



**TOWN OF LARKSPUR  
MINUTES OF THE  
REGULAR COUNCIL MEETING  
AUGUST 16<sup>TH</sup>, 2007**

**MEETING CALLED TO ORDER:** Mayor Sherilyn West called the meeting to order at 6:05 P.M.

**ROLL CALL:**

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

**UNSCHEDULED PUBLIC APPEARANCES:** None.

**APPROVE MINUTES:** Council reviewed minutes of the July 19<sup>th</sup>, 2007 meeting. No questions were asked and there was no discussion. **A motion to approve the July 19<sup>th</sup>, 2007 minutes as presented was made by Kristin Cutbirth and seconded by Lester Burch. A roll call vote was taken. Six (6) in favor, zero (0) against; motion carried.**

**FINANCIALS/BILLS TO BE PAID:** Council reviewed the bills to be paid. Mayor West informed the Council that the contract for the postage meter, postal scale, and paper folder was being terminated and the items returned. Matt Krimmer advised the Mayor and Council that the items had already been shipped. An early termination fee is being charged by Francotyp-Postalia, Inc. for the meter unit along with a property tax by Heartland Leasing for the other items. Since the Town is a governmental entity the Council believes a property tax should not be charged. Scotty Krob will check this out before the charges are paid.

Mayor West informed the Council that the Town Staff will be looking into other banks for investing the Town's revenues as advised by the Town Accountant, Vince Weis. Florence Burch asked if there was still a "deed of trust" on the Town Hall which was used to establish a line of credit with one of the banks. Mayor West said she would check into it. **Florence Burch made a motion to approve and pay all bills totaling \$26,871.64 pending clarification of the property tax being charged by Heartland Leasing for the postal system. The motion was seconded by Sheryl Jones and a roll call vote was taken. Six (6) in favor, zero (0) against; motion carried.**

**ADVISORY BOARD REPORTS:**

**EDAB** – August 7<sup>th</sup>, 2007 meeting did not have a quorum in attendance therefore no business was conducted. Michael Writer verbally submitted his resignation from EDAB effective immediately to Dave Gardner. Mr. Writer felt activities in development of his property were conflicting with his participation on the board.

**A motion was made by Sheryl Jones and seconded by Lester Burch to accept the resignation of Michael Writer from the Economic Development Advisory Board effective immediately. A roll call vote was taken. Six (6) in favor, zero (0) against; motion carried.**

A letter was sent to Dave Gardner, EDAB Chairman, from Mr. Douglas McKinnon, 2104 Ridge Plaza, Castle Pines, CO 80108 requesting consideration for membership on the EDAB. The letter was forwarded to the Town Clerk/Manager who provided copies to the Town Council. The letter described Mr. McKinnon's career, corporate and financial experience, and volunteer and civic activities. Florence Burch asked why someone from Castle Pines wanted to be on the Larkspur EDAB. Mayor West responded at one time he was interested in acquiring property from Dr. Fiester. Matt Krimmer stated that he was looking into property for business development in the Town.

**Sheryl Jones made a motion to accept the application of Douglas McKinnon and appoint him to the Larkspur Economic Development Advisory Board to fill the position vacated by Michael Writer effective immediately. The motion was seconded by Steve Smith. A roll call vote was taken. Five (5) in favor, one (1) [Kristin Cutbirth] against; motion carried.**

The Town Clerk/Manager will verify the expiration date of Mr. McKinnon's seat on the EDAB and inform him and Dave Gardner of his acceptance and appointment by the Council.

**Parks & Recreation** – No meetings have been held and no feedback received. An email was received by the Town Clerk/Manager in response to the Perry Park Sentinel ad for Board memberships from Ms. Korrie Euler, 861 Cottonwood Lane, Larkspur CO 80118 requesting consideration for membership on the Parks and Recreation Advisory Board. Copies of her email which described her educational and professional background and a statement of why she was seeking Parks and Recreation Board membership were provided to the Town Council. Ms. Euler is very interested in improving the Town Park and providing more recreational and community activities.

**A motion was made by Lester Burch and seconded by Steve Smith to accept the application of Ms. Korrie Euler and appoint her to the Parks and Recreation Advisory Board to fill one of the vacant positions effective immediately. A roll call vote was taken. Six (6) in favor, zero (0) against; motion carried.**

The Town Clerk/Manager will determine which position Ms. Euler will occupy, verify the expiration date of that position on the Parks and Recreation Advisory Board and inform her and the P & R membership of her acceptance and appointment by the Council.

**Planning Commission** – August 13<sup>th</sup>, 2007 meeting cancelled due to insufficient members for a quorum. No information available.

**SEMOCOR MONTHLY REPORT:**

**Bulk Water Issues** – No problems were encountered during the last hydrant flushing however Scott Monroe is still reviewing the PRV settings to assure adequate pressure. Mayor West suggested the Town request the Fire Department fill their trucks at the Fire Station instead of from the Town's water hydrants to avoid potential pressure drops in town. This would not apply during a fire or other emergency situations where water is needed. Since the water at the Fire Station is metered, she also suggested the Fire Department not be billed over the minimum amount. Council members agreed and the Town's Attorney will prepare a resolution to that effect.

Bulk water use by the CDOT I25 contractor and controlling the flow of water from hydrants was also discussed. Council agreed the Town would put a reducer on the Town's water meter to manage the flow when the meter is returned. Florence Burch also commented that the \$1000.00 deposit for use of the Town's water meter not be returned to the contractor until all water bills have been paid.

Mayor West informed the Council that Scott Monroe has found a new water testing company since the original one has not responded to his phone calls and the Water Quality Pilot Study is expected to begin sometime in October, 2007.

**MONKEY FACE OBSERVER:** Kristin Cutbirth informed the Council that the draft was not finished. No action taken.

**CONTINUING BUSINESS:**

**Quit Claim Deed on Roads in the Pines**

Scotty Krob still has had no feedback from Max at the American Federation of Human Rights (AFHR). Mayor West will attempt to contact Max or someone else regarding this matter. Sheryl Jones stated the AFHR should be given a deadline to respond. Scotty Krob asked the Mayor to get AFHR's attorneys name for him to contact.

Mayor West informed Council that AFHR is constructing a basement with their new building and plans presented to the Douglas County Building Department were revised showing the basement. AFHR did not submit the revised plans to the Town for approval prior to submission to Douglas County. Sheryl Jones expressed outrage at this apparent deliberate by-passing of the Town to obtain their building permit. Florence and Lester Burch and Kristin Cutbirth agreed and Florence questioned the need for and use of the basement.

Sheryl Jones and Lester Burch requested the Mayor send AFHR a letter notifying them of the Council's displeasure with their actions. Mayor West will take the request under advisement and suggested the Council tighten controls on submission of plans and requests for building permits to the county. The county should not issue building permits unless all documents received by them have the Town's approval and have been stamped and/or signed off by the Town Clerk/Manager or the Mayor. Council should also consider having all documents delivered to the County by a Town Official or staff member.

#### **Perry Park Water & Sanitation IGA Committee**

Mayor West informed the Council that the second meeting went well and progress is very good. She also noted that although Bill Fischer's property is in Perry Park Water and Sanitation District (PPW&SD) however he will be connecting to the Town when his septic system is shutdown sometime in October. She also noted that Marvin Cardenas' property is in PPW&SD.

The next meeting is scheduled for August 27<sup>th</sup>, 2007.

#### **Amendment to Redeker Annexation**

Scotty Krob has prepared the amendment to the annexation agreement and informed Martin Redeker of its status. Kristin Cutbirth stated Martin thought it had already been approved by the town. **Lester Burch made a motion to approve the amendment to Section 5.a. of the Martin Redeker Annexation Agreement permitting Mr. Redeker and/or his developer to obtain water service (water and sewer) from the Perry Park Water and Sanitation District. The motion was seconded by Sheryl Jones. A roll call vote was taken. Six (6) in favor, zero (0) against; motion carried.**

#### **Phone Service update**

Mayor West informed Council that Qwest will be checking lines on August 20<sup>th</sup>, 2007 to locate two lines appearing on the Town's bill and which the Town Staff has not been able to find. Kristin Cutbirth stated that extensions were installed when her sister worked in the Town Hall and believed they had been removed when her sister left. Mayor West also noted that the Town's account with Qwest will be changed from a "small business" to a "government" account. She did not know what change, if any, that would have on billing. Florence Burch said she thought the Town had a government account to which Kristin replied she believed the type of account was changed because the Town received a special rate deal from Qwest. Mayor West stated that the present phone sets need to be replaced and new sets obtained for \$99 for two phones which included caller ID and other features. Kristin advised the Mayor to be sure that new phones are not refurbished. Council agreed the Mayor should make arrangements to acquire new phones.

## **NEW BUSINESS:**

### **Ordinance 1.15 an ordinance repealing ordinances 4.23 and 3.90**

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. Mayor West presented Ordinance 1.15 to the Council for approval. Ordinance 1.15 repeals and replaces ordinances 4.23 and 3.90. Florence Burch asked about cleanup charges. Lester Burch noted cleanup charges were covered in section (11) covering maintenance costs. **Lester Burch made a motion to adopt Ordinance 1.15 repealing and superseding Ordinances 4.23 and 3.90. The motion was seconded by Sheryl Jones. A roll call vote was taken. Six (6) in favor, zero (0) against; motion carried.**

### **Rate Study proposal**

Mayor West proposed having Wright Water Engineering complete a water/wastewater rate study for the Town of Larkspur. The rate study will benefit the Town as follows:

- Refine future costs for water and wastewater services.
- Assist in the Perry Park discussions by providing realistic financial information.
- Through investigation of several scenarios, show what revenues could be generated from existing sources.
- Determine the proportion of revenue the Town should receive from each source.
- Estimate the revenues that could be realized by the Town from a sales tax imposed on commercial development on the annexed Redeker property and other properties.
- Justify rates to charge existing and new residential and commercial customers.
- Assist in obtaining grant monies for connecting to Perry Park Wastewater Treatment facility and maintaining existing ponds.

Florence Burch asked where Wright Water Engineering will get the data to do the study. Scotty Krob responded that much of the data already exists from the Town's records and engineering studies previously completed. Mayor West noted that through development of alternative scenarios, fees charged customers will vary allowing for some flexibility. **Sheryl Jones made a motion to accept Wright Water Engineering's Rate Study proposal and allocate \$7500.00 for it to be completed. The motion was seconded by Lester Burch. A roll call vote was taken. Six (6) in favor, zero (0) against; motion carried.**

### **Budget Timeline**

Mayor West informed Council that the Town's accountant, Vince Weis, will not be ready to address next years budget until all the August revenue and expenditure information is compiled. Budget needs to be presented to Council by

October 15<sup>th</sup>, 2007. Estimates based on potential future development will have to be considered, in particular, water and sewer rates.

Based on preliminary assessment, the mill levy will likely have to be adjusted.

### **Drainage from CRF**

Matt Krimmer explained events relating to the washout of a portion of Perry Park Avenue and damage to AFHR property from storm water runoff from the Colorado Renaissance Festival (CRF) property.

A 3 X 5 foot section of Perry Park Avenue approximately 100 yards east of the eastern edge of CRF property line washed out creating a serious hazard to vehicles in the eastbound lane. Another 5 X 7 foot base section approximately 20 yards further east had eroded beneath the roadway surface creating potential for road surface collapse. Emergency repairs were completed by Bill Fischer's employees the same day and arrangements were made with Chris Cumsille, AFHR, to channel storm water runoff onto AFHR property and into their drainage ditch. Fischer's employees completed this work the same day as well. Attempts to contact CRF were unsuccessful as the owner and all employees were out of town. Research of the CRF site plan files revealed a comprehensive drainage study prepared for CRF in 2003. Study plans and recommendations were never implemented. Mayor West will attempt to schedule a meeting with Jim Paradise or his representative as soon as possible.

### **Audit RFP**

Sample RFP documents were received from Douglas County, Castle Rock, Parker, Douglas County School Board, and the Douglas County Library. Matt Krimmer will review them and prepare a draft to present to the Mayor and Council. Tim Cusack will be working with Mayor West to complete the Audit Managers Report.

## **MANAGERS REPORT:**

### **Storm Water Problems**

In addition to the CRF runoff road and property damage, storm water has caused underground springs to rise and ground water to seek new places to flow. As a result, culverts have been filled with sand and sediment blocking free water flows, potholes have developed along South Spruce Mountain Road, water has backed up across South Spruce Mountain Road south of the Corner Market creating a hazardous moving pool of water, Corner Market crawl space has flooded, a new spring has surfaced on the Corner Market parking lot adjacent to South Spruce Mountain Road, the basement in the Post Office building has flooded, significant erosion of South Spruce Mountain Road shoulder in front of the old post office and next to the Waggle property, Waggle driveway washed out, and roads in the Pines are seriously rutted. Florence suggested using the Fire Department to flush the culverts with fire hose water pressure. Matt will also check with the County on availability of their vacuum truck to clean the culverts.

Discussion ensued regarding property owner responsibility for cleaning culverts under driveways adjacent to roadways. Road ownership in the Pines was also

discussed. Scotty will continue to pursue issue with AFHR and give them a time limit to respond.

### **Road Maintenance**

Matt Krimmer recommended a schedule for road maintenance be created for each month throughout the year instead of waiting until someone reports a problem. This would include pothole repair, culvert cleaning, shoulder maintenance, repaving, etc. Mayor West and the Council agreed to have the Town's Maintenance Manager develop such a schedule.

### **Larkspur Historical Society**

Danna Hamlin and Penney Burdick of the Larkspur Historical Society (LHS) were contacted regarding the Council's approval by Resolution in July of two Town properties for designation as historic sites. LHS will be completing the designation in early September. Matt Krimmer also requested a follow on meeting to discuss additional historic issues and actions for Larkspur. Danna stated they will try to schedule one sometime in September.

### **CIRSA Air Quality Inspection**

Matt informed the Council that CIRSA will be performing an air quality and building inspection of the Town Hall on August 23<sup>rd</sup>, 2007. Council member Sheryl Jones requested the inspection after several early morning visits to the town offices where a strong foul smelling odor was very noticeable and after receiving complaints from town residents and other Town Hall visitors.

### **Fischer Sign Application**

Bill Fischer's new sign application was incomplete. Preliminary review of the request shows all requirements will be met however the Council cannot approve it until the application is completed and the application fee is paid. Bill needs to provide a schematic of the sign, its content, and a diagram of the location.

### **Hammond Rezoning and Address**

Matt Krimmer met with Daniel Hammond and Diane Oster to discuss their request for rezoning of Garcilaso subdivision, Amendment 1, Lot 2c from residential to commercial in order to build a Bed and Breakfast. Matt provided them with the forms and instructions for submitting their request. During the discussion it was discovered that the same address existed for three lots in the Amendment 1 subdivision. That address, 9112 Frink road, is currently affixed to a house on Lot 2A of the subdivision. Upon contacting the Douglas County Planning Division, new addresses, 9140 and 9170 respectively, were assigned to lots 2b and 2c.

### **Gate at Town Dump**

During a recent heavy lightening and rain storm the electronic key card system for access to the town dump was destroyed. The result was the gate would not close. The emergency manual key held by the Larkspur Fire Department to open the

gate was functioning however there was no power to close the gate. Since the Town Maintenance Manager had knee surgery the day before, the electronics were not repaired for two days and the gate remained open. The key card system has now been repaired and is functioning normally.

**MAYOR CONCERNS:**

**Upcoming Dates**

**Clean Up Day August 18<sup>th</sup>**

Clean up day is scheduled for Saturday, August 18<sup>th</sup>, 2007 from 11 A.M. to 2 P.M. There will be a \$1.50 charge per tire. Mike and Sherilyn will be at the dump to monitor users.

**Excel Class**

Mayor West requested the Council consider sending Sharon Roman to a one day Excel Workshop to improve her skills in working with Excel spreadsheets. Sheryl Jones suggested looking into purchasing "Video Professor" CDs which could be reused for others. Matt did not recommend video professor based on high prices for CDs after initial purchase. Council had brief discussion regarding training for office staff and agreed to send Sharon to the Excel Workshop.

**COUNCIL CONCERNS:**

Regarding the upcoming CIRSA inspection of the Town Hall, Florence Burch asked what happens if CIRSA condemns the building. Scotty Krob responded that CIRSA will rent property for the town unless there is mold exclusion in the contract.

Sheryl Jones commented that there needs to be more community events in town to increase community involvement and would like to see something done for Halloween. Sheryl suggested a scavenger hunt. Matt informed Council that Korrie Euler, newly appointed member of the Parks and Recreation Board, has volunteered to organize community events but would like some guidance and support from others who are more familiar with the town. Florence commented that Nancy Manning would be in touch with Korrie. Florence also noted that Nancy would like to see some progress toward building a pavilion in the park. Parks and Recreation Board have already begun some work toward the project. Kristin Cut birth mentioned the volley ball court was not in the right location and gets almost no use where it's at. Matt suggested the volleyball court be moved to an area closer to the ball field and that a portion of the field on the North end of the Park be used for a trail head to accommodate the planned Larkspur trail. Matt also commented that he is attempting to meet with the Parks and Recreation Board to discuss a number of projects including those just discussed.

Kristin asked about the status of the CDBG Block Grants that were supposed to be awarded. Mayor West stated she would contact the County office responsible and get an update.

Mayor West noted that the town has a number of pieces of computer hardware to be disposed of and requested suggestions of what to do with them. Florence suggested contacting computer businesses willing to pay for used computer equipment. Council members will try to come up with suggested sources.

Lester Burch proposed giving Sharon Roman a 50 cents per hour raise to compensate her for the added duties she has taken on. Sheryl Jones commented this was an inappropriate time to give a raise and the Council should wait until the January reviews to consider it. Lester responded he would like to see good people adequately compensated such that they will remain working for the Town and not leave to go elsewhere for higher pay or other reasons. Sheryl responded that if Sharon got a raise then Mike and Matt should also receive a raise in pay. Kristin added that the Council should get a raise as well. Scotty Krob noted that a raise for the Council could not be done because it has to be voted on by town residents at the next election. Florence asked if Sharon's duties have in fact increased and Mayor West responded by informing Council that she has taken on all CIRSA insurance in addition to other things. **Lester Burch made a motion to increase Sharon Roman's salary by fifty cents (\$0.50) per hour effective next pay period. Florence Burch seconded the motion. A roll call vote was taken. Three (3) in favor, three (3) against (Sheryl Jones, Kristin Cutbirth, Steve Smith); tie vote, motion failed.**

Mayor West noted that the motion can be reconsidered at review time. Sheryl commented that the subject of raises was not discussed at the Council workshop and therefore should not have been brought up during the Council meeting. Mayor West informed Council that the Council meeting agenda is set after the Council workshop and non-agenda items can be brought up after the workshop if agreed to by the Mayor. Sheryl commented that a policy for when raises are given needs to be established. Sheryl also asked if personnel performance discussions can take place in executive session. Scotty informed Council that the employee must be informed of when his/her performance will be discussed by Council and has the right to choose executive session or open meeting for such discussion. The employee cannot attend the executive session if it is chosen.

Mayor West asked Scotty about participation by press or public at working sessions. Scotty advised the press and public can only attend working sessions if invited.

**ADJOURN:**

**A motion to adjourn the Council was made by Florence Burch and seconded by Sheryl Jones. Voice vote was taken. Seven (7) for and zero (0) against.**  
Mayor West adjourned the Council at 9:10 PM.

Respectfully submitted,

Matt Krimmer  
Town Clerk/Manager