



REGULAR TOWN COUNCIL MEETING

September 21, 2023 at 6pm

Town Hall, 8720 Spruce Mountain Road, Larkspur, CO 80118

MINUTES

VIRTUAL MEETING LINK: <https://us02web.zoom.us/j/89009909048>

Meeting ID: 890 0990 9048

One tap mobile

+17193594580,,89009909048# US

+13462487799,,89009909048# US (Houston)

Find your local number: <https://us02web.zoom.us/j/89009909048>

1. CALL TO ORDER / ROLL CALL

	Present	Absent
Mayor Sherilyn West	<u>X</u>	<u> </u>
Mayor Pro-Tem Sandy McKeown	<u>X</u>	<u> </u>
Ruth Ann Arfsten	<u>X</u>	<u> </u>
Chelsea Dey	<u>X</u>	<u> </u>
Mindy Kazurova	<u>X</u>	<u> </u>
Isaac Levy	<u>X</u>	<u> </u>
Lynn Pfaff	<u>X</u>	<u> </u>

2. PLEDGE OF ALLEGIANCE

3. TOWN CLERK BRUCE BUCCIO OATH

AUDIO TIME STAMP: 00:02:45

4. APPROVE AGENDA

- September 21, 2023 Regular Meeting

MOTION: Mindy Kazurova made a motion to approve the regular meeting agenda for September 21, 2023. Sandy McKeown seconded the motion. No discussion. Seven (7) ayes, zero (0) opposed. Motion passed.

AUDIO TIME STAMP: 00:03:17

5. APPROVE MINUTES

- September 6, 2023 Special Meeting

MOTION: Mindy Kazurova made a motion to approve the special meeting minutes from September 6, 2023. Chelsea Dey seconded the motion. No discussion. Six (6) ayes, zero (0) opposed, One (1) abstained – Lynn Pfaff. Motion passed.

AUDIO TIME STAMP: 00:03:57

Posted: 10-03-2023 by BB

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- September 7, 2023 Regular Meeting

MOTION: Mindy Kazurova made a motion to approve the regular meeting minutes from September 7, 2023. Lynhn Pfaff seconded the motion. Discussion on Cabins Lease Pro-ration. Amend all cabin leases same calendar year between Oct 1 and Sept 30, and correction Mindy Kazurova arrived at 6:02pm. Six (6) ayes, zero (0) opposed One (1) Abstained - Isaac Levy. Motion passed.

AUDIO TIME STAMP: 00:06:18

- September 14, 2023 Joint Special Council and Planning Commission Meeting

MOTION: Ruth Ann Arfsten made a motion to approve the special joint meeting minutes from September 14, 2023. Mindy Kazurova seconded the motion. No discussion. Seven (7) ayes, zero (0) opposed. Motion passed.

AUDIO TIME STAMP: 00:07:21

6. SCHEDULED PUBLIC APPEARANCES (10 Minute Limit)

- Bill Fischer out of town – no show.

7. ACCOUNTING REPORT

- Payroll Report

8. ADVISORY BOARD REPORTS

- No update

9. ACCOUNTING REPORT

- Payroll Report – no comment
- General Fund – Including Road and Bridge and Park

MOTION: Isaac Levy made a motion to approve the General Fund in the amount of \$50,571.29. Mindy Kazurova seconded the motion. Discussion surrounding park breezeways, location of invoice, Adams Automotive, library signage on gate, landscape architect, and staff lunches. Six (6) ayes, One (1) opposed - Ruth Ann Arfsten. Motion passed.

AUDIO TIME STAMP: 00:17:30

- Water & Sewer Fund

MOTION: Mindy Kazurova made a motion to approve the Water and Sewer Fund in the amount of \$26,874.75. Lynn Pfaff seconded the motion. Discussion surrounding question for Vendor if we are good with replacement parts. The mayor shared there will be an inventory available. Question regarding Water System Treatment Plant and Mayor responded paperwork compliance enforcement order, GMS fills and goes against grant code Seven (7) ayes, zero (0) opposed. Motion passed.

AUDIO TIME STAMP: 00:21:12

10. ADVISORY BOARD REPORTS

- Planning Commission – Appoint Secretary

MOTION: Sandy McKeown made a motion to appoint Shasta Thompson as Secretary for the Planning

Commission. Mindy Kazurova seconded the motion. No Discussion. Seven (7) ayes, zero (0) opposed. Motion passed.

AUDIO TIME STAMP: 00:27:15

- Planning Commission – Appoint Council Liaison

MOTION: Isaac Levy made a motion to approve Sandy McKeown as a Liaison to Planning Commission. Mindy Kazurova seconded the motion. No Discussion. Seven (7) ayes, zero (0) opposed. Motion passed.

AUDIO TIME STAMP: 00:27:20

- Water & Sewer Board – New Liaison needed.
- Parks & Rec Board – Mindy Kazurova, Council Liaison
 - Randy made notes. Had a meeting with Randy and reviewed the minutes. Debbie Fischer sent out minutes.
- Board of Adjustments – Appoint Shasta Thomspson Secretary

MOTION: Sandy McKeown made a motion to approve the Appointment. Isaac Levy seconded the motion. No Discussion. Seven (7) ayes, zero (0) opposed. Motion passed.

AUDIO TIME STAMP: 00:31:12

11. ONGOING CONTINUING BUSINESS

- Sidewalk Project – Bid in form regarding easement. Pasha Kazmer needs to review plans.
- Concession Stand – Water Line.
 - Lease revision made to be more compliant to Colorado Law.
 - Revisit with Ron to review and assess his and our needs.
 - Mindy Kazurova spoke with Bill Fischer and James Stockstill regarding adding breeze in place of grass if necessary for picnic tables.
 - The council made a request for review of the revised lease. Mayor stated Ron Keyes has Covid.
 - Mindy Kazurova broached the topic of the need for a Planning Commission review and potentially a Site Plan review. She would like an opportunity to review. She added she would like to see more engagement overall with the Planning Commission and a more formal process put in place to support the Town's overall mission.

12. NEW BUSINESS

- Semocor Report – Vendor not available

13. CONSTRUCTION & DEVELOPMENT PROJECTS

- 9138 Spruce Mountain Road – in progress; waiting on site plan items.
 - Ruth Ann Arfsten questioned what the status of the application is. It was further questioned if 270 Days to expire from submission? The attorney responded that extension can be requested once there is a completed site plan.
- Travel Center – no update
- Jellystone – no update

- 9181 Spruce Mountain Road – Land use application submitted.
 - Mayor stated the Corner Market Country Store has submitted a site plan. A question arose if it should be submitted to a Planner for approval. The attorney surmised that a code change is feasible. The planner approves the need, and more language would be required for a Planning Commission and Town Council engagement.
 - Isaac Levy stated that some wording in code may be all that is necessary to support the need.
 - Mayor provided an example with Jellystone use of Planner and commission / council processing because of its annexation agreement.
 - Attorney stated can put whatever triggers for town needs.
 - Mayor stated site plans code drafts are available.
 - The attorney stated to have the Planning Commission to review.
 - Isaac Levy requested next meetings for review of attorney notes.
 - Mayor stated Land Use Application is current.
 - The attorney stated the council cannot change the code for current applications.
- Fox Farm – requested Planner.
 - Sandy McKeown requests a planner.
 - The attorney stated only by obligation.
 - Sandy McKeown repeated the need for planner.
 - Mayor stated we have not followed the site plan code regarding approval for 40 years, but we will now.

14. LEGAL UPDATE

- **Executive Session**

MOTION: Sandy McKeown made a motion to go into an Executive Session, for a conference with the town attorney for the purpose of receiving legal advice on specific legal questions related to the town planner's August 21, 2023 report regarding the proposed travel center, under C.R.S. Section 24-6-402(4)(b). Isaac Levy seconded the motion. The attorney stated a $\frac{3}{4}$ majority vote is required. Seven (7) ayes, zero (0) opposed. Motion passed.

AUDIO TIME STAMP: 00:57:35

- Scott Krob stated,
The Town Council completed an executive session. The scope of the discussion in the executive session was within the scope of the statute, and I was also present throughout, so they are subject to the attorney client privilege.

MOTION: Mindy Kazurova made a motion to wave the attorney client privilege to the memo presented by Scott Krob to the Town Council during the executive session on September 21, 2023. Isaac Levy seconded the motion. No discussion. Seven (7) ayes, zero (0) opposed. Motion passed.

AUDIO TIME STAMP Part II: 00:01:52

15. STAFF COMMENTS

- **None**

16. MAYOR'S REPORT

- Comcast Franchise agreement was renewed from 5 years to a 10-year agreement. The attorney

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looked over the agreement.

17. COUNCIL COMMENTS

- Ruth Ann Arfsten noted Patriot's Day.
- Sandy McKeown relayed Project Service Day Community Project and cleaned up the creek. Planned well in advance though noted Newsletter on Saturday was a day late.
- Mindy Kazurova considers volunteering for Advisory Committee.
- Chelsea Dey opined on the webinar and extended responsibility needs assessment and to fill the survey to those interested.

18. UNSCHEDULED PUBLIC APPEARANCES (Per Resolution 2022-27, each person will have 3 minutes to speak. If there are more than 15 people signed up to speak, the time limit may be lowered to 90 seconds per person.)

- Sharron Sacks was surprised there was no mention of the Travel Center. Mayor responded with update of referral process and in third stage.
- Jen Dotzenroth made a mention on public displeasure.

19. ADJOURN

MOTION: Isaac Levy made a motion to adjourn. Mindy Kazurova seconded the motion. No discussion. Seven (7) ayes, zero (0) opposed. Motion passed.

AUDIO TIME STAMP Part II: 00:17:06