



**TOWN OF LARKSPUR  
MINUTES OF THE  
TOWN COUNCIL PUBLIC HEARING Continuation  
BEAR VIEW ANNEXATION AND PLANNED DEVELOPMENT  
September 21, 2009  
6:00 P.M.**

**PUBLIC HEARING CALLED TO ORDER:** Mayor Sherilyn West opened the hearing at 6 PM.

**ROLL CALL:**

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

**PLEDGE OF ALLEGIANCE:** Recited.

**PUBLIC ATTENDEES:** Multiple

**REPRESENTING BEAR VIEW CAMPGROUND:** Ian Steyn, Jack Reutzel, Cameron Fitch

Council Member Eve Curry-Harbison asked Mayor West why she and the Town Manager were in a meeting at Town Hall this afternoon discussing the draft annexation agreement with applicants Ian Steyn and Cameron Fitch and why Council was not informed or invited to participate. Mayor West responded that the meeting was to address the monies owed the Town by the applicant for the public hearings, Town Planner and Town Attorney fees, and Town Staff charges and there was no discussion of the annexation agreement. Council Member Sheryl Jones commented that holding such a meeting regardless of reason reflected poorly on the Town, the Council and the Mayor and was the basis for public perception of improprieties. The Mayor responded that as Mayor she is charged with protecting the financial interests of the Town and that if Mr Steyn was not intending to pay his bill when due then no more meetings, public hearings, and Town Staff hours would be committed to the annexation until the bill was paid. The discussion continued for several more minutes and concluded with Mayor West apologizing for holding the meeting and not inviting another Council person to be present.

Mr. William Lucero from the audience asked why copies of the annexation document being discussed by Council was not available to the public to which Mayor West explained that many changes were still being made and it was in preliminary draft condition. As such and as advised by the Town Attorney the document was not to be made public until it met the requirements of

the Council and was in final draft form. Mr. Lucero expressed disagreement with the preliminary draft document being withheld. Mayor West noted that once in final draft form the annexation agreement would be provided to the public prior to a public hearing allowing time for public review and comment to the Council.

**CONTINUATION OF COUNCIL ANNEXATION DOCUMENTATION REVIEW AND DISCUSSION WITH APPLICANT:** The Council began a second review of the annexation documentation containing changes discussed during the first review. A list of action items was generated for the applicant and the Town for which answers will be provided between this hearing and the next hearing to be scheduled. Action items are as follow:

1. Applicant to request water supply letter from State Engineer.
2. Applicant to provide copy of Jellystone campground regulations.
3. Town staff to compare Jellystone campground regulations to Colorado campground regulations and note differences.
4. Applicant to obtain current property appraisal or appraisers opinion of value.
5. Applicant to provide letter from County on current status of roadway right of ways, conversion of SkyView Lane to public County maintained road, and railroad crossing conversion to public use.
6. Applicant to provide CDPHE written approval of chlorinated water system.
7. Applicant to clarify “timeshare membership” and “fractional ownership”.
8. Town attorney and applicant attorney to define town resident use of campground recreational facilities.
9. Applicant to obtain will serve letter from Perry Park Water and Sanitation District for ARVC property.
10. Town attorney to define terms of “cash in lieu of property” based on appraisal.

The final draft version of an annexation agreement will be reviewed by Council at a public hearing on October 15, 2009.

**COUNCIL ACTION:** Continue the public hearing to October 15, 2009 at 5 PM.

**A motion to continue the Public Hearing to October 15, 2009 at 5 PM at Town Hall was made by Lana Wagner and seconded by Joseph Jeske. A roll call vote was taken. Six (6) in favor, zero (0) against; motion carried.**

**ADJOURN: A motion to adjourn the Public Hearing was made by Sheryl Jones and seconded by Joseph Jeske. The hearing was adjourned by unanimous voice vote, six (6) in favor, zero (0) against; motion carried.**

Mayor West adjourned the public hearing at 8:19 PM.

Respectfully submitted,

Matt Krimmer  
Town Clerk/Manager