



Town of Green Mountain Falls

Regular Board of Trustee Meeting Agenda

10615 Green Mountain Falls Road

7:00 p.m.

Tuesday, May 15, 2018

7:00 p.m. Workshop for the purpose of receiving citizen input on Ordinance No. 2018-02, An Ordinance Amending Article IV, Chapter 6 of the Green Mountain Falls Municipal Code to Require Licensing of Mobile Food Vendors

Regular Meeting is to begin immediately following the workshop:

1. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE
2. ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA
3. CONSENT AGENDA
 - a. Approve Board of Trustees Meeting Minutes of May 1, 2018
 - b. Bring Into Record Bills Run May 14, 2018 (to be provided at the meeting)
4. NEW BUSINESS
 - a. Consideration of Award of Contract for Comprehensive Plan Services and Authorize mayor to Sign Such Contract
 - b. Second Reading, Public Hearing, and Consideration of Final Adoption, Ordinance No. 2018-01, An Ordinance Adopting By Reference The 2017 Pikes Peak Regional Building Code And Amending Sections 18-1 And 18-5 Of The Green Mountain Falls Municipal Code Accordingly
 - c. Consideration of Resolution No. 2018-05, A Resolution of the Town of Green Mountain Falls Colorado Designating the Official Public Notice Posting Place
 - d. Consideration of Whether To Exercise Interim Town Manager Professional Services Extension Option
5. OLD BUSINESS
6. PUBLIC INPUT: 3 Minutes per speaker
7. CORRESPONDENCE
 - a. Planning Commission Minutes April 30, 2018
8. REPORTS
 - a. Trustees
 - b. Town Manager
 - c. Town Clerk
 - d. Marshal
9. ADJOURN

TOWN OF GREEN MOUNTAIN FALLS

ORDINANCE NO. 2018-02

AN ORDINANCE AMENDING ARTICLE IV, CHAPTER 6 OF THE GREEN MOUNTAIN FALLS MUNICIPAL CODE TO REQUIRE LICENSING OF MOBILE FOOD VENDORS

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO:

Section 1. Article IV, Chapter 6 of the Green Mountain Falls Municipal Code is hereby repealed and reenacted to read as follows:

ARTICLE IV – Mobile food vendors, Peddlers, and Solicitors

Sec. 6-101. – Mobile food vendors, peddlers, and solicitors licensed.

It shall be unlawful for any mobile food vendor, solicitor, or peddler as defined herein to engage in such business within the corporate limits of the Town without first obtaining a license therefor in compliance with this Code. It shall be unlawful for a mobile food vendor to operate on public property unless in association with a Town-approved special event. A mobile food vendor license shall be issued for operation solely on private property with authorization of the landowner.

Sec. 6-102 – Definitions.

Whenever used in this Article, the words hereinafter defined shall, unless the context requires other uses, be deemed to have the following meanings:

- (1) *Mobile food vendor* means a retail food establishment, designed and equipped to prepare or serve food, which is readily movable, typically as a motorized or towed vehicle.
- (2) *Peddler* means any person, whether a resident of the Town or not, who shall sell and deliver or offer for sale to consumers any goods, wares, merchandise, fruits, vegetables or country produce, traveling from place to place, from house to house or from street to street, who shall sell or offer for sale and delivery any goods or other such articles while traveling on foot, by vehicle or any other type of conveyance.
- (3) *Solicitor* means any person, whether a resident of the Town or not, traveling either by foot, vehicle or any other type of conveyance from place to place, from house to house or from street to street, taking or attempting to take orders for sale of goods, wares, merchandise or personal property of any nature whatsoever for future delivery, or for services to be performed or furnished in the future, whether or not such person has, carries or exposes for sale a sample of the subject of such

sale or whether he or she is collecting advance payments on such sales or not.

Sec. 6-103. – Application for a license.

(a) Applicants for a solicitor's or peddler's license shall file with the Town Clerk at least five (5) days prior to the date upon which the applicant desires to begin his or her business a sworn application in writing on a form to be furnished by the Town Clerk, which shall give the following information:

- (1) Name and description of the applicant;
- (2) The permanent home address and full local address of the applicant;
- (3) A brief description of the nature of the business and goods shown for sale or for future delivery;
- (4) If employed, the name, address and phone number of the employer, together with credentials establishing the exact relationship between the employer and employee;
- (5) The length of time for which the right to do business is desired; and
- (6) Two (2) identical photographs of the applicant which reasonably identify the applicant; such photographs to measure two (2) inches by two (2) inches.

(b) Applicants for a mobile food vendor's license shall file with the Town Clerk at least five (5) days prior to the date upon which the applicant desires to begin operation in the Town a sworn application in writing on a form to be furnished by the Town Clerk, which shall give the following information:

- (1) Name and description of the mobile food vendor;
- (2) The local address for the mobile food vendor applicant;
- (3) The length of time for which the right to do business is desired;
- (4) Proposed location and hours of operation for the mobile food vendor;
- (5) Proof of permission to operate on the proposed site;
- (5) A proposed refuse control plan, including a wastewater disposal plan; and
- (6) Proof of compliance with all applicable state regulations and health department licensing.

Sec. 6-104. – Investigation and issuance of license.

(a) For peddlers and solicitor applications, the following procedure shall be followed:

- (1) Upon receipt of such application, an investigation shall be conducted at the direction of the Town Clerk to determine the applicant's business and whether such application is truly for a legitimate business purpose and whether, considering all circumstances, the granting of the license will not threaten the health, safety and welfare of the Town.
- (2) If, as a result of such investigation, it is discovered that the applicant is not intending to use the license for a legitimate business purpose or the granting of the license will threaten the health, safety and welfare of the Town, then the Town Clerk shall notify the applicant of the disapproval of such application and that no license will be issued thereunder, giving the reasons therefor.
- (3) If, as a result of such investigation, the application is found to be satisfactory, the Town Clerk shall endorse the same on the application and, upon receipt of the necessary fees as set forth hereafter, shall execute and deliver to the applicant a license to carry on such business within the corporate limits of the Town for a period, not exceeding thirty (30) days, except as hereinafter set forth.
- (4) The license so issued to a successful applicant shall contain the signature and seal of the issuing officer, the type of license issued, the kind of goods to be sold thereunder, the date of issuance, the expiration date thereof and a two (2) inch by two (2) inch photograph of the applicant.

(b) For mobile vending applications, the following procedure shall be followed:

- (1) The Town Clerk shall investigate and determine whether the requirements for mobile food vendors set forth in this Article have been met and whether issuance of the license will jeopardize the health, safety and welfare of the Town.
- (2) If, as a result of such investigation, the application is found to be satisfactory, the Town Clerk shall endorse the same on the application and, upon receipt of the necessary fees as set forth hereafter, shall execute and deliver to the applicant a license to operate a mobile vending operation within the corporate limits of the Town for a period of time, not exceeding one (1) year, subject to annual renewal.

Sec. 6-105. – License fee.

The license fee, which shall be charged in advance by the Town Clerk, shall be established by resolution of the Board of Trustees.

Sec. 6-107. - Revocation of license.

(a) Licenses issued hereunder may be revoked by the Board of Trustees, after notice and hearing, for any of the following causes:

- (1) Fraud, misrepresentation or false statement contained in the application for the license;
- (2) Any violation of this Code;
- (3) For peddlers and solicitors, fraud, misrepresentation or false statement made while carrying on his or her business or conviction of any crime or misdemeanor involving moral turpitude; or
- (4) Conducting the business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a threat to the health, safety or general welfare of the public.

(b) Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his or her local address as set forth in the application at least five (5) days prior to the date set for the hearing.

Sec. 6-108. - Appeal.

Any person aggrieved by the action of the Police or the Town Clerk in the denial of a license or the suspension of the same shall have the right to appeal to the Board of Trustees. Such appeal shall be filed within fourteen (14) days after notice of the action complained of has been mailed to such person's last known address, by means of a written statement setting forth fully the grounds for the appeal. The Board of Trustees shall set a time and a place for the hearing and shall give notice to the appellant in the same manner as provided in Section 6-107(b). The decision of the Board of Trustees shall be final and conclusive, except as provided by the laws of the State.

Sec. 6-109. - Expiration of license.

All licenses issued under the provisions of this Article shall expire on the dates set forth thereon.

Section 2. Safety Clause. The Board of Trustees hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Green Mountain Falls, that it is promulgated for the health, safety and welfare of the public and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that this Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall become effective thirty (30) days after passage.

INTRODUCED AND ORDERED PUBLISHED the ____ day of _____, 2018, at the Green Mountain Falls Town Hall, 10615 Green Mountain Falls Road, Green Mountain Falls, Colorado.

ADOPTED AND ORDERED PUBLISHED the ____ day of _____, 2018.

Jane Newberry, Mayor

ATTEST:

Judy Egbert, Interim Town Clerk

APPROVED AS TO FORM:

Jeff Parker, Town Attorney

Published in the Pike Peaks Courier, _____2018.

TOWN OF GREEN MOUNTAIN FALLS
Regular Board of Trustee Meeting
May 1, 2018 – 7:45 P.M.

MEETING MINUTES

Board Members Present

Mayor Jane Newberry
Trustee David Pearlman
Trustee Cameron Thorne
Trustee Chris Quinn
Trustee Tyler Stevens

Board Members Absent

Town Attorney

Not present.

Public Works

Marshal's Dept.

Interim Town Manager

Jason Wells

Interim Town Clerk

Judy Egbert

NOTE: The meeting time was moved to 7:45 in order to meet the 24-hour standard for posting the agenda.

1. Call to Order/Roll Call/Pledge of Allegiance

Mayor Newberry called the meeting to order at 7:45 p.m. The Pledge of Allegiance was recited.

2. Additions, Deletions, or Corrections to the Agenda. None.

3. Consent Agenda

- a. **Approve Board of Trustees Meeting Minutes – Special Meeting April 21, 2018**
- b. **Bring into Record Bills Run**
 - 1. **April 12, 2018**
 - 2. **April 21, 2018, including supplemental list April 30, 2018**

A motion was made by Mayor Newberry and seconded by Trustee Pearlman to approve the Consent Agenda with the addition of the supplemental bills list. The motion carried unanimously.

It was later noted that the April 21 minutes should reflect Trustee Quinn rather than Butts as present and active in the meeting. Ms. Egbert will make the correction.

4. New Business

- a. **Consideration off Planning Commission Recommendation to Grant Revocable Permit – Lake Street Drainage Improvements, Green Box Arts, Applicant**

Mike Pennman presented the drawing to the Board, and submitted it to Mr. Wells.

Trustee Quinn moved and Trustee Stevens seconded a motion to approve the revocable permit as recommended by Planning Commission. The motion carried unanimously.

b. Natalie Johnson, School Board Member/GMF Liaison, Manitou Springs School District 14

Ms. Johnson invited the Board to an informal dinner on May 7 at 5:30 p.m. at the elementary school.

On a separate issue and in response to a question, Ms. Johnson noted that the District is not requesting any financial assistance at this time regarding the school security issue. The District simply wanted to be on record in reaching out to the Town.

c. Discussion and request for direction – Trustee vacancy process

The Board will revisit this issue at its May 15 meeting.

d. Consider Mayor Pro Tem appointment timing and process

The Board agreed by consensus to table action on this item until a full board is in place.

e. Discussion and request for direction – Committee appointments timing and process

Past action has been that this is done by resolution in January for the upcoming year. Because Trustee Cook was serving on the RTA and COG, this leaves a vacancy on those organizations.

Ann Esch had previously expressed interest in the Citizen Advisory Committee for the Council of Governments.

Trustee Stevens made a motion seconded by Trustee Pearlman to: 1) appoint Ann Esch to the Citizen Advisory Committees for both the Pikes Peak Area Council of Governments and the Pikes Peak Regional Transportation Authority; and 2) to appoint the Mayor and Mayor Pro Tem as Alternates to both positions. The motion carried unanimously.

f. Ordinance No. 2018-02, An Ordinance Amending Article IV, Chapter 6 of the Green Mountain Falls Municipal Code to Require Licensing of Mobile Food Vendors

The definitions were discussed. A correction is needed on page two, as there are two number fives under item b.

Trustees expressed interest in broadening the limitation of public property being allowed only for events. Perhaps this could be allowed by a revocable permit.

A motion was made by Trustee Thorne and seconded by Trustee Stevens to set a work session for May 15 at 6:30 p.m., with a public hearing at the June 5 meeting. The motion was amended to state that the work session be set for 7:00 p.m. on May 15, with the regular meeting starting immediately following that work session; and that the ordinance be posted to the website.

On discussion, a citizen noted that the definition is vague; and that he is concerned with health risks.

On discussion, the Board noted that the reference of “local address” should be defined.

The Mayor called for the vote and the motion carried unanimously.

5. Old Business None.

6. Public Input – 3 Minutes Per Speaker

Tom Hughes gave an update on the repairs underway on the island. Boulders are being repurposed for use elsewhere.

Danny – offered help for Chipper Day. The event is scheduled from 9:00 to 3:00 May 5, 2018

Don Vsetecka spoke of concern about a gas meter and fire hydrant near his property, and asked if a barrier could be put up to protect it. Trustee Stevens pointed out that both are property of the respective utilities. Trustee Quinn offered to bring it up to Colorado Springs Utilities.

Mr. Vsetecka further requested signage that would help with hiker parking on Maple Street.

7. Correspondence:

- a. **Planning Commission Minutes April 10, 2018**
- b. **Planning Commission Minutes March 27, 2018**
- c. **Planning Commission Minutes March 13, 2018**

Mayor Newberry added that the Comprehensive Planning process is underway, with five proposals received at yesterday's deadline.

8. Reports

Trustee Thorne requested a work session on parking issues. Mr. Wells noted that this should be included in the comp plan scope of services.

Mayor Newberry reported on the opportunity for free boulders. She reported on donations received and promised for the lake project totaling \$4,750. The total donations needed is \$7,800.

a. Town Manager

Mr. Wells deferred to the Clerk and Marshal before reviewing his written report. Danny provided a verbal report on roads. Nathan Scott is working with Danny. The Belvedere project is progressing, with legal issues nearing resolution. Prices vary with the level of work done. Mr. Wells will proceed with the highest level of work that falls within the budgeted amount. August is targeted for the work to be done. Mike Farina will be getting the finance needs addressed.

Nathan Scott reported on progress gathering data on the short term rentals. Trustee Pearlman expressed interest in revisiting the ordinance in order to relax the quantity restrictions.

b. Town Clerk

In addition to her written report, Ms. Egbert noted that legal advice is to publish legal notices in the newspaper rather than posting only. A resolution will be presented at the next meeting.

c. Marshal

Marshal Hodges reviewed monthly data.

Axis audio has provided good faith estimates as follows:

- \$5,500 for a 100-inch TV system
- \$3,100 for a 75-inch TV system
- \$3,450 for a video system

Mr. Wells will follow up with the potential of microphones from other entities.

Citizen comments:

- The “bird nest” art display time period needs reviewed.
- The County Assessor website lists Mary Duval as Clerk

9. Adjournment

There being no further business, the meeting adjourned at 9:49 p.m.

Mayor Jane Newberry

Judy A. Egbert, Interim Town Clerk

TOWN OF GREEN MOUNTAIN FALLS

ORDINANCE NO. 2018-01

AN ORDINANCE ADOPTING BY REFERENCE THE 2017 PIKES PEAK REGIONAL BUILDING CODE AND AMENDING SECTIONS 18-1 AND 18-5 OF THE GREEN MOUNTAIN FALLS MUNICIPAL CODE ACCORDINGLY

WHEREAS, the Town previously adopted the 2011 edition of the Pikes Peak Regional Building Code by reference and according to Title 31, Article 16, Part 2, C.R.S.;

WHEREAS, the 2017 Pikes Peak Regional Building Code is a revision of the 2011 Pikes Peak Regional Building Code and an amended version thereof; and

WHEREAS, the Board of Trustees deems it necessary to adopt the 2017 Pikes Peak Regional Building Code so as to ensure better public health and safety in the construction of new or remodeled buildings within the Town.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO:

Section 1. Section 18-1 of the Green Mountain Falls Municipal Code is hereby amended to read as follows with deleted language showing in ~~striketrough~~ and new language appearing in **BOLD**:

Sec. 18-1. – Adoption by reference.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the ~~2011~~ **2017** edition of the Pikes Peak Regional Building Code ~~with amendments~~, as published by the Pikes Peak Regional Building Department, is adopted by reference as the primary code, including all secondary codes referred to therein, hereinafter collectively referred to as the Pikes Peak Regional Building Code, Regional Building Code, "this Code" or "RBC" and are hereby enacted as the **Bbuilding Ccode** of the Town for use to regulate building construction activities within the Town.

(Ord. 5-1985 §I; Ord. 92-04 §1; Ord. 01-2005; Ord. 02-2012 §1; Ord. ~~No.~~ 11-17-B, § 1, 1-5-2; **Ord. _____**)

Section 2. Section 18-5 of the Green Mountain Falls Municipal Code is hereby amended to read as follows with deleted language showing in ~~striketrough~~ and new language appearing in **BOLD**:

Sec. 18-5. - Administration.

The Regional Building Department of ~~the City of Colorado Springs and El Paso County~~ is appointed as the administrator for the purpose of enforcing all the building codes, as adopted, **and** issuing all building permits for construction. ~~, and enforcing any zoning ordinances adopted.~~

(Ord. 5-1985 §IV; Ord. _____)

Section 3. Safety Clause. The Board of Trustees hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Green Mountain Falls, that it is promulgated for the health, safety and welfare of the public and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that this Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 5. Effective Date. This Ordinance shall become effective thirty (30) days after passage.

INTRODUCED AND ORDERED PUBLISHED the day of _____, 2018, at the Green Mountain Falls Town Hall, 10615 Green Mountain Falls Road, Green Mountain Falls, Colorado.

ADOPTED AND ORDERED PUBLISHED the ___ day of _____, 2018.

Jane Newberry, Mayor

ATTEST:

Judy Egbert, Interim Town Clerk

APPROVED AS TO FORM:

Andrew Gomez, Town Attorney

Published in the Pikes Peaks Courier, _____ 2018.

RESOLUTION NO. 2018-05

**A RESOLUTION OF THE TOWN OF GREEN MOUNTAIN FALLS
COLORADO, DESIGNATING THE OFFICIAL PUBLIC NOTICE POSTING
PLACE**

WHEREAS, Colorado Revised Statutes Section 24-6-401 declares that it is the policy of the State of Colorado that the formation of public policy is public business and may not be conducted in secret; and

WHEREAS, The meetings of the Board of Trustees and its appointed bodies within the meaning of CRS 24-6-402(2)(c) are open to the public; and

WHEREAS, CRS Section 24-6-402(2)(c) requires that any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation or formal action occurs shall be held only after full and timely notice to the public has been provided; and

WHEREAS, CRS Section 24-6-402(2)(c) requires that the posted notice include specific agenda information where possible; and

WHEREAS, CRS Section 24-6-401(2)(c) requires that the public place for posting such notice shall be designated annually at the first regular meeting of each calendar year of the Board of Trustees; and

WHEREAS, The Board of Trustees desires to ensure that all local public body meetings comply with the provisions of the laws of the State of Colorado; and

WHEREAS, These postings have traditionally been placed at Town Hall and the Post Office; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO, THAT:

The front window of Town Hall, located at 10615 Green Mountain Falls Road, is to be the official posting place for all meeting notices. The Post Office and website may be used in addition.

INTRODUCED, READ and PASSED this 15th day of May 2018.

TOWN OF GREEN MOUNTAIN FALLS,
COLORADO

Jane Newberry, Mayor

(SEAL)

ATTEST:

Judy Egbert, Town Clerk

BOARD OF TRUSTEES AGENDA MEMO

DATE: May 10, 2018	AGENDA NO. 4.d.	SUBJECT:
Presented by: Jason Wells, Interim Town Manager		Consideration of Extension of the Town Manager Professional Services Agreement

Recommend action:

Determine whether or not the Board desires to extend the professional services agreement for Interim Town Manager services.

Background:

The current professional services agreement contains an end date of May 31, 2018, with a one-month extension provision if agreed by mutual, written consent of both parties (Jason Wells and the Town of Green Mountain Falls).

Now with the better portion of the contract time period concluded, it is clear that more time would be appropriate.

The contract specifically allows for a one-month extension. If a longer period is desired, that could be accomplished by a new or amended document.

Issue Before the Board

- 1) Does the Board desire to extend the services agreement with Jason Wells in accordance with the current contract terms?
- 2) What time period does the Board desire?

Alternatives

- Extend the current contract for one month as provided in the contract
- Express desire for a longer time period of extension, and follow up with the appropriate document.
- Do not extend the contract, leaving the end date as May 31, 2018.

Conclusion

The initial contract has provided time for an initial analysis of needs. A long-term transition plan is still in the developmental stages. An extension would be required to keep the services in place after May 31, 2018.

CONSULTANT AGREEMENT INTERIM TOWN MANAGER

This AGREEMENT is made this ____ day of _____, 2018 between the Town of Green Mountain Falls, a municipal government operating under the laws of the State of Colorado (“Town”), and Jason S. Wells, a sole proprietor who will be providing services to the Town in the capacity of Interim Town Manager for a period herein established (“Interim Manager”).

WHEREAS, the Town is in need of the services of an Interim Manager;

WHEREAS, the Board of Trustees desires to retain the services of Jason S. Wells as Interim Manager upon the terms and conditions as set forth herein;

WHEREAS, Jason Wells desires to serve as Interim Manager of the Town of Green Mountain Falls upon the terms set forth herein.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS SET FORTH HEREIN, THE PARTIES AGREE AS FOLLOWS:

Section 1 – Appointment

The Town appoints Jason Wells as Interim Manager of the Town of Green Mountain Falls subject to the terms and conditions set forth herein.

Section 2 – Hours of Office

The Interim Manager shall make himself available and be present "on-site" from 8:30 am to 5:30 pm, Tuesdays and Thursdays, at the Town Hall or other locations on those days on Town business, with an additional four hours of "flex time" per week. If the Board of Trustees determines that his presence is required for more days in a particular week and the Interim Manager determines that he is available to be present, then the Interim Manager shall increase the time he is present accordingly. The Board of Trustees and Interim Manager may mutually agree to some flexibility in this schedule in order to accommodate the needs of both the Interim Manager and the Town.

Section 3 – Scope of Services

The Interim Manager shall perform, but not be limited to, the following:

- A. Day-to-day operations and management duties as outlined in the Job Description;
- B. Assist the Mayor and Board of Trustees in the search, assessment and retention of a full-time Town Manager who will serve in the best interests of the Town, as determined by the Board of the Trustees;

- C. An "on-site" work schedule of not less than 20 hours nor more than 40 hours per week;
- D. Telephone/email availability to the Mayor, Board of Trustees and key employees on a "24/7" basis;
- E. Special projects, as approved by a majority of the Board of Trustees, with said projects requiring additional time and resources beyond the 20 hours per week limitation;
- F. Attendance at work sessions and/or Board of Trustees meetings; and
- G. Assessment of Town operations and personnel.

Section 4 – Term

This Agreement shall be effective as of the date of its execution by both parties and shall extend up to **May 31, 2018**. A one (1) month extension may be granted by mutual, written consent of both parties. This Agreement may be terminated by either party with or without cause upon fifteen (15) days written notice.

Section 5 – Compensation

In consideration of the services to be rendered by the Interim Manager, the Town shall pay the Interim Manager \$65.00 per hour for those days during which, the Interim Manager is "on-site" at Town Hall or other locations on the designated days on Town business pursuant to Section 2. The Interim Manager shall submit an invoice every two (2) weeks prior to Regular Meetings of the Board of Trustees for time spent, which details the services performed and other expenses. These statements will be due and payable by the Town within thirty (30) days after submission.

Section 6 – Expenses

The Interim Manager shall be entitled to reimbursement for reasonable expenses while engaged with the Town for business purposes related to this Agreement.

Section 7 – Independent Contractor Status

It is expressly agreed and understood by and between the parties that the Interim Manager is an independent contractor, and as such, the Interim Manager is not a Town employee and is not entitled to payment or compensation from the Town or to any fringe benefits to which other Town employees are entitled other than as set forth herein. As an independent contractor, the Interim Manager further acknowledges that he is solely responsible for the payment of any

and all income taxes, FICA, withholding, unemployment insurance, or other taxes due and owing any governmental entity whatsoever as a result of this Agreement. As an independent contractor, the Interim Manager will not make any claim, demand of application to or for any right or privilege applicable to any officer or employee of the Town, including, but not limited to, worker's compensation coverage, unemployment insurance benefits, social security coverage or retirement.

Section 8 – Compliance with Law

The Interim Manager shall comply with the provisions of the Municipal Code and all other rules, policies and laws of the Town of Green Mountain Falls and, when not in conflict, with the laws of the State of Colorado.

Section 9 – Indemnification

In addition to those payments set forth above, the Town will be responsible to provide and pay for all appropriate bonding and liability coverage for actions taken by the Interim Manager when performed within the scope of his services as Interim Manager. The Town will cause that said Interim Manager be included as an additional named insured on the Town's liability coverage and shall cause to be provided to the Interim Manager a certificate of insurance reflecting said coverage and status.

Section 10 – Entire Agreement

The text of this Agreement constitutes the entire agreement between the parties. Any representations, statements, promises or understanding not contained herein shall be of no continued force, effect or validity.

Section 11 – Governing Law

The laws of the State of Colorado shall govern the validity, performance and enforcement of this Agreement. Venue for any action instituted pursuant to this Agreement shall lie in El Paso County, Colorado.

Section 11 – Severability

The invalidity in whole or in part of any provision hereof shall not affect the validity of any other provisions hereof and this Agreement shall remain in full force and effect except as to such invalid provision.

PASSED, APPROVED AND ADOPTED by the Board of Trustees of the Town of Green Mountain Falls this ____ day of February, 2018.

Jane Newberry, Mayor

ATTEST:

Renee Price, Town Clerk

APPROVED AS TO FORM:

Andrew J. Gomez, Town Attorney

Jason S. Wells, Interim Town Manager

Date

SPECIAL MEETING- GMF PLANNING COMMISSION

MON APR 30, 2018 6:30 PM at Town Hall

MINUTES

- 1. Meeting Called to Order by Chairman Caldwell at 6:35 PM**
- 2. Attendance: Blasi, Bratton ,Caldwell ,Williamson , Newberry**
- 3. Finalize PC Appointment of COMP PLAN Proposal Review Committee.**

**M/S Bratton/ Caldwell To appoint the following 10 people to comprise the
Comp Plan Proposal Review Committee:**

**Bratton, Newberry, Caldwell, Blasi, Irwin, Williamson,
Dave Cook (CAC rep), Mac Pitrone (CAC rep),
Anne Miller (DOLA rep), Jesse Stroope (KFF rep).**

Motion Passed Unanimously

- 4. Determine Procedures for Reviewing Proposals Received
for Professional Planning Services.
A draft procedure was discussed and modified to allow more time
for review and scoring and interviews. Bratton will submit a revised
version tomorrow.**
- 3. Adjourned 7:15 PM.**

APPROVED

Eric Caldwell, Chairman

ATTEST

Richard Bratton (Acting Recording Secretary)



Town of Green Mountain Falls

Memorandum

To: Mayor and Board of Trustees
From: Jason S. Wells, Interim Town Manager
Re: Management Report
Date: May 15, 2018

1) Departmental Info

- a) Town Clerk – See included report
 - i) Ordinance Adoption Process
 - ii) Business Licensing
- b) Marshall's Office – Verbal report to be provided
 - i) Code Enforcement – Coordination w/ PPRBD Staff re: enforcement approach
- c) Public Works
 - i) Belvidiere Road Improvement Project
 - (1) Town Attorney engagement re: property conflicts
 - (2) Coordination w/ El Paso County
 - (a) Project Timing
 - (b) Possible Utilization of County Contractor
 - (3) Funding
 - (a) Three possible options
 - (i) Full-Depth Reclamation w/ Drainage Improvements (\$220K)
 - (ii) FDR Only (\$180K)
 - (iii) Simple Overlay (\$150K)
 - (b) PPRTA Project Budget
 - (i) 2017 Carry-Over - \$107,774
 - (ii) 2018 Allocation - \$50,000
 - (iii) Stilling Basin Allocation - \$66,143
 - ii) Pavilion Island Wall Failure
 - (1) Tom Hughes/Water on Marrs - project close-out
 - iii) Road Maintenance Update – Zone Plan
 - iv) Chipper Day/Watershed Maintenance – Kirkpatrick permissions/possible Team Rubicon assistance/Focus on the Forest
- d) Pool
 - i) Certified Pool Operator Training/Certification (Danny, 4/9, 4/11)
 - ii) Opening Procedure
 - iii) Staffing
 - iv) Manitou Springs Assistance (Roy Chaney visit 4/17)

Management Report

January 27, 2017

e) Planning

i) Short-Term Rental Approvals – Needs relating to delegation of approval authority to Town Mgr:

- (1) Special Project assistance – Nathan Scott
- (2) Finalization of Application Per Board Input
- (3) Identification of Prior Approved Properties (Planning Commission Approvals vs. Town Board)
- (4) Zoning map familiarity
- (5) Public notification mechanism

ii) Planning Commission

- (1) Clarification/Definition of Planning Commission Approval Processes
 - (a) Staff Participation at PC Meetings?
 - (b) Approval Tracking/Agenda Management
- (2) PC Approvals
 - (a) Conditional Approval 15580 Forester Ave Grading and Erosion Control Plan (Kiowa Review)
 - (b) Revocable Permits
 - (i) Renewals Generally – approval required (PC, Town Board or Staff?)
 - (ii) Green Box Arts Display Status
- (3) Comprehensive Plan Update
 - (a) Executed Grant Contract Received on 4/27
 - (b) PC Ranking Committee Special Meeting 4/30
 - (c) Ranking Committee Recommendation to Town Board 5/15
 - (d) Contracting (May 15th?)

f) Human Resources

i) Personnel Policies

- (1) Final Draft Received Back from Employers Council
- (2) Next Step – Comprehensive Review by Town Attorney w/ Town Clerk & Mgr. Input
- (3) Final Step – Formal Adoption/Implementation/Employee Acknowledgements

g) Finance

i) M. Farina Contract Assistance

- (1) Scope of Work
 - (a) 2017/2018 Budget Entry
 - (b) Audit Preparation
 - (c) Banking (bank reconciliations; statement review, etc.)
 - (d) Deferred Financial Reporting (e.g. PPRTA, CTF, DoLA)
 - (e) 2018 Amended Budget Preparation
 - (f) Organizational Assessment/Recommendations

ii) Budget

- (1) Priority #1 – Enter 2018 Budget in QuickBooks system
- (2) Once the budget is entered into the system, would recommend Town Board budget work session
- (3) Staff/Board need to begin thinking about the 2018 amended budget process

iii) Auditing

- (1) 2016 Audit – Have requested copy from auditor
- (2) 2017 Audit – Have received inquiry from auditor re: status of 2017 accounting asking:
 - (a) Whether 2017 has been closed out; and

Management Report

January 27, 2017

(b) What measure of preparation has been completed on 2017 audit

I will be seeking information necessary to respond, but Mr. Farina would be better suited

iv) Banking – Chase, Park State Bank, Colorado Trust

(1) Resolution establishing signing authority adopted at 4/21 special meeting

(2) Resolution distributed to various financial institutions

(3) Institutions requiring in-person completion of signature cards/individual forms

v) Payroll – System access achieved; developing routine timesheet submission/management process

vi) Accounts Payable

(1) Being handled by Interim Town Clerk

(2) More or less now caught up on numerous delinquent accounts

(3) Developing routine system to ensure prompt acquisition of signatures, remittances

vii) Sales Tax

(1) Need to obtain access to State sales tax reporting system; no review as of yet of YTD figures

h) Information Technology

i) A/V Needs – Axxis' most recent figures for:

(1) Projector vs. Flat Screen TV

(2) Streaming Video Set-Up

ii) Website

(1) SIPA website "went live" about a month ago, but very little content from the current site was migrated

(2) Contact has been established w/ assisting state contractor but lacking available time will be a challenge

(3) If Board desires to bump this up the priority list, I would recommend perhaps adding to N. Scott scope

iii) Email Exchange

(1) Website contractor has advised that migration to new email exchange would need to go through SIPA

(2) Again, limited staff resources to dedicate to the migration effort; perhaps consider tasking to N. Scott

i) Events

i) Interim Town Clerk has been handling Pavilion rental requests; monitoring progress on wall project

ii) Staff needs clarification on Town Board approval process in order to articulate operational policies

2) Intergovernmental

a) Regional

i) PPACG

(1) Mini-Grant Opportunity

(a) Met w/ grant lead Rick Sonnenberg on 4/10, conveyed three possible alternatives:

(i) GIS Mapping Assistance

(ii) Survey Work to Resolve Private Property vs. Right-of-Way Conflicts

(iii) Continued Lake Planning

(b) Mr. Sonnenberg intends to reach out to other eligible member communities/report back soon

(2) Wireless Microphone Acquisition

(a) PPACG is still utilizing mics but has been made aware of the Town's interest

(b) There are 14 total and Manitou Springs has staked a claim to 7 as well

(c) It is unclear whether the set could be split but once PPACG ceases use we can check

ii) PPRTA

(1) Met with PPRTA lead Rick Sonnenberg on 4/10

(2) Need to reconcile muni budget w/ PPRTA maintenance & capital improvement allocations

Management Report

January 27, 2017

- (3) Need to Complete 2017 Annual Report; Ability to Finalize Conditioned on Board Direction re: Belvidere
 - (4) Board/CAC Representation
 - (a) Alternate Seat Assumed by Mayor
 - (b) CAC Seat Assumed by Ann Esch
 - iii) PPACG
 - (1) Board/CAC Representation
 - (a) Alternate Seat Assumed by Mayor
 - (b) CAC Seat Assumed by Ann Esch
 - b) State
 - i) DoLA
 - (1) Comp Plan
 - (a) 5 Proposals Received
 - (b) PC Review/Ranking Process
 - (c) Next Steps
 - (i) Recommendation to Board
 - (ii) Scope of Work Development
 - (iii) Contracting
 - (iv) Grant Administration
 - 1. Kirkpatrick Foundation
 - 2. DoLA Meeting (3/21) – DoLA grant expiration relative to project timeline
 - (2) Town Manager Grant
 - (a) Delinquent Quarterly Reporting
 - (b) Town/State Cost-Sharing Status
 - (3) Conservation Trust Fund Filings – Delinquent Quarterly Reports
- 3) Insurance Administration
 - a) CIRSA
 - i) Loss Control
 - (1) May 10th Annual Audit (50% score for admin functions in 2017)
 - (2) Elected Official Training – Research/Schedule Once New Trustees are Seated
 - ii) Property/Casualty Coverage
 - (1) Need to Complete 2019 Renewal Application
- 4) Legal Matters
 - a) Town Clerk/Manager Bonding Requirements
 - i) Surety Bond Coverage for Town Clerk/Marshall/Manager Secured on 5/3
 - b) Mobile Food Truck Licensing
 - i) Ordinance presented to Town Board on 5/1; Scheduled for Public Workshop on 5/15
 - c) Prosecutorial Services – Consideration of Using Local Services Rather Than Continued Reliance on Town Atty.



Memorandum

To: Mayor and Board of Trustees
From: Judy A. Egbert, Interim Town Clerk
Re: Town Clerk Report
Date: May 10, 2018

Ongoing activities

1. Gazebo reservations have been organized and confirmations sent to all customers.
2. Progress is underway in providing file structure to the current financial files.
3. Concentrated work will be done for hard copy records during my next visit.
4. Routine tasks continue:
 - Payroll
 - Accounts payable
 - Agenda packet preparation
 - Meeting management
 - Gazebo rentals
 - Legal notices and postings
 - The Resolution contained in the May 15 meeting agenda packet will bring the Town into compliance regarding designating posting locations. Additional postings have been created to:
 - Inform citizens on a permanent basis of the regular meeting dates/times of the Board of Trustees and Planning Commission.
 - Inform citizens and comply with open meetings laws to give notice for events where three or more Trustees may be attending.

Other activities

1. The status of Trustee vacancies will be updated at the meeting.
2. The CIRSA renewal process is beginning. This will be a collaborative effort across all departments.
3. Sandy has begun supporting the Planning Commission in a limited way by taking minutes. More staff involvement is needed on the whole in the future.