



**REGULAR COUNCIL MEETING**

Town Hall  
8720 Spruce Mountain Road  
Larkspur, Colorado 80118

**April 2, 2020**

6:00 PM

**Meeting Minutes**

*Pursuant to the emergency declaration all Town Council members, including the Mayor, and Town Clerk shall be attending the meeting by telephone and members of the public shall have the ability to attend and monitor the meeting by telephone as well.*

Join Zoom Meeting

<https://zoom.us/j/286123716>

Call In

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+1 646 558 8656

+1 253 215 8782

+1 301 715 8592

+1 312 626 6799

Meeting ID: 286 123 716

**Please mute your phone by pressing “\*6.” Everyone wishing to speak will be afforded the opportunity to do so. Please come prepared with your statements. The public will be allowed to speak during public comment only.**

**I. MEETING CALLED TO ORDER/ROLL CALL:**

Mayor Marvin Cardenas: Present  
Mayor Pro-Tem Paul Bowers: Present  
Shannon Buss: Present  
Jennell Waggle: Present  
Brian Cook: Present  
Sandy McKeown: Present  
Isaac Levy: Present

**II. PLEDGE OF ALLEGIANCE: Recited**

**MOTION TO APPROVE AGENDA:** Council Member Shannon Buss motioned to approve the April 2<sup>nd</sup> Regular Town Council Meeting Agenda. Council Member Isaac Levy seconded the motion. In a six (6) approved, zero (0)

**Posted: 04-01-20 NLH**

**opposed roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED**

**III. SCHEDULED PUBLIC APPEARANCES:** (10 min limit) No one available for scheduled public appearance.

**IV. UNSCHEDULED PUBLIC APPEARANCES:** (3 min limit): No one noted their desire to speak for unscheduled public appearance

**V. MOTION TO APPROVE MINUTES:** (1825-1830)

- Meeting Minutes-March 19, 2020 Draft  
**Council Member Shannon Buss motioned to approve the Town Council Meeting Minutes for March 19, 2020. Council Member Sandy McKeown seconded the motion. In a six (6) approved, zero (0) opposed roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**

**VI. ACCOUNTING:** (1830-1845) Heather McCumiskey

- Financial Update: The Accounting Manager gave an update on the current status of the bank account information. The expenses from both the general fund and the water and sewer fund for the month of march was presented to the Council. The COVID19 update was given in what would be covered by FEMA for expenditures and it was noted that, at this time, revenue loss as a result of the COVID19 is not being compensated. She is hopeful that funding will eventually be coming with and the Town of Larkspur will be added to the State priority list because of the Town's income level. USDA programs are being researched. She is working on getting answers for debt and loan options for deferring loan and lease payments. If the town does not receive any additional funding, the town will have to deplete their reserves, but will have enough to sustain activity through the following year. Council Member Brian Cook voiced his concern about the town being dissolved by the county if the town ran out of money. The Accounting Manager confirmed that it would be highly unlikely for the county to absorb the town because the town currently has debt. Shannon Buss stated the elections and an active governing body will ensure that the town will not be absorbed. Town Council wanted Heather to clarify one more time. Isaac Levy asked about the authority that was guiding Heather in this answer. Mayor Marvin Cardenas does not believe that the town is in any danger of dissolving. Former Mayor Gerry Bean feels that the town will never be absorbed unless the governing body just gives up.
- Bills to Pay
  - ✓ General Fund
  - ✓ Council Member Shannon Buss asked about the credit card charges that appeared in Lyons and Pueblo. Further discussion took place over the charges that came down within the last 24 hours.
  - ✓ Council Member Shannon Buss motioned to approve the

**General Fund Operating Expenses for April 02, in the amount of \$18,558.71. Council Member Isaac Levy seconded the motion. In a six (6) approved to zero (0) opposed roll call vote, Mayor Marvin Cardenas affirmed, MOTION CARRIED.**

- ✓ Water & Sewer Fund
- ✓ The Mayor questioned the Wright Water Engineering final bill. The Accounting Manager gave clarification that this will be the final bill and a release of claims has been filed with the Town. Council Member Brian Cook wanted more of an explanation as to why we are still required to pay this bill.
- ✓ **Council Member Isaac Levy motioned to approve the Water and Sewer Fund Operating Expenses for \$2882.25. Council Member Shannon Buss seconded the motion. In a six (6) approved to zero (0) opposed roll call vote, Mayor Marvin Cardenas affirmed, MOTION CARRIED.**

#### **VII. COMMISSION & BOARD REPORTS: (1845-1855)**

- Planning Commission (PC) Report – Matias Cumsille, Chair. Matias noted that plans for Jellystone pool house and maintenance buildings were sent out. Four commissioners approved the plans. Noted that the metallic building on the south side is not in compliance with the design criteria. Proposals are being constructed. Matias noted that the Zoom platform is a great tool.
- Water & Sewer Board (W&S) Report – Tricia Bernhardt, Chair: None to report
- Parks & Recreation Board (P&R) Report – Randy Johnson, Chair: None to Report

#### **VIII. NEW BUSINESS: (1855-1920)**

- Missing Ordinances, Changes: Council Member Shannon Buss brought up the inconsistencies and possible missing ordinances from the Town Code and Charter. She also noted the different application inconsistencies for what is in town and what is on the website. Town Clerk mentioned that she would start working on cross referencing the ordinances for accuracy and what is referenced in the Charter.
- Commercial Water & Sewer Tap Fees Discussion: Council Member Brian Cook wanted to review commercial water and sewer tap fees. Discussion took place over reviewing the commercial tap fees. The water and sewer board should review this information and make a recommendation. The discussion was put off until the Town Council Workshop.
- Water and Sewer Billing for residents: Council Member Isaac Levy wants to waive the water and sewer fees for the next two months for all town residents. **Isaac Levy made the motion to waive the water and sewer bill for the town residents for two months for both April and May for \$62.50 per month.** Accounting Manager was questioned the

notion to waive the payments and the loss revenue and made the recommendation to defer the payments. Council Member Brian Cook noted that we could take it out of the general fund. Council Member Paul Bowers agrees that the bill should be waived and asked about the mobile home park landlord not charging them effectively. Mayor Marvin stated that she was willing to deduct the amount from their lot payment. Council Member Jenell Waggle asked about a hardship application. Council Sandy McKeown does not believe that this would be an expense that would be excepted although is in agreeance to waive the fee. **Paul Bowers Seconded the motion with the stipulation that legal counsel confirms the legality. In a six (6) to zero (0) roll call vote, Mayor Marvin Cardenas Affirmed the MOTION CARRIED.**

- Town Council Meeting plan discussion took place over having additional workshops between town meetings. All council members agreed that these workshops are needed during this time. A workshop for Thursday the 9<sup>th</sup> at 06:00 pm was announced.
- Appropriated funds received from Dumler's Fine Payment: the account is being set up for these funds. Mayor Marvin Cardenas noted that the funds had to be appropriate the funds accordingly.

#### **IX. CONSTRUCTION & DEVELOPMENT PROJECTS: (1920-1930)**

Decision on the Streetscape project: Update by Dorothy Hise

- Research on the Department of Transportation Safe to School Grant program produced information on a grant that will open in August 2020. My thought is that we could incorporate the main streetscape program (bike paths and walkways) into a sidewalks and bike paths that extend to the elementary school. I have spoken with some of the grant makers with transportation, and they agree it could work if written with a view toward safety and improved infrastructure.
- Dorothy provided a detailed update on her research and streetscape project and the grant that she believes the town can apply for. The Street Safe grant was noted as likely grant to go after in the fall. Dorothy will put together a proposal of what the grant will look like. Particulars are not known as the grant cycle is not open. She has been in contact with the organization overseeing the grant applications. Sandy McKeown wants to know if the town should proceed with UC Denver and will owe \$2,800 at the end of October with the plans being ready. Florence Burch made a comment about changing the town of Larkspur vision statement.

#### **X. CONTINUING BUSINESS: (1930-1935) None at this time**

#### **XI. TOWN CLERK UPDATE: (1935-1940) Natasha Holland**

- COVID19: Update on the town website and the new resources page that was created to help with providing resources to our community members. Town Clerk updated the Town Council with data on COVID19 daily activity and noted that the stay-at-home order has been working in slowing the spread of the virus and urged town members to continue following the orders and guidance.

- Renaissance Festival Update: Updated Council on the conversation that she had with the Darla Smith regarding the upcoming audit of the CRF vendors. It was recommended by Darla Smith that the town figures out how strongly the town wants to the town wants to proceed with the audit and penalties. Mayor Marvin Cardenas wants to take this to the workshop, Council Member Brian Cook agreed.

## **XII. MAYOR'S REPORT: (1945-1955)**

- Food deliveries: 44 packages were delivered to the community and was noted that this was a free service to the town.
- Mentioned that he got with Jennifer from mobile home regarding the resident water bill reduction
- Plans in place to work on getting the parking lot completed
- Liquor store owner is supposed to supply their employees with PPE
- Veterans Memorial Fund has voted to join in with Larkspur in raising funds for the memorial and are starting to set up bank accounts.
- Colorado Wildfire Protection Plan is in the works and is about halfway completed.
- Weekly Friday's Mayor's reports should be expected.
- Effective Governance Policy was provided for their review. Put off for the workshop.

## **XIII. COUNCIL COMMENTS: (1955-2000)**

Council Member Brian Cook: No Comment

Council Member Sandy McKeown: wanted to know about the Ordinance enforcement follow up. The Mayor noted that we need to make an IG with the courts or have a municipal government court set up. Sandy questioned about Lee Staab's agreement to work with the town. Mayor Marvin Cardenas noted the communication he has had from the Colonel. Further discussion took place over the issue. It was suggested that this be a topic at the next workshop.

Council Member Isaac Levy: noted that he will be reaching out to Colonel Lee Staab

Council Member Jennell Waggle: No Comment

Council Member Paul Bowers: noted the executive session regarding personnel. The mayor clarified the procedure that there would not need to be an executive session.

Council Member Shannon Buss: No comment

## **XIV. ADJOURN: (2010). Council Member Sandy McKeown made the motion to adjourn. Council Member Paul Bowers seconded the motion to adjourn. All ayes, the MOTION CARRIED, Meeting Adjourned.**

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Town Council meetings can be adjusted plus or minus 15 minutes from the timelines outlined within the Agenda.





To:

[DATE]

[Vender Name]

[Business Name]

[Address]

From:

Town Clerk

Town of Larkspur

8720 Spruce Mountain Rd

Larkspur CO, 80118

Dear (NAME),

This letter is to inform you that you have been selected for a Sales Tax Audit in accordance with the Larkspur Municipal Code Sec. 4-2-90. For the purpose of ascertaining the correct amount of tax owed, the Town is requesting the following documents to be submitted for review.

1. Copies of all sales transactions (i.e. Credit card, cash, electronic and check receipts) that took place during the 2019 Renaissance Festival
2. Copies of any relevant books, accounts and records obtained during the 2019 Renaissance Festival

[Business Name] has 45 days from the date of this letter to submit requested records. The Town Clerk can request additional documents, at a later date, required to ascertain the correct amount of tax owed and will do so in writing. A Notice of Assessment will be provided upon completion of the Audit (Larkspur Municipal Code Sec. 4-3-660).

Since this is the first year the town will begin conducting a sales tax audit, the town will not apply penalties and interest (outlined in the Larkspur Municipal Code 4-3-640, 4-3-650) for non-compliance and will request only the remaining amount due to the town, should any discrepancy exist. However, failure to comply with this audit request, in a timely manner, could result in a revocation of your sales tax license, further legal action and payment of penalties and interest.

Please contact the Town Clerk's Office for any questions at 303.681.2324. We look forward to working with you through this new process.

---

Natasha Holland

Town Clerk

Town of Larkspur

8720 Spruce Mountain Rd.

Larkspur, CO 80118







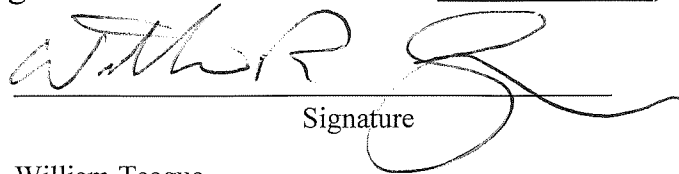
## OATH OF OFFICE

STATE OF COLORADO

County of Douglas

Town of Larkspur

I, **William Teague**, do solemnly swear that I will support the Constitution of the United States, the Constitution and laws of the State of Colorado, and all local ordinances, and that I will faithfully and impartially perform and discharge the duties of the office of Town Council, according to the law and the best of my ability.



Signature

William Teague  
Printed Name

Subscribed and sworn to before me on this 16th day of  
April 2020.

Natasha Holland  
Official Administering Oath

Town Clerk of the Town of Larkspur  
Title

8720 Spruce Mountain Road, Larkspur, Colorado 80118  
Address



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<p style="text-align: center;"><b>Town of Larkspur</b>  <b>A/P Detail Check Register for General Fund Operating for 04/16/20</b></p>
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4178	BLACK HILLS ENERGY	March 2020 Monthly Charge #3471814545	79.32
4179	CENTURY LINK	Invoices 03282020, 03282020	163.41
4180	COMCAST	Invoices 04042020-599, 04042020-607	545.57
4181	CONOCO FLEET SERVICES	Acct# 0203-00-107044-0 Gas for Town Equipment	275.00
4182	DARS Supply, Inc	Invoices 46396, 4642	149.54
4183	FRONTIER COMMUNICATIONS CORP	Ricoh Printer Lease March 2020	155.00
4184	INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION	Invoices 04062020, 04062020, 04062020, 04062020, 04062020, 04062020, 04062020	610.70
ACH	GUSTOTEK	Surveillance Equipment Reimbursement	259.78
4185	MUNICODE	Municipal Code Supplemental Pages	1,041.93
4186	STANLEY CONVERGENT SECURITY SOLUTIONS, INC.	Maintenance Charges 5/1/20-5/31/20	97.05
4187	The Rock Parts Company	Battery for Town Truck	303.98
4188	VERIZON	Monthly Charges For Electric Sign At Town Hall March 2020	40.01
<b>Total for Check Run:</b>			<b>3,721.29</b>

<p style="text-align: center;"><b>Town of Larkspur</b> <b>A/P Detail Check Register for Water &amp; Sewer Operating for 04/16/20</b></p>
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1544	BLACK HILLS ENERGY	March 2020 Monthly Charge #5795822549	362.45
1547	SEMOCOR, INC.	March 2020 Monthly Contract, Meter Readings, Water & Sewer Repairs	8,830.00
1545	DPC INDUSTRIES	Chlorine 150# CYL	20.00
1546	INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION	Invoices 04062020, 04062020, 04062020, 04062020, 04062020, 04062020, 04062020	3,260.23

**Total for Check Run:**

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**12,472.68**

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**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LARKSPUR CONSENTING TO THE ORDER OF EXTENDING THE LOCAL DISASTER EMERGENCY IN AND FOR THE TOWN OF LARKSPUR, COLORADO**

WHEREAS, the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.* (the "Act"), provides procedures for statewide and local prevention of, preparation for, response to, and recovery from disasters and emergencies; and

WHEREAS, pursuant to the Act, an "emergency" is an unexpected event that places life or property in danger and requires an immediate response through the use of state and community resources and procedures, and an "emergency epidemic" is cases of an illness or condition, communicable or noncommunicable, caused by bioterrorism, pandemic influenza, or novel and highly fatal infectious agents or biological toxins; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709, a local disaster emergency may be declared "only by the principal executive officer of a political subdivision," here, the Mayor; and

WHEREAS, pursuant to the Larkspur Municipal Code (the "Code"), Section 12.05, the Mayor assumes the authority to execute any action necessary for the protection of life and property and may establish regulations governing conduct and activities related to the cause of the emergency; and

WHEREAS, on March 16, 2020, the Mayor did issue an order declaring a local disaster emergency, and;

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), the declaration of a local emergency shall not be continued or renewed for a period in excess of 7 days except by or with the consent of Town Council; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), any order declaring, continuing, or terminating a local disaster emergency shall be given prompt and general publicity and shall be filed promptly with the Town Clerk, the County Clerk and with the state office of emergency management; and

WHEREAS, immediately after it was issued, the attached order was given prompt and general publicity, was filed with the Town Clerk, the Douglas County Clerk and Recorder and Douglas County Board of County Commissioners, and was submitted to the Colorado Office of Emergency Management; and

WHEREAS, the town voted to approve Resolution 2020-09, a resolution to declare the Disaster Emergency for the Town of Larkspur on March 19, 2020, which is set to expire on April 16, 2020; and

WHEREAS, the COVID19 epidemic has continued and Colorado Governor Jared Polis has extended the Public Health Order 20-24 through April 26<sup>th</sup>, 2020; and

WHEREAS, the requirement to practice social distancing and state guidelines in conducting town business remains in place with the expectation that a slow reopening will begin after April 26, 2020.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LARKSPUR, COLORADO, AS FOLLOWS:**

Section 1. The Town Council hereby consents to and supports the extending of the Order Declaring a Local Disaster Emergency in and for the Town of Larkspur, Colorado.

Section 2. The Town Council hereby extends the Order Declaring a Local Disaster Emergency in and for the Town of Larkspur, Colorado until May 14th, 2020, unless sooner terminated by action of the Town Council, at which time the Order may be extended by action of the Town Council.

Section 3. This Resolution shall be given prompt and general publicity, filed with the Town Clerk and the Douglas County Clerk and Recorder and Douglas County Board of County Commissioners, and submitted to the Colorado Office of Emergency Management.

**INTRODUCED, PASSED AND ADOPTED AT A SPECIAL MEETING OF THE TOWN COUNCIL OF THE TOWN OF LARKSPUR THIS 19TH DAY OF MARCH 2020.**

Votes Approved: \_\_\_\_\_  
Votes Opposed: \_\_\_\_\_  
Abstained: \_\_\_\_\_  
Absent: \_\_\_\_\_

**ATTEST:**

**TOWN COUNCIL OF THE  
TOWN OF LARKSPUR, COLORADO**

\_\_\_\_\_  
Natasha Holland  
Town Clerk

\_\_\_\_\_  
Marvin Cardenas  
Mayor

**From:** Louis Gresh <[louis.gresh@icloud.com](mailto:louis.gresh@icloud.com)>  
**Sent:** Wednesday, April 15, 2020 2:15:57 PM  
**To:** Marvin Cardenas <[mcardenas@townoflarkspur.org](mailto:mcardenas@townoflarkspur.org)>  
**Subject:** Town of Larkspur Municipal Judge

Your Honor:

I would be pleased to act as your municipal judge.

My contract with Castle Pines is for \$500 per month. That is for one session per month. My contract with Lochbuie is \$600. per month for one session per month. Just to give you an idea of rates. I charge small towns a reduced rate than larger towns. For example my contract with Castle Rock is \$28,000 a year for four sessions a month. Fort Lupton \$18,000 a year for four sessions a month. City of Centennial \$44,000 a year for six sessions a month. City of Lone Tree averages about \$24,000 a year but is based on an hourly rate of \$250 a session then \$125 an hour that after 2 hours. The sessions vary from several hours for the small courts to full days for the large courts that is why there is a difference in contract amounts. I would start Larkspur as a small court at \$500 a month.

Larkspur used to have an IGA with Castle Rock for the use of the Castle Rock courtroom. I don't know if that is still in effect.

Many years ago Larkspur reduced my monthly fee to \$1 a month. The town never paid. I never pursued as I viewed the position as ceremonial. Any past fees are vacated.

You will need a clerk of court and a prosecutor to run the court. The City of Castle Pines contracts with a court clerk of Castle Rock for court services and with the Castle Rock Prosecutor for court services.

All towns that I work for treat me as a 1099 IRS employee.

I would be glad to assist your Town.

If you would like to meet in person please give me a call at my direct line 303-915-1345 or e-mail me at this address. [louis.gresh@comcast.net](mailto:louis.gresh@comcast.net)

Thank you

Sent from my iPhone

ORDINANCE NO. 4.15

AN ORDINANCE APPOINTING A MUNICIPAL COURT JUDGE  
FOR THE TOWN OF LARKSPUR, COLORADO

BE IT ORDAINED by the Town Council of the Town of Larkspur,  
Colorado as follows:

1. Louis A. Gresh was previously appointed to serve as  
Municipal Court Judge for a three-year term, which shall expire  
on March 17, 1990.
2. Louis A. Gresh is hereby re-appointed to serve a term  
of three years commencing upon March 18, 1990.
3. The compensation for the Municipal Court Judge shall be  
the sum of \$480.00 per year payable in monthly installments of  
\$40.00 each.

Introduced as an ordinance at a regular meeting of the Town  
Council of the Town of Larkspur, Colorado, on the 14th day of  
March, 1990, and passed by a vote of 7 for, 0 against, and  
0 abstentions, and ordered published.

Spike Buntz  
Mayor

ATTEST:

Cheryl Fitzgerald  
Town Clerk

Publication Date: March 23, 1990

I hereby certify that the within Ordinance No. 4.15 was  
published on the 23rd day of March, 1990, in the Douglas  
County News-Press, the newspaper of general circulation published  
in the County of Douglas, State of Colorado; and I further  
certify that the within Ordinance No. 4.15 was posted on the  
bulletin board at the Town Hall of the Town of Larkspur from  
March 15, 1990 to April 11, 1990.

Cheryl Fitzgerald  
Town Clerk