotty Krob asked if a zoning change to commercial would be required to which the mayor responded "very likely". Scotty responded this could have a huge tax base potential to benefit the town. Using the town of Grandby as an example, he added that revenue streams could be substantially increased through special districts and recommended keeping annexation in sight pointing out that only one-sixth (1/6) parcel needs to be contiguous to the town and annexation could be accomplished serially. Sheryl Jones commented that campground growth will bring in new business. Scotty added that the town would have more control over development through annexation and through fee agreements with developers where most of the improvements in roads, water, sewer, etc. could be paid by the developers. Kristin Cutbirth noted these things need to be addressed now and not wait until we get caught short.

Primary Budget review

Mayor West informed council of problems she saw with the budget. Better balancing is needed through yearly reallocations; tap fee connection charges were not right; water fund and sewer tap fees don't match; sewer fund in wrong location; five thousand dollars (\$5000) needs to be transferred from lotto fund to Parks and Recreation fund; and engineering fees need to be in the general fund.

MANAGER'S REPORT

1. According to Mike Belsky, new owner, the old post office will be converted into a coffee shop in front and a day care center in the rear. Mr. Belsky is planning to remove the temporary trailers and build a two story addition to the original building retaining the brick exterior.
2. Pizzeria owner, Dave Palm, is planning to subdivide his property and sell the subdivided parcel and liquor store to John Montgomery. He is also planning on applying for a full liquor license for the restaurant.
3. Larkspur elementary school (LES) has requested assistance in repairing or replacing the broken cable across South Spruce Mountain Road between the liquor store and Edge Realty. Since the cable was originally put up by the IREA, they contacted them for assistance and were turned down. Marvin Cardenas suggested looking into replacement with a cable pulley system to make it easier to add and remove banners. Sheryl Jones suggested getting bids

and doing a cost comparison. Kristin Cutbirth suggested asking the LFPD for help. Mayor West will contact IREA and request their assistance.

4. Matt has been in touch with the LES PTO regarding their Fall Festival and will be attending a meeting at the school on September 27th. The festival is scheduled to take place on Saturday, October 27th, 2007 from 10 AM to 4 PM.
5. The Larkspur Fire Department open house is scheduled for Saturday, October 6th, 2007 from 11 AM to 2 PM. Matt will have a table at the open house representing the Town providing information to attendees about the Town's activities, needs, and changes, and answering questions. He will also have a survey form to collect information.
6. Larkspur Fire Chief asked if the Town would consider sharing office facilities in a new administrative building being planned. The shared building could serve as the Town Center. He would like the Town to have two persons on their building planning committee when it gets started.

MAYOR CONCERNS:

1. Mayor West informed Council that the Deed of Trust being held by Guaranty Bank for the Town's line of credit will expire on December 31st, 2007. Her question to Council is "should it be renewed, should it be canceled, or should it be allowed to expire at the end of the year?". Sheryl Jones stated it should be canceled. Eve Curry-Harbison suggested letting it continue to the end of the year unless it is decided to change banks sooner. There was no further discussion.
2. Florence Burch asked the Mayor if the Fesing property dedication had been resolved. Mayor West responded a land dedication had been requested by the Planning Commission on August 9th, 1997 however none is recorded on the Town's files. Marvin Cardenas added he understood no dedication had been done. Scotty stated if one had been completed it would have been signed off and recorded at the County. Matt will check with the County Clerk and Records Office.

COUNCIL CONCERNS:

Lot Mowing

Sheryl Jones observed that the lots along Spruce Mountain Road belonging to Randy Lombardo, Gerry Been, and the Federation are in need of mowing. The town requested lots belonging to Dave Gardner and Matias Cumsille be mowed by the owners' and were done. To remain consistent the same needs to be done regarding these lots. Florence Burch commented the Federation used to be very good about mowing however since they let the weeds grow there is now trash accumulating on the Spruce Mountain Road property. Sheryl added that the area south of the stop sign down to the old fire house on both sides of the road looks like crap. Mayor West explained the ordinance requiring property owners to cut empty lots to a height not less than four inches and maintain their properties up to the road including the portion on the town's right of way. Sheryl stated the ordinance needs to be enforced for all or no one. Mayor West thought the land south of the corner market and on the west side of the road were natural

grasslands and could not be mowed. She also informed Council that the letters mowed on the Federations land was done by Ed Blanchard. Eve Curry-Harblson noted the trash bag on the lot next to the house behind the corner market is still there and does not understand why Randy Lombardo doesn't pick it up. Marvin Cardenas commented that there are a number of areas around town in serious need of clean up; Sheryl Jones concurred. Sheryl added the town needs to let people know about maintaining their properties and cleaning up the junk. Marvin asked whether the items in front of Keith Kendrick's property were considered antiques or junk. Bill Lucero commented that whatever it is, the items should be on their property and not on the road right of way. Sheryl asked about the yard ornaments and iron work hanging on the fence at Blanchard's property. Bill commented that if all these things were such a problem, Sheryl should get her hands dirty and clean it up. A brief discussion ensued and no conclusion was reached.

Mayor West stated we need to start out nice and ask everyone to clean things up before it snows. Kristin Cutbirth noted that the new managers at the mobile home park have done a great job in cleaning the area. Mayor West stated Dave Gardner and Matias Cumsille should receive thank you letters. Matt will take care of sending letters.

Marvin Cardenas commented on the poor road conditions along Spruce Mountain Road, in particular north of Upper Lake Gulch Road, in front of the firehouse, and south of the new bridge. Florence stated she understood CDOT had new patches for roads.

Kristin Cutbirth asked about the 5th wheel camper on Michael Writer's property and whether he was living there. Marvin responded he believed it was being stored there temporarily.

ADJOURN:

A motion to adjourn the Regular Council meeting was made by Florence Burch and seconded by Lester Burch. The meeting was adjourned by unanimous voice vote at 9:38 PM by Mayor West.

Respectfully submitted,

Matt Krimmer
Town Clerk/Manager