



**TOWN OF LARKSPUR
MINUTES OF THE
REGULAR COUNCIL MEETING
SEPTEMBER 17th, 2009**

MEETING CALLED TO ORDER: Mayor Sherilyn West called the meeting to order at 6:07 PM.

ROLL CALL:

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

PLEDGE OF ALLEGIANCE: Recited.

UNSCHEDULED PUBLIC APPEARANCES: None.

SCHEDULED PUBLIC APPEARANCES: None.

OTHER ATTENDEES: Lorelei LaFortune, Paul Erickson, Mr. & Mrs. Charles Hickey, Laura Kronick, Gary Abel, Dan Krueger, Mike Belsky

APPROVE MINUTES: August 20, September 3, 2009 regular meetings and September 3, 2009 public hearing

Kristin Cutbirth made a motion to approve minutes of the August 20, 2009 regular Council meeting. Joseph Jeske seconded the motion. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

Lana Wagner made a motion to approve minutes of the September 3, 2009 Bear View Campground public hearing. Kristin Cutbirth seconded the motion. A roll call vote was taken. Three (3) in favor, zero (0) against, two (2) abstentions Stephen Smith, Joseph Jeske); motion carried.

Kristin Cutbirth made a motion to approve minutes of the September 3, 2009 regular Council meeting. Lana Wagner seconded the motion. A roll call vote was taken. Three (3) in favor, zero (0) against, two (2) abstentions Stephen Smith, Joseph Jeske); motion carried.

FINANCIALS: Mayor West presented the financial statement and bills to be paid totaling \$53,483.93. Kristin Cutbirth asked about reimbursement from LFPD and costs associated with dumpsters.

Lana Wagner made a motion to approve payment of bills totaling \$53,483.93. Joseph Jeske seconded the motion. A roll call vote was taken. Five (5) 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. Mayor West noted that money is being saved on testing since we are no longer receiving effluent from CDOT rest areas.

NEWSLETTER: Mayor West presented the draft newsletter for October and noted that Park progress information would be added just before distribution to provide the latest updated information. Kristin Cutbirth suggested adding CERT training information. Lorelei LaFortune volunteered to provide information to be included.

ADVISORY BOARD REPORTS:

Parks and Recreation Board – Board meeting minutes for August 24, 2009 were provided. Matt briefly discussed the meeting of Sep 14. The next meeting scheduled for September 21 will be held at Fischer Enterprises due the Council public hearing at the Town Hall on the same date.

Lana Wagner officially notified the Mayor and Council of her unavailability to serve as liaison to the Parks and Recreation Board and tendered her resignation effective immediately. Mayor West asked for volunteers to replace Lana. Joe Jeske stated he would consider it.

Planning Commission – Matt informed Council of need for the Planning Commission to convene a public hearing to prepare a recommendation to Council on the Bear View minor plat. He also noted he had contacted Shannon Buss, Commission Chairperson, to inform the Commissioners and confirm a date and time. Council proposed the Commission hearing be held on Monday October 12, which is their regularly scheduled meeting date.

CONTINUING BUSINESS:

Enhancement Cost Tracking – Matt presented spreadsheets showing budget and expenditures to date for the GOCO park enhancement grant including the Town's matching funds. He explained the category breakdown, discussed the expenditures in each category, and noted the first three categories were nearing completion. Mayor West clarified the ability to move money between categories based on actual vs. estimated costs. Matt also noted additional grant funding will be pursued including the Gates Foundation and GOCO for Phases III through V.

Fischer Engineering and Installation Bid for Rooftops in Park – Matt Krimmer reintroduced the proposal from Bill Fischer for engineering and installing the two rooftops from the CDOT rest areas in the picnic area of the Town Park. Following a brief discussion Council agreed the two roofs would be a nice addition to the Park.

Kristin Cutbirth made a motion to accept Fischer Enterprises bid of \$6750.00 to engineer and install the two roofs acquired from CDOT for placement in the picnic area of the Town Park. Joseph Jeske seconded the motion. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

Placement of Historical Sign – Mayor West asked Council for comments regarding Park placement of the Larkspur Historical Society sign removed from the CDOT rest area. The Mayor presented a suggestion from Bill Fischer to place the sign near the concrete restroom behind the new parking areas where the pathways will intersect. Council agreed it was a suitable location and provides the most benefit for Park visitors. Lana Wagner suggested a walkway to the sign from the path be included.

NEW BUSINESS:

Road maintenance and snowplowing – Mayor West informed Council that two of the three contractors requested to provide bids for 2009-10 snow plowing for the Town declined. The third, Bill Fischer, submitted his bid the same as last year and asked the Council to consider a 2-3 year contract. This would allow him to buy a larger truck and blade which would reduce the time required to remove the snow. Scott Krob mentioned the Town was constrained by obligation of funds based on yearly budget approvals and could only commit funds on an annual basis. A three year contract could be awarded subject to annual funding approval. This would guarantee the work for three years with the understanding that full or partial funding may not be available. Council agreed to award a three year contract subject to annual renewal and funding approval. Mr. Fischer also agreed to have trucks on the road and sanding started earlier in the morning than last year and he would make sure that extra sand would be placed in appropriate locations including the mobile home park and the intersection of Spruce Mountain Road and Perry Park Avenue.

A motion to award a three year snow removal contract at \$2000 per month for five months (November-March) with monthly rollover hours subject to availability of funds from annual budgetary appropriations including an opt out by either side clause to Fischer Enterprises in the amount of \$10,000 was made by Lana Wagner. Joseph Jeske seconded the motion. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

Mountain States Employers Council (MSEC) membership – The Mayor notified Council the annual renewal of the contract with MSEC in the amount of \$1075 was approaching and requested Council begin thinking about continuing with the contract. The Mayor commented she did not think we got much from them this past year for the money spent. Scotty Krob asked about obtaining personnel policies based upon recent changes in the laws and suggested we consider using them for this purpose for one more year. Matt suggested inquiring of other municipalities regarding personnel policies and possibly adopting ones already developed but modified to meet Larkspurs needs. Mayor West asked Council to give it some thought for discussion at the next meeting

Budget for 2010 – The Mayor informed Council that her deadline to draft a budget and provide it to Council is October 15. A hearing date will need to be set in December for final approval in December. Items needing to be considered are town improvements and salaries. Other items are relatively standard. Also to be considered is paying off the sewer bond which was budgeted for in this year's budget. The benefit of payoff is opening up the opportunity to acquire more bonds if desired.

CDOT Wastewater Agreement revision – Scotty Krob explained the original agreement between CDOT and the Town. He has drafted an agreement termination document which will be sent to CDOT for finalization. Kristine Cutbirth asked about the accounting of the payments to the Town which she had requested several years ago and never received. Mayor West explained she attempted an accounting reconciliation with CDOT for several months without success. She believes the notification to CDOT of our intent to begin billing them is what triggered their decision to close the rest areas.

October Partnership Meeting hosting – Matt informed Council of the Town's turn to host the Douglas County Partnership meeting in October. He explained the hosting process and suggested holding the meeting at the Pony Expresso coffee shop. Mike Belsky will provide a bid and agreed to host and cater the meeting.

Lana Wagner made a motion to hold the Partnership meeting on October 21 at the Pony Expresso and have them provide breakfast for a cost not to exceed \$400.

Kristin Cutbirth seconded the motion. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

MANAGER'S REPORT: Matt presented problems with the dump gate and issues with D.C. Mechanical, Inc. regarding repairs, service call, and parts charges. The gate has over 50 mechanical and electronic component parts which could malfunction and repairs to one does not extend warranty coverage to others. Therefore each time there has been a malfunction D.C. Mechanical finds something else causing the problem and we pay full service charges.

Matt suggested other gate options be considered along with finding a solution to allowing town businesses and non-town residents to use the dump for a fee. Mayor West mentioned we were getting information on security cameras, real and dummy. She also raised the possibility of operating the existing gate in a different manner. Keypad and padlock options were discussed. No conclusions were reached and additional information gathering will continue.

Matt requested Council begin thinking about new Park fees for using the Park and informed Council of the Larkspur Dolphins Little League teams request to improve the ball field to meet little league standards in order for them to play league games. This could also be a revenue generating opportunity for the Town. The coaches will be making a presentation to the Parks and Recreation Board at the next meeting. Matt also mentioned Parks and Recreation Board investigating corporate sponsorships for recreation projects.

Council Member Stephen Smith asked about status of the trail project. Matt explained he had received a proposal from a company to perform all the State required engineering and

obtain all the required permitting for the trail. He has not had the opportunity to review the proposal as yet but will attempt to complete that action in the next two to three weeks. In that regard Matt mentioned that the trailhead property acquired from Douglas County was to be zoned agricultural and upon reviewing our Ordinance found that agricultural property has to be one acre or larger. The trailhead property is less than one acre. Several options to consider are changing our Ordinance to allow agricultural zoning for less than one acre, creating a PD for the site, or creating a new zone district for “open space”. Council will consider options for further discussion.

MAYOR’S COMMENTS: Open Space zoning covered in Managers comments.

COUNCIL COMMENTS: Scott Krob recommended Council think about medical marijuana dispensaries which are appearing in municipalities throughout the State and suggested enacting a moratorium Ordinance until Council has time to address requirements for permitting medical marijuana dispensaries in Town. This item will be discussed further at next meeting.

Kristin Cutbirth mentioned the water meter pit issue at the Larkspur Liquor Store and commented the Town needed to resolve ownership and financial responsibilities with the owners. Mayor West provided Council with background on the problem. The issue is who is responsible for location and repairs of the meter pit, the owner or the Town. Mayor West is putting together an information packet for the Council to review and make a determination.

ADJOURN: Lana Wagner made a motion to adjourn the Council meeting. Stephen Smith seconded the motion. Motion carried by unanimous voice vote, five (5) in favor, zero (0) against.

Mayor West adjourned the Council meeting at 7:53 PM.

Respectfully submitted,

Matt Krimmer
Town Clerk/Manager