



**TOWN OF LARKSPUR  
MINUTES OF THE  
REGULAR COUNCIL MEETING  
FEBRUARY 18<sup>th</sup>, 2010**

**MEETING CALLED TO ORDER:** Mayor Sherilyn West called the meeting to order at 6:00 PM.

**ROLL CALL:**

<b>PRESENT</b>	<b>ABSENT</b>	<b>NON-VOTING</b>
Kristin Cutbirth		Town Attorney-Scotty Krob
Sheryl Jones		Town Clerk/Manager-
Eve Curry-Harbison		Matt Krimmer
Lana Wagner		
Joseph Jeske		
Mayor Pro-tem Stephen Smith		
Mayor Sherilyn West		

**PLEDGE OF ALLEGIANCE:** Recited.

**OTHER ATTENDEES:** Gary Abel, Laura Kronick, Lorelei LaFortune, Ann Rock, Dave Gardner, Lester Burch, Toni Reynolds, Sally and Ian Steyn, Betty Spreen, Tara Dexter, and three unidentified persons.

**UNSCHEDULED PUBLIC APPEARANCES:** None.

**SCHEDULED PUBLIC APPEARANCES:**

**Myrna Been** presented Council with copies of her response to the Town Clerks letter denying the referendum petition for a ballot item to allow the Town residents to vote on Ordinance 3.101 annexing the Bear View campground to the Town of Larkspur. She questioned the timing of the Town Clerks letter and the process dictated by Colorado State Statutes. Scotty Krob responded that the procedure followed by the Town Clerk was correct and since the deadline for filing a referendum petition had passed the referendum could not be placed on the election ballot. Myrna questioned the actions of the Town Clerk and Administrative Accounting Clerk on the day she brought the letter of intent and petitions to Town Hall and felt the atmosphere was unfriendly. Myrna then asked Council to consider allowing the referendum to go forward so that the will of the town residents could be heard. Scotty Krob noted the State Statutes do not allow for the Town Council to grant an extension and if directed by Council he would research the Statutes for possible exceptions. Mayor West asked if the Council wanted Scotty to do the research and they did not and no extension for accepting the referendum petition would be granted. Ms. Been thanked Council for the time to be heard and indicated possible follow on action may be forthcoming.

**Mike Belsky** gave a brief biography of his background and his philosophy of how people should be treated and how they should interact with one another. He stated he would not tolerate being treated badly and will react accordingly if necessary.

**APPROVE MINUTES:** Regular Council meeting minutes for January 7, 2010 were submitted for approval. It was noted that a word correction was needed in the motion made by Lana Wagner regarding the Open Space Zoning Ordinance 3.102.

**Kristin Cutbirth made a motion to approve the regular Council meeting minutes of January 7, 2010 with correction. Joseph Jeske seconded the motion. A roll call vote was taken. Three (3) in favor, zero (0) against, three (3) abstained (Stephen Smith, Sheryl Jones, Eve Curry-Harbison); motion carried.**

**FINANCIALS:** Mayor West presented the financial statement summary and bills to be paid totaling \$39,523.33

**Kristin Cutbirth made a motion to approve payment of bills totaling \$39,523.33. Joseph Jeske seconded the motion. A roll call vote was taken. Six (6) in favor, zero (0) against; motion carried.**

**SEMOCOR MONTHLY REPORT:** All systems are operating satisfactorily and no issues or problems have surfaced.

**ADVISORY BOARD REPORTS:**

**Parks and Recreation Board** – Board minutes from the February 1, 2010 meeting were provided. A brief discussion regarding a canceled meeting ensued and it was requested the Board create a call list to be sure all pertinent parties are properly notified. Mayor West asked Tara Dexter, Parks and Recreation Board vice chairperson, if an item regarding plans and volunteers for the Towns Fourth of July event should be added to the newsletter to which Tara responded yes.

Eve Curry-Harbison asked Matt if it had been determined that skate boarding on the roadway was illegal to which he responded it was confirmed with the DC Sheriff's Office. Sheryl Jones requested an item about the dangers and illegality of skateboarding down the center of Spruce Mountain Road be added to the newsletter.

**NEWSLETTER:** Mayor West noted an item regarding the Town Hall being used as a Census Information Center would be included with applicable dates and times.

**CONTINUING BUSINESS:**

- **Medical Marijuana** – Eve Curry-Harbison presented an update of the activities of the Partnership Medical Marijuana Work Group noting that Council is being sent numerous emails to keep them informed as updates occur. Dave Gardner asked to speak to Council and informed them that since opening two weeks ago the Larkspur Alternative Medicine Center (LAMC) has served thirty patients, all of whom have severe pain and/or chronic or debilitating conditions. He stressed that the clients were all legitimate and in need of pain relief. Dave offered to have patients come speak to the Council. Eve Curry-Harbison asked about the boarded window and was told that some form of design decoration would be placed on the

window. She noted a concern about the security to which Dave responded they believed it was safer than glass and with all the cameras on site they do not believe it to be a security risk.

A brief discussion regarding people avoiding Town because of the LAMC which was impacting other businesses included comments from Tara Dexter and Mike Belsky. Mayor West noted as the Town Park nears completion and the weather improves more customers will be coming to the local businesses.

Based on current version of the State of Colorado legislation Council agreed more local control and clarification of definitions would be necessary. Eve Curry-Harbison discussed the need for consensus from the Council on elements of local control. Mayor West asked what constituted “extraordinary” circumstances and Eve noted it would be determined by a licensed doctor. Eve and the Mayor concluded criteria for extraordinary circumstances needed definition. Council agreed to support the County’s position on local control.

Dave Gardner asked Council to consider allowing the LAMC to remain in its present location if the Towns Ordinance will include restrictions regarding location. Toni Reynolds recommended comparing inspections of Medical Marijuana facilities to inspections of establishments with liquor licenses. Council agreed to wait and see what direction the State legislature takes with their proposed legislative bills.

Eve Curry-Harbison noted that she and Mayor West visited the LAMC the first week they opened and were very impressed with the security in place.

Council agreed to have Eve represent the Councils position on the Partnership Medical Marijuana Work Group.

**NEW BUSINESS:**

- **Housing Partnership** – Sheryl Jones presented information regarding the Douglas County Housing Partnership and noted there were very few opportunities for Larkspur at this time. A request to support the Partnership’s NEXUS study was determined not to be appropriate for Larkspur and Sheryl will respond to Bonnie Osborn accordingly.

**MANAGER’S REPORT:** Matt presented Council with copies of two amendments and one proposition submitted for inclusion on the November 2010 State election ballot which would seriously impact state and local municipality revenues and the ability to obtain loans to fund infrastructure maintenance and development projects. Scott Krob provided a brief explanation of how Larkspur may be affected.

Matt also reminded everyone of the upcoming elections on April 6 and the availability of nominating petitions.

**MAYOR’S COMMENTS:** Mayor West requested the press release for the Perry Park Sentinel regarding the Council’s decision on the Bear View Annexation be reviewed one last time before submission for publication.

**COUNCIL COMMENTS:** Eve Curry-Harbison asked about the status of the Planning Commission public hearing minutes and was informed that Town staff was working on

them and will continue until completed. Mayor West noted she was helping to transcribe the minutes.

Eve also asked if Town Hall had received a letter from Mike Belsky requesting forgiveness of the penalties imposed on his late sales tax payments and was informed it had been received and a response was being generated by the Town staff. A question was asked about signing of business licenses which the Mayor explained Sharon could do as the Town's taxing authority.

Sheryl Jones asked Scott Krob what impact an initiative to repeal the annexation would have. Scott explained how the initiative process worked however it was his opinion it would be difficult to overturn the annexation if the Council did not agree to it. He also thought the time limit to complete this process had expired however he would research it to verify if so directed.

Sheryl also asked Council for support in working on the CDBG project activities for the fall.

Kristin Cutbirth asked about the status of the bids to install railings at Town Hall and it was determined the bids would be presented at next Council meeting for Council vote.

**ADJOURN: Sheryl Jones made a motion to adjourn the Council meeting. Stephen Smith seconded the motion. Motion carried by unanimous voice vote, Six (6) in favor, zero (0) against.**

**Mayor West adjourned the Council meeting at 8:25 PM.**

Respectfully submitted,

Matt Krimmer  
Town Clerk/Manager