



**TOWN OF LARKSPUR
MINUTES OF THE
REGULAR COUNCIL MEETING
FEBRUARY 19th, 2009**

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

ROLL CALL:

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

PLEDGE OF ALLEGIANCE: Recited.

UNSCHEDULED PUBLIC APPEARANCES: Douglas County Sheriff’s Deputy Beth Ondrak. Deputy Ondrak asked Council and the audience if there were any law enforcement concerns and if there were any questions she could address. Eve Curry-Harbison mentioned the prevalence of young skateboarders on Spruce Mountain Road riding down the middle of the road and, in some cases, challenging the cars, i.e. “playing chicken”. Deputy Ondrak stated that the Sheriff’s office should be called when such activity is observed. Lana Wagner noted that skateboarding is prohibited in the Mobile Home Park by the owner and that she is enforcing it with parents and children and lack of skateboarding facilities was a problem for the children in the area.

SCHEDULED PUBLIC APPEARANCES: None.

OTHER ATTENDEES: Gary Abel, Ian Steyn

APPROVE MINUTES: Council reviewed minutes of the February 5th, 2009 regular council meeting. Matt informed Council that changes requested to the minutes by Council member Eve Curry-Harbison had been made. There was no further discussion. **A motion to approve the February 5th, 2009 regular council meeting minutes as corrected was made by Eve Curry-Harbison and seconded by Lana Wagner. A roll call vote was taken. Five (5) in favor, zero (0) against, two abstained (Joe Jeske, Steve Smith); motion carried.**

FINANCIALS: Mayor West presented the financial statement and bills to be paid in the amount of \$29,623.73. During a discussion on the topic of snow removal, Council member Kristin Cutbirth noted that the intersection of Spruce Mountain Road and Perry

Park Avenue at the stop sign was not sanded early in the morning during snowfalls and she had received some feedback from area residents concerned about icy conditions.. Many cars pass through that intersection before or around 5 AM and quite often the intersection does not get sanded until much later. It was requested that the Town notify Fischer Enterprises, (the Town's snow clearing contractor) to sand that intersection earlier in the morning. Council continued review of the financial statement and noted that Vince Weis, Town Accountant, needs to provide more detail on his bills regarding work performed.

Eve Curry-Harbison made a motion to approve payment of bills totaling \$29,623.73. Steve Smith seconded the motion. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

SEMOCOR MONTHLY REPORT: All systems are operating satisfactorily and no issues or problems have surfaced in the last two weeks.

NEWSLETTER: No action taken. Mayor West explained that due to ill health, she was not able to do much work on the newsletter however noted that she will include information on planned Town Hall meetings.

ADVISORY BOARD REPORTS:

Parks and Recreation Board – Minutes of their February 2, 2009 meeting were provided. Eve Curry-Harbison asked who prepared the minutes to which Matt Krimmer explained that Larry Horwitz volunteered although he was not experienced in translating notes into minutes. Eve commented there were numerous spelling and grammatical errors along with poor wording of paragraphs and stated that the minutes were very unprofessional and unacceptable. Matt stated that he believed the minutes provided more information than minutes previously produced by the Board and minor errors were not important to providing information about the meeting. Mayor West stated that alternate members should be identified as alternates. Lana Wagner commented that Larry is a volunteer and not an administrative assistant and his willingness to produce minutes without having any experience in this area should be applauded, not criticized. Eve stated if minutes are required from a Board they should be done correctly and in a manner acceptable to the Council. She also recommended that if Larry Horowitz is going to continue to produce the minutes and improve his performance he should spend time with Matt and observe how he does the minutes and if he is unfamiliar with Spell Check, learn how to use and apply it.

Mayor West also stated that the Parks and Recreation Board review and accept minutes before submission to Council. Eve asked for clarification of comments regarding number of events sponsored by Parks and Recreation this year. A short discussion clarified those events sponsored by Parks and Recreation and those sponsored by the Chamber of Commerce.

The discussion moved to filling Board vacancies and the Mayor informed Council that William Lucero has resigned his full time Board membership and re-applied to the Board to become an alternate member. Along with Nancy Manning's resignation in January that created two full time Board member vacancies and the Mayor recommended that present Board alternates William Kramer and Larry Horwitz be appointed to fill the full

Board member positions vacated by Nancy Manning and William Lucero completing their terms through May 31, 2010.

Eve Curry Harbison made a motion to appoint William Kramer as a full time Parks and Recreation Board member effective immediately filling out one vacant term through May 31, 2010. The motion was seconded by Sheryl Jones and a roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

Lana Wagner made a motion to appoint Larry Horwitz as a full time Parks and Recreation Board member effective immediately filling out one vacant term through May 31, 2010. The motion was seconded by Joseph Jeske and a roll call vote was taken. Five (5) in favor, two (2) against (Eve-Curry Harbison and Sheryl Jones), motion carried.

Matt Krimmer presented Council with applications for Board membership from William Lucero as an alternate only and from Marlys and Reed Houge. A brief review and discussion of the applications was made.

A motion was made by Lana Wagner and seconded by Steve Smith to appoint Marlys and Reed Houge as alternate members to the Parks and Recreation Board for two year terms expiring May 31, 2011 effective immediately. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

- **Planning Commission** – Minutes of the February 9th, 2009 meeting were provided. Matt Krimmer noted that due to the resignation of Ann Rock from the Planning Commission for health reasons, a quorum was not present and the meeting was adjourned without action. A discussion session followed the meeting and the subject of Planning Commission membership requirements and the difficulty in finding town residents to participate was undertaken. Accordingly the Commission requested Council consider opening eligibility requirements to business owners conducting business within the Town's boundaries. Council discussion followed which concluded that the suggestion not be acted on due to potential conflicts of interest and loss of control of planning actions affecting the Town.

One application for Planning Commission membership was received from Vernice Guthrie. Planning Commission member Kat White recommended Vernice apply for the position vacated by Ann Rock. After a few questions about Vernice, **A motion was made by Joe Jeske to appoint Vernice Guthrie to a new three year term on the Planning Commission effective immediately. The motion was seconded by Steve Smith. A roll call vote was taken. Six (6) in favor, one (1) against (Kristin Cutbirth); motion carried.**

Another suggestion from the Planning Commission was to consider recognizing volunteers for their time and service to the Town as Board or Commission members when they retired or resigned. After discussion it was agreed to recognize them through mention in the Town's newsletter.

Residency requirement concerns of the Planning Commission were presented by Matt and Council questioned their concerns. Matt explained that potential new residents in possible annexation areas were of concern regarding voting rights

affecting Town government. Council felt that it was not an issue for the Planning Commission and Council would address such concerns when appropriate.

CONTINUING BUSINESS:

Town Clerk Manager evaluation criteria – A proposed evaluation criteria form was presented by Eve Curry-Harbison for Council review and acceptance. Council requested copies of the form electronically which Matt will email to everyone. Forms should be completed and returned to Matt or Mayor West by March 2, 2009.

Mayor West declared a short break at 7:20 PM; the meeting resumed at 7:29 PM.

CDBG applications/survey – Mayor West handed out and explained the CDBG survey form and resident list asking each Council member to conduct the survey with residents as grouped by area. The surveys need to be completed by February 27, 2009 and returned to the Mayor by that date or sooner.

NEW BUSINESS:

- **2009-10 Town Priority List**

Vision Statement – Brief discussion regarding content and meaning of vision statement was held. A resolution will be drafted for passage by Council supporting and adopting the Town’s vision statement as stated and adopted in 1995.

Town Hall meetings for annexation – Council discussed setting dates for Town Hall meetings to receive public comment regarding the proposed Bear View Annexation. Dates set are Thursday, March 26, 2009, 10 AM – 12 Noon, and Tuesday, March 31, 2009, 7 – 9 PM. Half sheet flyers will be distributed to notify residents along with public notices in the Town newsletter, public posting areas, town’s website, etc.

Sign Applications – Information was presented to Council on two sign applications. Classic Iron Works, Larry Armbruster, for a sign at 9531 S. Spruce Mountain Road and Larkspur Cycle, LLC, David C. Atchley, at 9138 S. Spruce Mountain Road (Larkspur Auto Body).

Spruce Mountain Development Sales Tax Agreement – Scotty Krob presented the SMD Sales Tax Agreement for approval to have the Mayor sign the agreement on behalf of the Town. Several questions were asked and answered.

A motion was made by Lana Wagner to authorize Mayor West to sign the Sales Tax agreement as presented between Spruce Mountain Development, LLC, Spruce Mountain Metropolitan District, and the Town of Larkspur. The motion was seconded by Joe Jeske. A roll call vote was taken. Five (5) in favor, two (2) against (Kristin Cutbirth, Sheryl Jones); motion carried.

- **Resolution 09-02, Red Flag Rule** – Scotty Krob presented Resolution 09-02 regarding a Federal Government mandate requiring all municipalities to establish a Red Flag policy requiring picture identification for all transactions where billing statements are issued and payments received.

A motion was made by Eve Curry-Harbison to approve Resolution 09-02 adopting a Red Flag Policy for the Town of Larkspur. The motion was seconded by Lana

Wagner. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

MANAGERS REPORT

1. Council was provided the meeting schedule for next two weeks, February 22 through March 7, 2009. Matt explained the difference between the two sustainability meetings on Feb 23 and Feb 24. Matt also corrected the Bid Net User's Conference dates to Feb 25-26 from Feb 26-27. Council suggested investigating software allowing calendar sharing.
2. At the Partnership meeting yesterday, Terri Cox, County Assessor, presented this year's assessed valuation process and offered to address individual municipality Councils.
3. The School District also presented the impact of the bond failures to changes in district operations including bus routes, class sizes, open campuses, extended period days, etc. The district also offered individual municipality presentations if desired.
4. County Parking Garage window displays areas are available for use by towns.
5. A value based government partnership sub-committee is being formed and elected official membership is desired.
6. An effort to stimulate public awareness is also being undertaken by the County and the Town's participation will be sought.
7. Mayor West and Matt Krimmer had a meeting with Barb Cole, Community Matters, to discuss her credentials as a Town Planner in addressing the campground annexation. Council expressed concern about the status of annexation information and the expectations of what a planner can provide at this time. Sheryl Jones asked to see credentials and wants more information about who we are engaging as a planner. Matt will provide background information and schedule her attendance at the March 5, 2009 meeting.

MAYOR'S COMMENTS: None.

COUNCIL COMMENTS: Sheryl Jones asked what the recommended tree list for the Town is and where it is located. Mayor West responded that the Town did not have a tree list and the Zoning and Sign Ordinances need work to make them more acceptable to the Council and meeting the Town's needs. This should be addressed by the Planning Commission after the Master Plan has been revised..

ADJOURN:

Mayor West called for a motion to adjourn the regular Council meeting. Lana Wagner made a motion which was seconded by Sheryl Jones, to adjourn the meeting. The meeting was adjourned with unanimous voice vote at 8:38 P.M. by Mayor West.

Respectfully submitted,

Matt Krimmer
Town Clerk/Manager