



Town of Green Mountain Falls

Regular Board of Trustee Meeting Agenda

10615 Green Mountain Falls Road

7:00 p.m.

Tuesday, August 7, 2018

Workshop: Ordinance No. 2018-05, An Ordinance Repealing And Reenacting Article VI, Chapter 4, Of The Green Mountain Falls Municipal Code To Create A Valid Lodging Occupation Tax

Workshop: Ordinance No. 2018-07, An Ordinance Amending Article IV, Chapter 4, Of The Green Mountain Falls Municipal Code To Re-Codify The Town's Sales Tax Without A Tax Policy Change

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 Regular Meeting Minutes July 17, 2018
 - b. Bring Into Record Bills Run July 18 through August 7, 2018
4. NEW BUSINESS
 - a. Proclamation – Colorado Cities and Towns Week
 - b. Town Clean-Up Days
 - c. Second Annual Scarecrow Alley – Jill Isbill, Chamber of Commerce President
 - d. Resolution No. 2018-12, A Resolution Of The Town Of Green Mountain Falls, Colorado, Approving And Adopting A Revised Employee Handbook
 - e. Discussion and determine future actions – Fire restriction process
 - f. Introduction, Ordinance No. 2018-08, An Ordinance Amending Section 2-2 of the Green Mountain Falls Municipal Code Regarding Elections
 - g. Discussion and Update on Budget and Staffing
 - h. Resolution No. 2018-13, A Resolution Amending The Budget For The 2018 Budget Year For The Town Of Green Mountain Falls, Colorado

5. OLD BUSINESS

- a. Belvidere Road update, El Paso county Engineer Jennifer Irvine
- b. Budget/Staffing Update and Discussion
- c. Determine next actions regarding Trustee Vacancy
- d. Resolution No. 2018-09, A Resolution Of The Town Of Green Mountain Falls, Colorado, Referring To Voters At The November 6, 2018 Special Election A Ballot Issue On Whether To Enact A Lodging Occupation Tax
- e. Public Hearing and Final Action: Ordinance No. 2018-05, An Ordinance Repealing And Reenacting Article VI, Chapter 4, Of The Green Mountain Falls Municipal Code To Create A Valid Lodging Occupation Tax
- f. Resolution No. 2018-10, A Resolution Of The Town Of Green Mountain Falls, Colorado, Referring To Voters At The November 6, 2018 Special Election The Question Of Whether To Publish Town Ordinances By Title Only
- g. Resolution No. 2018-11, A Resolution Of The Town Of Green Mountain Falls, Colorado, Referring To Voters At The November 6, 2018 Special Election The Question Of Whether To Stop Publishing Town Bills In A Newspaper
- h. Public Hearing and Final Action, Ordinance No. 2018-07, An Ordinance Amending Article IV, Chapter 4, Of The Green Mountain Falls Municipal Code To Re-Codify The Town's Sales Tax Without A Tax Policy Change

6. LIQUOR AUTHORITY ACTIONS

- a. Hotel/Restaurant Renewal Application from Buffalo Chefs, Inc. d/b/a The Pantry

7. PUBLIC INPUT: 3 Minutes per speaker

7. CORRESPONDENCE

- a. Planning Commission Minutes July 24, 2018

8. REPORTS

- a. Trustees
- b. Town Manager
- c. Town Clerk
- d. Marshal

9. ADJOURN

TOWN OF GREEN MOUNTAIN FALLS

ORDINANCE NO. 2018-05

AN ORDINANCE REPEALING AND REENACTING ARTICLE VI, CHAPTER 4, OF THE GREEN MOUNTAIN FALLS MUNICIPAL CODE TO CREATE A VALID LODGING OCCUPATION TAX

WHEREAS, the Town has ceased collection of the Town's lodging tax imposed by Article VI of Chapter 4 of the Green Mountain Falls Municipal Code as inconsistent with state law;

WHEREAS, with voter approval, a statutory town can impose an additional occupation tax on inn-keepers and the like pursuant to Section 31-15-501(1)(c), C.R.S.;

WHEREAS, by Resolution No. 2018-09, the Town has referred to voters a ballot issue to create a valid lodging occupation tax;

WHEREAS, if approved, revenue from the lodging occupation tax would offset a portion of the impacts on Town roads, utilities, and services caused by the provision of hotel rooms and other similar accommodations in Town; and

WHEREAS, the Town wishes to repeal and reenact Article VI, Chapter 4, of the Green Mountain Municipal Code as follows.

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

Section 1. Article VI, Chapter 4, of the Green Mountain Falls Municipal Code is repealed in its entirety.

Section 2. Article VI, Chapter 4, of the Green Mountain Falls Municipal Code is reenacted to read as follows:

ARTICLE VI – Lodging Occupation Tax

Sec. 4-101. Imposition of tax.

(a) The provision of lodging rooms and accommodations to the traveling public results in the increased use of Town streets and rights-of-way, increased traffic, increased demands upon municipal services such as police protection and has a substantial effect upon the health, safety and welfare of the citizens of the Town and upon the expenditures budgeted by the Town which is a matter of local concern.

(b) The classification of the provision of lodging as separate businesses and occupations is reasonable, proper, uniform and nondiscriminatory; and the taxable amount hereby levied is reasonable, proper, uniform, nondiscriminatory, and necessary.

(c) There is hereby levied by the Town an occupation tax on the provision of lodging upon every lodging business furnishing any room or accommodation for less than one (1) month or thirty (30) consecutive days within the Town in the amount of Four dollars and fifty cents (\$4.50) per day, per occupied lodging room or accommodation.

Sec. 4-102. Lodging defined.

The provision of lodging means the transaction of furnishing rooms or accommodations to any person who, for monetary consideration, possesses or has the right to use or possess any room or rooms in a hotel, apartment hotel, lodging house, motor hotel, guest house, guest ranch, short-term rentals licensed pursuant to Chapter 6, Article VIII, of this Code, or any other place that furnishes sleeping accommodations under any concession, permit, right of access, license to use, other agreement or otherwise and for a period of less than thirty (30) consecutive days or which rental is on a weekly or daily basis.

Sec. 4-103. Exemptions.

Lodging Tax Exemptions. The following transactions shall be exempt from the tax imposed by this Article:

- (a) Accommodations provided by the United States, the State of Colorado, its departments and institutions, and the political subdivisions of the State in their governmental capacities only.
- (b) Accommodations provided by those charitable, religious and eleemosynary organizations that have received from the Internal Revenue Service status under Section 501(c)(3) of the Internal Revenue Code as a tax-exempt organization, while in the conduct of their regular charitable, religious or eleemosynary functions and activities.
- (c) Accommodations provided to a person who is a permanent resident of a hotel, motel, apartment hotel, lodging house, motor hotel, guest house, or other similar business pursuant to a written agreement for a period of at least one (1) month or thirty (30) consecutive days.
- (d) Accommodations provided to a person without monetary consideration being paid to the vendor for such accommodations.

Sec. 4-104. Payment of tax.

- (a) Every lodging business shall remit the lodging occupation tax not less than quarterly on account of lodging provided in the preceding quarter and not later than fifteen (15) days following the end of each quarter of the calendar year. Said payment shall be accompanied by a return containing such information and be in such form as the Town Clerk may prescribe.
- (b) The burden of providing that any transaction is exempt from the tax shall be upon the lodging business.

Sec. 4-105. Penalty for late payment.

In the event payment of the lodging tax is not timely made as provided in Section 4-104, the lodging business shall be required to pay unto the Town a fifteen percent (15%) penalty of the entire tax due for any given quarter.

Sec. 4-106. Inspection of records.

The Town, its officers, agents or representatives shall have the right to all reasonable hours and times to examine the books and records of the lodging businesses that are subject to the provisions of this Article and to make copies of the entries or contents thereof.

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. Section 1 of this Ordinance shall be effective thirty (30) days after passage. Section 2 of this Ordinance shall be effective only upon approval at the November 6, 2018, special election of the Lodging Occupation Tax Ballot Issue referred to voters by Resolution No. 2018-08.

INTRODUCED AND ORDERED PUBLISHED the 17th day of July 2018, at the Green Mountain Falls Town Hall, 10615 Green Mountain Falls Road, Green Mountain Falls, Colorado.

ADOPTED AND ORDERED PUBLISHED the 7th day of August 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

ORDINANCE NO. 2018-07

AN ORDINANCE AMENDING ARTICLE IV, CHAPTER 4, OF THE GREEN MOUNTAIN FALLS MUNICIPAL CODE TO RE-CODIFY THE TOWN'S SALES TAX WITHOUT A TAX POLICY CHANGE

WHEREAS, as a statutory town, the Town is limited in its local taxing authority as set out in Section 29-2-105, C.R.S.;

WHEREAS, by Ordinance No. 119, Series 1976, the Town enacted a sales tax on tangible property sold at retail and the furnishing of services at a rate of 2% as provided by Section 29-2-105, C.R.S., and this sales tax was approved by voters with a January 1, 1977, effective date (the "1977 Tax");

WHEREAS, on April 15, 1976, the Town provided notice to and authorized the Colorado Department of Revenue to administer, collect and distribute the 1977 Tax;

WHEREAS, since January 1, 1977, the Colorado Department of Revenue has been collecting the Town's sales tax;

WHEREAS, by Ordinance 01-2004, the Town enacted a voter-approved sales tax rate increase of 1% with the additional tax revenue dedicated to maintaining Town services, the repair and replacement of road maintenance and snow-plowing equipment, the purchase of road maintenance materials, and the maintenance, repair and improvement of town parks and recreational facilities (the "2004 Increase");

WHEREAS, the Town provided notice of 2004 Increase to the Colorado Department of Revenue, and the Department updated the Town's sales tax rate accordingly;

WHEREAS, the 2004 Increase did nothing to alter the scope of the Town's sales tax base, and it neither introduced nor eliminated tax exemptions; the 2004 Increase simply increased the Town's sales tax rate from 2% to 3% and applied it to the same tangible property and furnishing of services;

WHEREAS, due to drafting or codification errors, the current Article IV, Chapter 4, of the Green Mountain Municipal Code, last amended to reflect the 2004 Increase, does not contain significant language from the 1977 Tax defining the proper scope of the Town's sales tax;

WHEREAS, notwithstanding these drafting or codification errors or oversights the Colorado Department of Revenue has been collecting the Town's sales tax on the same tangible property and services since 1977;

WHEREAS, the Town wishes to adopt the following revisions to Article IV, Chapter 4, of the Green Mountain Municipal Code to restore compliance with state law and to reflect the 1977 Tax, as amended in rate only by the 2004 Increase; and

WHEREAS, the following revisions have been reviewed and found to be revenue-neutral; they do not reflect a change in tax policy or require voter approval.

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

Section 1. Article IV, Chapter 4, of the Green Mountain Falls Municipal Code is revised to read as follows with deleted language shown in ~~strike through~~ and new language shown in UNDERLINE:

ARTICLE IV - Sales Tax

Sec. 4-61. Purpose.

The purpose of this Article is to impose a sales tax on the privilege of selling tangible personal property at retail AND ON THE FURNISHING OF SERVICES upon every retailer in the Town.

Sec. 4-62. Definitions.

For the purposes of this Article, the definitions of words herein contained shall be as defined in Section 39-26-102, C.R.S., AS AMENDED, and said definitions are incorporated herein by this reference.

Sec. 4-63. Licenses.

(a) It shall be unlawful for any person to engage in the business of selling tangible personal property at retail OR IN THE FURNISHING OF SERVICES without first having obtained a license therefor. Such license shall be granted and issued by the Town Clerk and shall be in force and effect until December 31 of the year in which it is issued unless sooner revoked.

(b) Such license shall be granted and renewed only upon application stating the name and address of the person desiring such a license, the name of such business and the location and such other facts as the Town Clerk may require.

(c) It shall be the duty of each licensee, on or before January 1 of each year during which this Article remains in effect, to obtain a renewal thereof if the licensee remains in the retail business or liable to account for the tax herein provided, but nothing herein contained shall be construed to empower the Town Clerk to refuse such renewal except revocation for cause of the licensee's prior license.

(d) In case business is transacted at one (1) or more separate premises by one (1) person, a separate license for each place of business shall be required.

(e) Any person engaged in the business of selling tangible personal property at retail OR IN THE FURNISHING OF SERVICES in the Town without

having secured a license therefor, except as specifically provided herein, shall be guilty of a violation of this Article.

(f) Each license shall be numbered, shall show the name, residence, place and character of business of the licensee and shall be posted in a conspicuous place in the place of business for which it is issued. No license shall be transferrable.

(g) No license shall be required for any person engaged exclusively in the business of selling commodities OR IN THE FURNISHING OF SERVICES THAT ~~which~~ are exempt from taxation under ~~this Article~~ STATE LAW.

Sec. 4-64. General provisions; exemptions.

(a) For the purpose of collection, administration and enforcement of this Article the provisions of Section 39-26-114, C.R.S., shall be deemed applicable and incorporated into this Article.

(b) The amount subject to tax under this Article shall not include the state sales and use tax imposed by Article 26, Chapter 39, C.R.S.

(c) For the purpose of this Article, all retail sales shall be considered consummated at the place of business of the retailer, unless the tangible personal property sold is delivered by the retailer or his or her agent to a destination outside the limits of the Town or to a common carrier for delivery to a destination outside the limits of the Town.

(d) The gross receipts from sales shall include delivery charges when such charges are subject to the state sales and use tax imposed by Article 26 of Chapter 39, C.R.S., regardless of the place to which delivery is made.

(e) In the event a retailer has no permanent place of business or more than one (1) place of business in the Town, the place or places at which the retail sales are consummated for the purpose of this sales tax shall be determined by the provisions of Article 26 of Chapter 39, C.R.S., and by the rules and regulations promulgated by the Department of Revenue.

(F) FOR THE PURPOSES OF COLLECTION, ADMINISTRATION AND ENFORCEMENT OF THIS ARTICLE, THE SALE OF TANGIBLE PERSONAL PROPERTY AND SERVICES TAXABLE PURSUANT TO THIS ARTICLE SHALL BE THE SAME AS THE SALE OF TANGIBLE PERSONAL PROPERTY AND SERVICES TAXABLE PURSUANT TO SECTION 39-26-104, C.R.S., AS AMENDED.

Sec. 4-65. Schedule of sales tax.

(a) There is hereby imposed, ~~effective July 1, 2004~~, on all sales of tangible personal property AND ON THE FURNISHING OF ALL TAXABLE SERVICES, a tax equal to two percent (2%) of the gross receipts.

(b) There is hereby imposed on all sales of tangible personal property AND ON THE FURNISHING OF ALL TAXABLE SERVICES an additional tax equal to one percent (1%) of the gross receipts. This additional sales tax, by voter approval, is to be used for the purpose of maintaining current services, repair and replacement of Town road maintenance and snowplowing equipment, the purchase of road maintenance materials and the maintenance, repair and improvements of Town parks and recreational facilities.

(c) The imposition of tax on individual sales shall be in accordance with schedules set forth in the rules and regulations promulgated by the Colorado Department of Revenue or by separate ordinance of the Town.

(d) The collection, administration and enforcement of this sales tax shall be performed by the Director of Revenue in the same manner as the collection, administration and enforcement of the state sales tax. The provisions of Article 26 of Chapter 39, C.R.S., AS AMENDED, and all rules and regulations promulgated by the Director of Revenue shall govern the collection, administration and enforcement of sales tax imposed by this Article.

Sec. 4-66. Election and amendments.

~~(a) — Before this Article shall become effective, it shall receive the approval of a majority of the qualified electors of the Town at a special election. Any sales tax presently in effect shall remain in effect until such special election.~~

~~(b) — The Board of Trustees may amend, alter or change this Article, except as to the two percent (2%) rate of tax herein imposed, subsequent to adoption by a majority vote of the Board of Trustees. Such amendment, alteration or change need not be submitted to the electors of the Town for their approval.~~

Secs. 4-66 4-67 - 4-80. Reserved.

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
July 17, 2018 – 7:00 P.M.

MEETING MINUTES

Board Members Present

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

Board Members Absent

Trustee David Pearlman

Town Attorney

Not present.

Interim Town Manager

Jason Wells

Public Works

Danny Vanderhoef

Interim Town Clerk

Judy Egbert

Marshal's Dept.

Virgil Hodges

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

Mayor Newberry called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

2. Additions, Deletions, or Corrections to the Agenda

Mr. Wells requested to change item 4.d. to "gravel road update", and move it to 4.b.

Mayor Newberry moved, seconded by Trustee Stevens, to approve the agenda with the recommended change. The motion carried unanimously.

3. Consent Agenda

- a. Approve Board of Trustees Meeting Minutes June 12, 2018 special meeting
- b. Approve Board of Trustees Meeting Minutes June 19, 2018 regular meeting
- c. Bring Into Record Bills Run July 3, 2018 and July 17, 2018

Trustee Thorne noted a typo in the June 12 minutes and the last line on page one should read "contract" rather than "contact"; and a mis-spelling of Water on Marrs.

Trustee Stevens moved, seconded by Trustee Quinn, to approve the consent agenda with the changes to the agenda as noted. The motion carried unanimously.

4. New Business

a. Resolution No. 2018 – 07 A Resolution Accepting The Resignation Of Trustee David Pearlman and Declaring One Trustee Position Vacant

Trustee Stevens moved, seconded by Trustee Thorne to adopt Resolution No. 2018-07. The motion carried unanimously.

b. Gravel Road Update, Jennifer Irvine (moved and retitled, originally item 4.d.)

Ms. Irvine updated the Board on efforts toward gravel road maintenance. She noted two issues that affect the ability to maintain roads. The first factor is the crown and drainage slope. Secondly the moisture content affects the ability to be effective.

She went on to say that the condition of Green Mountain Falls' roads are 65-70 on a scale of 1-100. Maintaining gravel roads takes very skilled operators, who are hard to find. El Paso County staff are sharing information with GMF staff. It's important to take advantage of the window of workable time right after moisture.

Ms. Irvine told the Board that Mr. Wells is on the right track and handling the roads appropriately.

Mr. Wells agreed that it is difficult to find contractors skilled in this area. He has two potential contractors to consider. One is a single operator, and one a crew of three. He recommended contracting with both to be able to accomplish as much as possible in a short window of time available before the August 1 date of the mag chloride application.

The Board agreed by consensus to do both the single operator and crew and recommended.

Although this item was not scheduled for citizen comment, Mayor Newberry allowed several citizens to speak.

The Belvidere project is progressing, and a full update will be given at the next meeting.

b. Consideration of Revocable Permit to allow horse-drawn carriage rides as requested by Curry Carriage Service.

This application was recommended for approval by the Planning Commission, although concern was expressed about operating on Town streets.

Dick Bratton spoke representing the Planning Commission encouraging the Board to pursue creating a license specific for this type of business.

Applicant Mike Curry described his proposed business. He committed to any needed clean-up, and described the gentleness of his horses. He will carry the appropriate insurance.

Trustee Stevens moved, seconded by Quinn, to approve this revocable permit as recommended, with the conditions of clean-up and insurance as noted. The motion carried unanimously.

c. Discussion and direction – fence permits

Planning Commission has recommended a \$50 fee that would apply to both new fences and repairs.

The Board agreed by consensus to include this change with the comprehensive code review. Fees will be addressed through a separate Resolution and not contained in the Code.

d. Belvidere Road update, El Paso County Engineer Jennifer Irvine (retitled and moved to item 4.b.)

e. November 6, 2018 Special Election action items:

1) Resolution No. 2018-08, A Resolution Of The Town Of Green Mountain Falls, Colorado, Calling A Special Election To Be Held On November 6, 2018, To Be Coordinated With El Paso And Teller Counties

Trustee Thorne moved, seconded by Trustee Stevens, to adopt Resolution 2018-08 as presented. The motion carried unanimously.

2) Resolution No. 2018-09, A Resolution Of The Town Of Green Mountain Falls, Colorado, Referring To Voters At The November 6, 2018 Special Election A Ballot Issue On Whether To Enact A Lodging Occupation Tax

Mr. Wells led the Board in a discussion regarding an appropriate amount to be entered into the ballot text, with no determination made.

The Board also discussed the need to clarify language regarding how the occupation tax is applied. Is it per room, per bed, or per person?

Trustee Stevens moved, seconded by Trustee Quinn to table action to the next meeting for the purposes of allowing staff to make a recommendation on the tax amount and to request that the attorney draft language that is more clear regarding how the tax is to be applied. The motion carried unanimously.

3) Introduction Of Ordinance No. 2018-05, An Ordinance Repealing And Reenacting Article VI, Chapter 4, Of The Green Mountain Falls Municipal Code To Create A Valid Lodging Occupation Tax

The Board discussed the exception noted for 501(c)(3), querying why this would not include all non-profits.

Mayor Newberry moved, second by Trustee Stevens to introduce Ordinance No. 2018-05 and to set a workshop and public hearing for August 7, 2018 starting at 7:00 p.m. The motion carried unanimously.

4) Introduction And Final Action, Emergency Ordinance No 2018-06, An Emergency Ordinance Referring To Voters At The November 6, 2018 Special Election The Question Of Whether To Reduce The Size Of The Board Of Trustees

Trustee Stevens moved, seconded by Trustee Thorne, to introduce and adopt Emergency Ordinance No. 2018-06 as presented. The motion carried unanimously.

5) Resolution No. 2018-10, A Resolution Of The Town Of Green Mountain Falls, Colorado, Referring To Voters At The November 6, 2018 Special Election The Question Of Whether To Publish Town Ordinances By Title Only

The Board expressed desire to add language reflecting a positive stance indicating that the Town may make the full ordinances available to the public in other methods.

Mayor Newberry moved, seconded by Trustee Stevens to request input and language revision if appropriate from the Town Attorney and table action until the next meeting. The motion carried unanimously.

6) Resolution No. 2018-11, A Resolution Of The Town Of Green Mountain Falls, Colorado, Referring To Voters At The November 6, 2018 Special Election The Question Of Whether To Stop Publishing Town Bills In A Newspaper

The Board expressed desire to add language reflecting a positive stance indicating that the Town may make the bills list available to the public in other methods.

Trustee Stevens moved, seconded by Trustee Thorne to request input and language revision if appropriate from the Town Attorney and table action until the next meeting. The motion carried unanimously.

7) Resolution No. 2018-12, A Resolution Of The Town Of Green Mountain Falls, Colorado, Referring The Election Of Two Trustees To Voters At The November 6, 2018 Special Election

Trustee Thorne moved, seconded by Mayor Newberry, to adopt Resolution No. 2018-12 as presented. The motion carried unanimously.

f. Introduction Of Ordinance No. 2018-07, An Ordinance Amending Article IV, Chapter 4, Of The Green Mountain Falls Municipal Code To Re-Codify The Town's Sales Tax Without A Tax Policy Change

Trustee Stevens moved, seconded by Trustee Quinn to introduce Ordinance No. 2018-07 and to set a workshop and public hearing for August 7, 2018. The motion carried unanimously.

g. Consider Submitting Request For Extension of Time To File Audit

Mayor Newberry moved, seconded by Trustee Stevens to submit the request for extension of time to file the 2017 audit. The motion carried unanimously.

5. OLD BUSINESS

a. Public Hearing And Consideration Of Final Adoption Of Ordinance No. 2018-03, An Ordinance Amending Section 17-85(C) Of The Municipal Code Of The Town Of Green Mountain Falls, Colorado, Regarding The Procedure For Obtaining Grading Permits

Mayor Newberry opened the public hearing at 8:54 p.m. and asked for those wishing to speak.

Gary Florence asked if this ordinance would change anything underway with the Fire District's project. It will not.

Trustee Thorne read the ordinance in full.

Howard Price asked the standard for needing a permit. Dick Bratton replied that 50 cubic yards is the threshold.

There being no one further wishing to speak, the hearing closed at 8:57 p.m.

Trustee Thorne pointed out that "permit" should be singular.

Trustee Thorne moved, seconded by Stevens to adopt Ordinance No. 2018-03 with the grammatical correction as noted. The motion carried unanimously.

b. Introduction and Final Action, Emergency Ordinance No. 2018-04, An Ordinance Amending Chapter 6, Article VIII, Of The Green Mountain Falls Municipal Code, Adopted As Ordinance No. 04-2017, Regarding Short-Term Rental Property Licenses

Mayor Newberry reviewed the reason behind licensing short term rentals, and the history of the licensing process.

The Board discussed the density and overall cap requirements.

Mayor Newberry allowed citizens to comment. This was done informally, without citizens identifying themselves and often speaking at the same time. In summary, their concerns were:

- Safety
- Smoking
- Number of people
- Protection of community relationships among neighbors
- There are rentals currently in operation that do not have a license, and there is no enforcement.

Mr. Wells clarified that there are no pending applications because of the current ordinance's lack of clarity. This proposed ordinance would provide the needed clarity and a permit structure. This ordinance was first presented two meetings ago, at which time it did not have any action taken. It was on the agenda for the last meeting, which was cancelled because of a lack of quorum. No permit approvals have been issued.

After further discussion the Board agreed on the following desired changes:

- Section 6-153 title is changed to reference "sales and other applicable taxes"
- Section 6-155(a)(4) is to read "Parking plan for guests indicating the manner in which the maximum allowable number of cars permitted are to be parked so as to avoid any conflicts with neighbors or public right of way."
- Section 6-155(b)(12), or in another section if appropriate, is to have language added to specify that conviction of a municipal code violation that is pertinent to the permitted property within the past year be a criterion for consideration in determination eligibility for issuance or renewal.
- The distance for notification and appeal standing is to be 150 feet.

Mayor Newberry moved, seconded by Trustee Stevens to adopt this ordinance with the four noted changes. On discussion, the Board again discussed the potential desire for a density limit per street, and agreed that this issue could be addressed later. Mayor Newberry called for a roll call vote, with Newberry, Stevens, and Quinn voting yes, and Thorne voting no. The motion carried, meeting the $\frac{3}{4}$ threshold for an emergency ordinance.

c. Discussion and potential action – naming road to new Fire Department facility

Gary Florence presented the recommendation to name the road to the Fire Department Carsell Way in honor of former Town employee Timmy Carsell.

The Board expressed desire to keep the Town Hall address unchanged.

Trustee Stevens moved, seconded by Mayor Newberry to name the new road Carsell Way, with the understanding that Town Hall address would remain unchanged. The motion carried unanimously.

d. Discussion – Budget and Staffing

After discussion, the consensus was to hold off on any staffing decisions until more financial information is known at the next meeting.

6. PUBLIC INPUT – 3 Minutes Per Speaker None.

7. CORRESPONDENCE: The Planning Commission Minutes of June 26, 2018 and July 10, 2018 were recognized.

8. REPORTS

a. Trustees

Mayor Newberry reported on research regarding street lights. The Town had previously been underbilled due to a clerical error on the part of Colorado Springs Utilities. More information will be provided as information becomes known. The Town may be faced with deciding whether or not to keep all of the lights on.

b. Town Clerk

Ms. Egbert noted that an applicant has been received in consideration of the current Trustee vacancy. The Board directed her to bring this forward at the next meeting for direction.

c. Town Manager

The Board noted a correction on Mr. Wells' written report. The CDBG grant is for the fishing pier. The Fishing is Fun grant is for the automated inlet.

He asked for direction in establishing the fee for the Mobile Food license. The Board agreed on a fee of \$50. This will be incorporated into the next revision of the fee schedule.

d. Marshal

The Board directed Marshal Hodges to move forward with the Axis Audio with the projection option.

Marshal Hodges reviewed his written report.

9. Adjournment

Meeting adjourned at 11:06 p.m.

Mayor Jane Newberry

Judy A. Egbert

PROCLAMATION

**A Proclamation Of the Town of Green Mountain Falls
Recognizing Colorado Cities and Towns Week
September 10-16, 2018
And Encouraging All Citizens To Support the Celebration and Corresponding Activities**

WHEREAS, municipal government is the government closest to most citizens and the one with the most direct daily impact upon its residents; and

WHEREAS, municipal government is administered for and by its citizens and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, municipal government officials and employees share the responsibility to pass along their understanding of public services and their benefits; and

WHEREAS, Colorado Cities & Towns Week is a very important time to recognize the important role played by municipal government in our lives; and

WHEREAS, the Colorado Municipal League's member cities and towns have joined together to teach students and other citizens about municipal government through a variety of different projects and information; and

WHEREAS, Colorado Cities & Towns Week offers an important opportunity to convey to all the citizens of Colorado that they can shape and influence government through their civic involvement.

NOW THEREFORE, BE IT PROCLAIMED:

That the Town of Green Mountain Falls encourages all citizens, municipal government elected officials, and employees to do everything possible to ensure that this week is recognized and celebrated accordingly; and

That the Town of Green Mountain Falls supports and encourages all municipal governments to actively participate in Colorado Cities and Towns Week.

Proclaimed this 7th day of August 2018.

TOWN OF GREEN MOUNTAIN FALLS,
COLORADO

Jane Newberry, Mayor

(SEAL)

ATTEST:

Judy Egbert, Town Clerk

RESOLUTION NO. 2018-12

**TITLE: A RESOLUTION OF THE TOWN OF GREEN MOUNTAIN FALLS,
COLORADO, APPROVING AND ADOPTING A REVISED
EMPLOYEE HANDBOOK**

WHEREAS, the Board of Trustees has determined that it is necessary to adopt a revised Employee Handbook;

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

Section 1. The document attached as Exhibit A, entitled Employee Handbook, is hereby approved and adopted.

INTRODUCED, READ and PASSED this 7th day of August 2018.

TOWN OF GREEN MOUNTAIN FALLS,
COLORADO

Jane Newberry, Mayor

(SEAL)

ATTEST:

Judy Egbert, Town Clerk



Employee Handbook

Adopted through Resolution No. 2018-12
August 7, 2018

THIS EMPLOYEE HANDBOOK IS DESIGNED TO ACQUAINT EMPLOYEES WITH THE TOWN OF GREEN MOUNTAIN FALLS AND SOME INFORMATION ABOUT WORKING HERE. THE HANDBOOK IS NOT ALL INCLUSIVE BUT IS INTENDED TO PROVIDE EMPLOYEES WITH A SUMMARY OF SOME OF THE TOWN'S GUIDELINES. THIS EDITION REPLACES ANY PREVIOUSLY ISSUED EDITIONS OF THE EMPLOYEE HANDBOOK OR PERSONNEL POLICIES OR PROCEDURES.

NEITHER THE EMPLOYEE NOR THE TOWN IS COMMITTED TO AN EMPLOYMENT RELATIONSHIP FOR A FIXED PERIOD OF TIME. EMPLOYMENT WITH THE TOWN IS AT-WILL. EITHER THE EMPLOYEE OR MANAGEMENT HAS THE RIGHT TO TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON. THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS BY MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR IS THERE A GUARANTEE OF EMPLOYMENT FOR ANY SPECIFIC DURATION. NO REPRESENTATIVE OF THE TOWN, OTHER THAN THE TOWN BOARD OR THE TOWN MANAGER HAS AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE TOWN BOARD OR TOWN MANAGER AND THE EMPLOYEE.

THE CONTENTS OF THIS HANDBOOK ARE SUMMARY GUIDELINES FOR EMPLOYEES AND THEREFORE ARE NOT ALL INCLUSIVE. THIS HANDBOOK SUPERSEDES ALL PREVIOUSLY ISSUED EDITIONS. EXCEPT FOR THE AT-WILL NATURE OF THE EMPLOYMENT, THE TOWN RESERVES THE RIGHT TO SUSPEND, TERMINATE, INTERPRET, OR CHANGE ANY OR ALL OF THE GUIDELINES MENTIONED, ALONG WITH ANY OTHER PROCEDURES, PRACTICES, BENEFITS, OR OTHER PROGRAMS OF THE TOWN. THESE CHANGES MAY OCCUR AT ANY TIME, WITH OR WITHOUT NOTICE.

EMPLOYEE HANDBOOK

Town of Green Mountain Falls

Adopted by Resolution No. 2018-12, August 7, 2018

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Town of Green Mountain Falls, Colorado

Employee Handbook

EMPLOYMENT

Equal Employment Opportunity/Unlawful Harassment

The Town is dedicated to the principles of equal employment opportunity. We prohibit unlawful discrimination against applicants or employees on the basis of age 40 and over, race, sex, color, religion, national origin, disability, military status, genetic information, or any other status protected by applicable state or local law. This prohibition includes unlawful harassment based on any of these protected classes. Unlawful harassment includes verbal or physical conduct that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. This policy applies to all employees, including managers, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, etc.

ADA and Religious Accommodation

The Town will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to the Town or cause a direct threat to health or safety. The Town will make reasonable accommodation for employees whose work requirements interfere with a religious belief, unless doing so poses undue hardship on the Town. Employees needing such accommodation are instructed to contact their supervisor or the Town Manager immediately.

Pregnancy Accommodation

Employees have the right to be free from discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth.

Employees who are otherwise qualified for a position may request a reasonable accommodation related to pregnancy, a health condition related to pregnancy or the physical recovery from childbirth. If an employee requests an accommodation, the Town will engage in a timely, good-faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of her position. A reasonable accommodation will be provided unless it imposes an undue hardship on the Town's business operations.

The Town may require that an employee provide a note from her health care provider detailing the medical advisability of the reasonable accommodation. Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact the Town Manager.

The Town will not deny employment opportunities or retaliate against an employee because of an employee's request for a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. An employee will not be required

to take leave or accept an accommodation that is unnecessary for the employee to perform the essential functions of the job.

Sexual Harassment

The Town strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

Submission to such conduct is made explicitly or implicitly a term or condition of employment.

Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.

Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct that may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

Written form, such as cartoons, posters, calendars, notes, letters, e-mails.

Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping, or questions about another's sex life, or repeated unwanted requests for dates.

Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

Complaint Procedure

If you believe there has been a violation of the EEO policy or harassment based on the protected classes listed above, including sexual harassment, please use the following complaint procedure. The Town expects employees to make a timely complaint to enable the Town to investigate and correct any behavior that may be in violation of this policy.

Report the incident to the Town Manager or the Town Clerk who will investigate the matter and take corrective action. Your complaint will be kept as confidential as possible.

The Town prohibits retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation. If you believe there has been a violation of our EEO or retaliation standard, please follow the complaint procedure outlined above.

If the Town determines an employee's behavior is in violation of this policy, disciplinary action will be taken, up to, and including termination of employment.

CHAPTER I GENERAL PROVISIONS

Introduction

The Board of Trustees is made up of elected officials with the authority to govern the municipal functions of the Statutory Town of Green Mountain Falls. To that end, the use of the term “Town” in this document refers to the municipal function served by the incorporated entity known as the Town of Green Mountain Falls.

This Employee Handbook has been adopted by the Board of Trustees of Green Mountain Falls and will be in full force and effect until such time as it is amended or repealed.

Please read this Employee Handbook. If you have questions that are not answered in the subject matter below, please contact the Town Manager.

Purpose

The purpose of this Handbook is to explain the Town's personnel management and administration so as to recruit, select, develop and maintain an effective, efficient and responsive work force. The Handbook includes policies for salary administration, retirement, benefits, grievance, discipline, discharge and other administrative, personnel-related activities.

Organizational structure & authority

As prescribed by Colorado statutes, the legislative, corporate and policy-making functions of the Town are vested in the Board of Trustees. The Board specifically delegates to the Town Manager the authority and responsibility to work with specific departments and to assist department personnel in establishing objectives and priorities for that specific department. The Board of Trustees approves the Town budget, which may determine the classifications and numbers of employees in each Department.

While the Board of Trustees establishes general personnel policies, the Town Manager has complete authority to employ, dismiss, suspend, or discipline all employees on a day to day basis, with the following exceptions. The Municipal Court Judge, the Town Attorney, and the Town Clerk may only be appointed or discharged by the Board of Trustees. Although the Town Clerk is appointed and discharged by the Board of Trustees, the Town Manager is responsible for day to day oversight and communications.

Coverage of policies, duties, obligations, job descriptions

These policies apply to all employees of the Town, including full-time, part-time, salaried and hourly employees. In the event that the Town delegates a portion of its management and/or operation to another agency, this Handbook establish the minimum standards.

All Town employees, other than those mentioned above, serve at the discretion of the Town Manager. Employees are expected to meet all expectations in order to retain their employment status with the Town. The expectations include, but are not limited to, satisfactorily accomplishing the Town adopted job description requirements, any State or Federal requirements, working a schedule of hours required by the Town Manager, working to the Town Manager's satisfaction during all of those hours scheduled and successfully completing tasks required by the Town Manager, cooperating with other staff, Board Members, citizens and guests, working in a healthy physical and mental condition, free of alcohol consumption and adverse effects of drugs, and acting in an ethical manner by adhering to Town ethical standards at all times. Employees may choose to leave their employment at any time, and the Town reserves the right to terminate any employee at any time, with or without cause, notice or a hearing.

Dissemination

Each person, upon employment by the Town, shall be furnished a copy of this Employee Handbook and shall sign an acknowledgement of receipt and understanding, which will be placed in the personnel file of each employee.

CHAPTER II CLASSIFICATION OF EMPLOYEES

General provisions

Employees are generally classified into one of several categories listed below. Employees will be hired in compliance with Fair Labor Standards Act ("FLSA") exempt salaried or FLSA non-exempt hourly employment standards.

Full-time employee

A full-time employee is an employee who has been hired to work and who is normally required to work at least thirty (30) hours per week for the entire year. All provisions of this Handbook apply to all employees, although full-time compensation and benefits are only offered to full-time employees.

Part-time employee

A part-time employee is an employee who has been hired to work fewer than thirty (30) hours per week. Part-time employees are not entitled to any benefits offered by the Town except worker's compensation and unemployment compensation benefits provided by law.

Marshal's Department personnel

In addition to all provisions of this personnel policy, employees of the Green Mountain Falls Marshal's Department shall be governed by all policies and procedures specific to the Marshal's Department. All Marshal's Department employees shall be informed of all procedures and policies

applicable to that position upon being hired. The Marshal's Department Reservists shall also be governed by the Reserve Program Rules and Regulations Manual. All Marshal's department employees shall receive and sign for the Marshal's Department Procedures and Policies Manual as well as this Employee Handbook.

Volunteers

Volunteers are governed by the policies and procedures as set forth in this Handbook, but they are not eligible for any benefits or compensation.

Temporary Employee

A Temporary Employee is an employee who has been appointed for a limited and specified period, either full- or part-time, and receives no compensation or benefits other than pay for services performed. All such arrangements shall be confirmed in writing by the Town Manager.

CHAPTER III EMPLOYEE RELATIONS / RESIDENCY / EXAMINATIONS AND TESTING

Employment of Relatives

In the event two employees marry or form a civil union and one of the following situations applies, the Town will try to arrange a transfer of one or both employees:

- One spouse or civil union member directly or indirectly supervises the other spouse or civil union member
- One spouse or civil union member audits, verifies, receives or is entrusted with money received or handled by the other spouse or civil union member;
- Either spouse or civil union member works in a department that handles confidential matters, including payroll and personnel records

If no such transfer is available, one of the employees must terminate employment with the Town within 90 days from date of marriage or the registration of the civil union. The decision as to which employee resigns will be left to the two employees.

Employment of other relatives and residents of a current employee's household is not permitted.

Romantic Relationships

If a romantic relationship develops between two people at work where one is in a supervisory position over the other, both parties are responsible for reporting the relationship to the Town Manager. Such relationships can be disruptive to the work environment, create a conflict of interest or the appearance of a conflict of interest, and lead to complaints of favoritism, discrimination, or sexual harassment. Steps may be taken to change the work relationship to avoid any conflict of interest.

Residency Requirements

Employees of the Town of Green Mountain Falls are encouraged to live in the Town or within the Ute Pass area. If an employee does not live within the limits of the Town of Green Mountain Falls, geographic considerations (the distance of an employee's residence from the Town of Green Mountain Falls) or difficulty in traveling from the employee's home to Green Mountain Falls for any reason, including inclement weather or lack of transportation, will not constitute justifiable reasons for failure to report for duty as assigned or expected. The Town reserves the right to establish special residency requirements for specific positions based on the requirement for quick emergency response or other factors.

Examinations/Evaluations – Medical, Psychological, Alcohol, Drug/Chemical Dependency, Polygraphs

The Town has a zero tolerance for alcohol or drug use by employees while on the job. Under certain circumstances, a current employee may be required to undergo medical, psychological, alcohol, drug dependency or polygraph examination and evaluation at a facility selected by the Town. The purpose of such an examination is to determine the applicant's fitness and ability to perform the required work.

Testing procedures and standards will be determined by the laboratory conducting the testing and analysis in regard to sample identification, chain of custody, testing and analysis.

Drug and Alcohol Testing for Individuals with Commercial Driver's Licenses (CDL)

Drug testing policies for CDL drivers and other employees driving as part of their employment with the Town may be set forth in a separate policy.

CHAPTER IV WORK SCHEDULE

Work Week

The work week for all employees shall begin on Sunday at 12:00 midnight and end on the next Saturday at 11:59 p.m.

Scheduling

The Town Manager will determine the arrival and departure times for the employees of each department to achieve maximum effectiveness.

Employees who work an eight-hour day schedule are entitled to two fifteen-minute breaks plus a lunch break consisting of ½ or 1 hour, so long as eight hours are worked in one day.

Employees who work part time for four hours per day are entitled to one fifteen-minute break with no lunch break.

Employees who work part time for six hours per day are entitled to one fifteen-minute break and a ½ hour lunch break.

Attendance

Excessive absences or multiple instances of unexcused absences or tardiness may result in disciplinary action and/or termination. An employee who fails to notify his or her supervisor of any absence from work or does not call in within an hour of the expected start time may be the subject of disciplinary action.

Unexcused absences include any non-prearranged time away from work, including, but not limited to:

- Doctor or dentist visits or other appointments for which pre-approved absence is not requested and granted. Employees are expected to arrange personal appointments during non-work time whenever possible.
- Arriving at work late (after scheduled start time) without prior approval.
- Leaving work early (prior to scheduled end time) without prior approval.
- Extended breaks and/or meal periods without prior approval.

Emergency Conditions

All Town facilities are considered open for business, during normal opening times, regardless of weather conditions, fire damage, natural disaster, or other unusual circumstances unless officially designated CLOSED by the Town Manager or the Town Marshal.

When facilities are open: The decision to report to work when unusual conditions prevail shall normally reside with the employee except in the case of designated emergency personnel who shall be expected to report as instructed or scheduled. In the case of both emergency and non-emergency personnel, the Town reserves the right to provide transportation for the employee and to require the employee to report to work. An employee's job description will specify whether a position qualifies as emergency personnel. An employee should ask for clarification if he or she is unsure.

During emergency conditions when Town facilities remain open, all employees will exercise one of the following options:

- 1) Report to work as scheduled – all hours worked during the normal shift shall be paid at the employee's regular rate of pay.
- 2) Charge any time that the employee does not work due to emergency conditions to vacation leave, compensatory time, or leave without pay.

The employee is responsible for contacting the supervisor or the Town Manager if unable to report to work.

When the Town Manager closes Town Facilities due to emergency conditions the following provisions will apply:

- Emergency personnel are expected to report to work as directed or scheduled.
- Non-emergency personnel do not report to work unless specifically requested to do so by their supervisor. All time not worked shall be accounted for as vacation leave, compensatory time, or leave without pay. All personnel that are requested to and do report to work shall be compensated at the regular rate of pay for all normal hours worked and with overtime pay as required by law.

CHAPTER V COMPENSATION

Pay

Employees will be paid based on a bi-weekly pay period.

Salary Ranges

To the extent possible, salary ranges will be established for each classification by the Board of Trustees, upon recommendation from the Town Manager, with reference to comparable positions in local public and/or private nonprofit agencies in accordance with proper program guidelines. These ranges are intended to furnish administrative flexibility in recognizing individual differences among positions allocated to the same class, in providing employee incentive for growth and improved performance, and in rewarding employees for meritorious service.

Continuous Service

Service requirements for salary advancement and for other purposes will be based on continuous service without a break. Leave without pay exceeding thirty calendar days generally will not be counted as continuous service.

Overtime and Compensatory Time

Applicability of Fair Labor Standards Act. The Town of Green Mountain Falls is governed by the provisions of the Fair Labor Standards Act (FLSA) in determination of eligibility for compensatory time and monetary payment for overtime. With this as a consideration, the Town has the right to determine the employee's work week. This Section of the Handbook applies to non-exempt employees under the FLSA.

Compensatory Time Off in-lieu of Overtime Pay

- Compensatory time off will be given in lieu of overtime pay unless agreed to in advance by the employee's supervisor. Compensatory time off in lieu of cash overtime compensation is an important condition of employment.
- Employees shall obtain verbal or written authorization from the Town Manager prior to continuing work into overtime in any given work period. Emergency conditions such as those affecting the public health, safety, and welfare will be taken into consideration, but verbal or written approval from the Town Manager must be obtained prior to working additional hours. Working unauthorized overtime hours may subject an employee to disciplinary action.
- Compensatory time will accumulate up to a maximum accumulation of 40 hours for all non-exempt employees under the FLSA. The employee and the employee's supervisor will coordinate so that this accumulated compensatory time is taken by the employee as soon as possible after it is earned. Accumulated and un-used compensatory time remaining to the credit of the employee upon separation from employment will be paid out at the employee's hourly rate at the time of separation.

Payroll Deductions

The following deductions are required by law to be withheld from the employees' paycheck:

- Federal and state tax withholdings
- Garnishments and tax levies

Deductions that may be authorized by the employee include:

- Health, dental, and life insurance premiums, as applicable
- Retirement savings

Time Recording

Each non-exempt employee shall complete a time sheet, as provided by the Town, for each work week recording their hours worked during that work week. The time sheet is to be turned in to the supervisor in accordance with a schedule established by the Town Clerk.

Exempt employees are to track exceptions only, such as use and category of any time off, and are not to track the specific number of hours worked on a daily or weekly basis.

CHAPTER VI EMPLOYEE BENEFITS

Policy

Paid holiday, annual vacation benefits, military leave, bereavement, jury duty, health insurance, and worker's compensation benefits are granted in full from the first day of eligibility.

Except as may be governed by state law, benefits may be increased, decreased, eliminated, changed or modified from time to time as deemed necessary or appropriate by the Board of Trustees. The Town will make a reasonable effort to provide employees with a minimum of 30 days' notice prior to the effective date of any benefit change.

Official Holidays

The following 13 days are considered paid holidays for all full-time Town employees:

1. New Year's Day
2. Martin Luther King, Jr. Day
3. Presidents' Day
4. Memorial Day
5. Independence Day
6. Labor Day
7. Columbus Day
8. Veterans' Day
9. Thanksgiving Day
10. Day after Thanksgiving
11. Christmas Eve
12. Christmas Day
13. New Year's Eve

Holidays that fall on Saturday will be observed on the preceding Friday (or Thursday if Town Hall is closed on Fridays); holidays that fall on Sunday will be observed on the succeeding Monday. Holidays must be observed as they occur. Holidays may not be accumulated and no compensation for unused holidays will be paid out upon separation.

In order to receive pay for a designated holiday, an employee must be employed both the scheduled work day immediately preceding and immediately following the holiday. The number of hours paid for the holiday will represent the number of hours the employee would typically be scheduled to work on that day.

Religious Holidays

Employees who desire to attend religious services or observe religious holidays that occur during scheduled work hours must receive approval for the absence in the same manner as for other absences. Employees may use vacation benefits, compensatory time off, or leave without pay for such purposes.

Vacation Benefits

Accrual

Full-time employees shall earn annual vacation benefits each year on the basis of accumulated employment as shown below.

Up to 5 years: 10 days per year

After 5 years: Add an additional one day for each additional year worked up to a maximum of 20 days per year

Vacation benefits shall be earned at the rate of 1/26 of the applicable annual allowance per bi-weekly pay period. The rate of accrual is computed from the date of employment, subject to a cap. Employees accrue vacation in hours in proportion to their FTE percentage classification, and will be pro-rated accordingly.

Maximum Accrual

In order to promote an appropriate work-life balance, employees' vacation benefits accruals are capped at a maximum accrual of two years' worth of the employee's normal annual rate of accrual. Once a balance reaches the cap, the employee will cease to accrue additional vacation balance beyond the cap until reducing the accrued balance by taking a scheduled vacation. Accruals under the cap are on a rolling basis and do not expire.

Vacation Scheduling

Vacation leaves are to be requested in advance by employees and approved by the Town Manager or the employee's supervisor.

Payment of Vacation upon Separation

Upon separation, the Town shall pay the employee the amount of annual vacation benefits that the employee has accrued. The payments shall be calculated at the employee's regular hourly rate at the time of separation.

Health Insurance Benefits

Full-time employees, those who work 30 or more hours per week, are eligible to enroll in the Town's group insurance plans. Full-time employees may also be eligible to enroll their family members in the Town's group insurance plans. Separate additional information will be provided related to specific plans and benefits.

Retirement Benefits

Full-time employees are eligible to participate in the Town's retirement plan. Details, regulations, and schedule of contributions will be explained to the employee prior to the enrollment period.

Sick leave benefits

Purpose & Eligibility

Full-time employees shall be granted 96 hours of sick leave annually for unscheduled personal reasons, such as illness of the employee or a family member, or personal days off. Sick leave is not earned vacation benefits.

Accrual

Full time employees shall accrue sick leave at the rate of 3.69 hours per bi-weekly pay period. Accrual will begin with the date of employment.

Maximum Accrual

Employees' accrued sick leave balance is capped at a maximum accrual of 96 hours. This cap will be pro-rated for full time employees that are less than 1 FTE. Once a balance reaches the cap, the employee will cease to accrue additional sick leave beyond the cap until the accrued balance is reduced. Accruals under the cap are on a rolling basis and do not expire.

Sick leave usage

Sick leave is intended to be used when an employee is not healthy enough to come to work. Prior approval is not required, but the employee should notify his or her immediate supervisor as soon as possible during an absence. Failure to report to work and failure to notify the Town may be construed as an unexcused absence.

Sick leave Abuse

Sick leave is not a vacation benefit and shall not be used for pre-planned purposes not involving a health need. For absences greater than 3 days in duration, the Town may require a letter of explanation from the employee, or an employee's attending physician, in order to return to work.

Sick leave Payment

No compensation for unused sick leave will be paid to an employee upon separation.

Workers Compensation and Work-Related Absence

Any employee who becomes incapable of performing his or her normal duties as the result of injury or illness incurred within the scope of the employee's employment shall be deemed to be

on work-related absence as required by law. All employees of the Town shall receive the statutory benefits under the Worker's Compensation Act of Colorado.

Military Leave

Employees will be granted a military leave of absence, reinstated and paid in accordance with state and federal law.

Bereavement Leave

In the event of a death in the immediate family, an employee may receive bereavement leave to attend the funeral for a maximum of 3 working days. If a longer period is required, this must be arranged through the Town Manager and additional time debited from the employee's available vacation or compensatory time off bank.

Immediate family is defined as: spouse, parent, or step-parent, parent-in-law or step-parent-in-law; child or step-child; brother, step-brother or brother-in-law; sister, step-sister, sister-in-law; grandparents, step-grandparents or grandparents-in-law; grandchildren, and/or any family member or unrelated individual residing in the employee's household.

Jury Duty

Employees required to serve in court as jurors will receive full normal pay (i.e., straight-time for their normal number of hours worked) for the duration of such duty, with the provision that the employee shall remit all compensation (other than mileage reimbursement) received for this duty to the Town. An employee released from jury duty or from serving as a witness is required to return to work as soon as possible.

Employees must immediately notify the Town Manager or their supervisor when they receive notice of jury duty or other notice to appear in court.

Court Appearances

Employees who are required to appear in court on matters that do not relate directly to their duties in the Town, except for jury duty, shall not be granted court leave. They may be allowed to use accumulated compensatory time, vacation benefits, or leave without pay.

CHAPTER VII UNPAID LEAVE

As a public sector or governmental employer, the Town is covered by the federal Family Medical Leave Act (FMLA). For this reason, the Town has posted an FMLA notice to employees. However, to be eligible to take FMLA leave, an employee must work at a work site with at least 50 employees within 75 miles. Because the Town does not have at least 50 employees, employees

are not eligible to take FMLA leave. The Town may, however, allow unpaid leave in certain circumstances with approval by the Town Manager.

Except in the case of workers compensation leaves, an employee requesting unpaid leave will be required to use all accrued paid time off for such absence first. Once the employee's paid leave bank is depleted, unpaid leave may be granted by the Town Manager at his or her discretion.

Advance Notice

An employee must provide at least 30-days advance notice when requesting unpaid leave if the need for the leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of a family member.

When it is not practicable under the circumstances to provide such advance notice, (e.g., a premature birth or a medical emergency) such notice must be given no more than two working days after the employee learns of the need of the leave.

The Town Manager may request documentation regarding the need for unpaid leave at reasonable intervals.

Unpaid leave is not intended to continue indefinitely. After an extended period, the Town Manager may declare the position vacant when he/she finds that it is in the best interest of the Town to do so.

CHAPTER VIII HEALTH AND SAFETY

Reporting Accidents and Injuries

All on-the-job injuries must be reported immediately to the injured employee's supervisor, whether or not medical care is needed. The supervisor will assist in the acquisition of medical treatment, if needed or requested by the employee. The supervisor will conduct a brief investigation of the incident to determine causation and to assist in mitigation of future incidents. The supervisor will prepare a written report to the Town Manager.

If, while operating a town-owned vehicle or privately-owned vehicle in the performance of official town duties, an employee is involved in an accident resulting in personal injury or property damage, the employee shall:

1. Notify and report the accident to the appropriate law enforcement officials;
2. Request that all parties remain at the scene of the accident until a law enforcement representative releases them;
3. Report the accident to his/ her supervisor or the Town Manager as soon as possible, but no later than the day after the accident;

4. Refrain from any discussion of the accident with anyone other than the Town Manager, the Town's insurance company or its attorneys, law enforcement or representatives of the employee's own insurance, if the employee's personal vehicle is involved.

If an employee's conduct has resulted in a loss or damage to Town equipment or property, the Town may seek to recover the cost of such loss or damage from the employee.

Worker's Compensation

All employees are entitled to benefits as provided by the Colorado State Worker's Compensation Law for injury or illness arising out of and in the course of Town employment.

Worker's compensation insurance covers only injuries arising out of and in the course of employment as determined by the Town's worker's compensation insurer.

All on-the-job injuries and illnesses must be reported to the employee's supervisor, the Town Manager, or the Town Clerk for filing with the Town's workers compensation insurance company as soon as possible and not later than 24 hours after an occurrence. Failure to report an on-the-job injury or illness could result in a reduction in benefits. A written report of all injury investigations must be made and will be included in the file.

The Town follows a return-to-work policy in accordance with state laws and insurance carrier requirements. As part of these requirements, a medical confirmation of the return-to-work status of the employee will be required prior to returning to work.

Use of Town Vehicles and Property

An employee must possess a valid, appropriate Colorado driver's license to operate a Town-owned vehicle or personally-owned vehicle while on Town business.

Employees with Commercial Drivers Licenses and employees of the Marshal's Department are prohibited from the on- or off-duty use of marijuana, regardless of whether they are impaired or under the apparent influence of marijuana in the workplace because marijuana is a Schedule 1 controlled substance under the Federal Controlled Substance Act, 21 U.S.C. §812, which remains illegal under Federal law.

Operation of a Town-owned vehicle is restricted to official Town business. Any Town property, including vehicles, shall not be used for private purposes. Personal business conducted while an employee is in a Town vehicle shall be restricted to stops requiring no more than a 15-minute break period or a normal lunch period. Such stops shall not result in additional mileage on the vehicle and shall be restricted to "en route" stops.

Use of Private Vehicles

An employee who is authorized by the Town Manager to operate a private vehicle on official Town business will be reimbursed at the Internal Revenue Service's standard mileage rates.

If the employee becomes involved in an accident while operating his or her personal vehicle on Town business, the employee's personal auto insurance coverage is considered to be the primary policy (insurer).

Traffic citations and parking tickets received while operating a vehicle on Town business, whether the vehicle is Town-owned or personally owned, are the responsibility of the employee.

Safety Equipment

The Town may provide safety equipment as it deems necessary and appropriate to employees whose positions require such safety equipment and may make its use mandatory.

Smoking in Town Buildings and Vehicles

Smoking is not permitted by any Town employee in any buildings or vehicles belonging to or owned by the Town. Smoking includes use of e-cigarettes or electronic vaporizing devices and the use of any product that can be used to deliver tobacco, nicotine, or marijuana to the person inhaling from the device.

Reporting to Work While Impaired by Medications

No employee shall report to work, or be at work, if impaired by prescribed or over-the-counter medications. Employees are expected to use prescription and over-the-counter medications in an appropriate manner and dosage and are expected to know whether the appropriate use of such medications may impair their ability to perform their jobs safely and competently.

CHAPTER IX DISCIPLINARY PROCEDURES

The Board of Trustees hereby delegates to the Town Manager the exclusive right to determine the discipline appropriate for each employee's conduct. The Board of Trustees reserves the right to determine discipline for the Town Manager. There is no requirement that disciplinary action be given in any specific or progressive sequence.

Occasionally performance or other behavior falls short of our standards and/or expectations. When this occurs, management takes action, which, in its opinion, seems appropriate.

Disciplinary actions can range from an informal discussion with the employee about the matter to immediate discharge. Action taken by management in an individual case does not establish a precedent in other circumstances.

CHAPTER X TRAINING AND CAREER DEVELOPMENT

Orientation

Each new employee shall be given an orientation to the job and to the policies adopted by the Board of Trustees. Orientation will be given by the employee's supervisor. The Town Manager may permit or direct the attendance of employees at meetings, conferences, or seminars intended to improve skills or knowledge. Acceptance of such training by an employee at reasonable times and with reasonable frequency is a condition of employment.

Training

The Town Manager may release an employee from regular duties with pay during the work day to attend classes in a recognized institution of learning if in his or her opinion such classes contribute to the purposes of the Town and/ or to the attainment of the objectives of the Board of Trustees. Hours in exceeding eight hours per week must be approved in advance by the Town Manager.

Out of Town Travel

Employees who are authorized by the Town Manager to attend meetings, conferences, and schools, etc., and are required to remain away from home overnight may be reimbursed. Reimbursements for all travel expenses must be substantiated by receipts. No employee may be paid for travel between home and the regular work place. No reimbursement shall be made for entertainment, including alcohol purchases. Additional requirements regarding reimbursement and travel rules may be adopted by separate policy.

CHAPTER XI PERFORMANCE EVALUATION

Responsibility

The supervisors and the Town Manager are responsible for evaluating the performance and merit of personnel under their purview.

Form and Frequency

Employee evaluation reports let employees know how the supervisor views their performance, furnishes guidelines to improve that performance, and assists the employee in preparing for advancement. The Town Manager determines the format for evaluations, and full-time employees will generally be evaluated at least annually. An approved increase in pay may follow annually, depending upon Board approval of the Town budget.

Employee evaluations will be kept in the personnel file of that employee. The employee has the right to place in the personnel file a written statement of exception or explanation of the evaluation.

The entire contents of the personnel file are considered when decisions concerning promotion, demotion, or disciplinary action are made.

CHAPTER XII EMPLOYEE PERSONNEL RECORDS

Personnel Records and Files

Personnel records are maintained in accordance with established personnel and legal procedures and portions are protected from and subject to public disclosure under the Colorado Open Records Act. Employee records shall be maintained by the Town Clerk.

Review of Personnel Records and Files

Any employee may review his/her personnel file at any time during the normal working hours of the Town Clerk. Employees may receive a copy of any information in their file upon request, unless prohibited by law.

Release of Personnel Information

Employees are encouraged to retain copies of their performance evaluations, since the only information released to prospective employers or for the purposes of establishing credit are dates of employment, full- or part-time status, job titles, and rate of pay. Any other requests for employee information must include a signed release from the employee.

CHAPTER XIII ELECTRONIC MEDIA ACCESS, E-MAIL AND INTERNET USE

Scope

While electronic mail and the Internet have become indispensable workplace communication and research tools, improper usage creates the potential for employer liability.

Purpose

The purpose of this policy is to convey an acceptable use policy regarding the Internet and e-mail services or equipment owned and provided by the Town of Green Mountain Falls. This will ensure that users of e-mail, Internet, voice mail, electronic facsimile (FAX), electronic bulletin boards, and electronic subscription services are aware of privacy/security, application, and legal issues related to their usage. This will also ensure that requests for information stored in the aforementioned formats are complied with in the same manner as requests for information stored in non-electronic formats.

Employee Use of Electronic Media, E-Mail and the Internet

All Electronic Communications Systems and information transmitted by, received from, and stored in these systems is owned or under the custody of the Town of Green Mountain Falls. “Electronic Communications System” is defined as the equipment and electronic messages that are transmitted between two or more computers or electronic terminals, and the messages left on a voice mail system.

An employee has no expectation of privacy in using the Town’s Electronic Communications System when transmitting, receiving, or storing information, whether on or over the Internet or by e-mail. The Town of Green Mountain Falls may monitor the system at any time at its discretion by random monitoring or monitoring any suspected improper use. Monitoring may include printing and reading electronic messages entering, leaving, or being stored in these systems and identifying Internet sites accessed. Electronic messages may be public records, available to the public for inspection upon request.

Data and information about the operations of the Town of Green Mountain Falls and its employees are collected and retained only to satisfy legitimate business purposes or as required by law. Protecting Town information and systems is every employee’s responsibility. Town employees share a common interest in ensuring information and systems are not intentionally, accidentally or improperly disclosed, lost or misused.

The Electronic Communications System is not to be used for private or confidential matters. Care should be taken when using the Electronic Communications System. If the sender of a message on the Electronic Communications System does not intend for the mail to be forwarded, the sender should clearly mark the message “DO NOT FORWARD”.

Deliberate unauthorized acts against the Town, including but not limited to misuse, misappropriation, and destruction of information or system resources, and/or the deliberate unauthorized use of software/shareware, may result in disciplinary action.

Town employees have an obligation to use their access to the Internet in a responsible and informed way, conforming to network etiquette, customs and courtesies, and representing the Town in a positive manner. Use of electronic media, e-mail, or the Internet by Town employees constitutes acknowledgement of this policy in whole, whether formally acknowledged or not.

Employees should have no expectation of privacy of electronic messages or information received or sent over the Internet.

Acceptable Use of Electronic Media, the Internet, and E-Mail

The following constitute acceptable use of electronic media, the Internet and e-mail:

- To communicate and exchange professional, work-related materials.

- To use for professional society, university association, government advisory or standard activities related to the user's professional capacity.
- To use in applying for or administering grants or contracts for work-related applications, but not for fund raising.
- To use any other administrative communications or activities in direct support of work-related functions.
- To announce new products or services within the scope of work-related applications.
- To access databases or files to obtain work-related reference material or work conduct research.
- To post work-related questions or share work-related information.

Unacceptable Use of Electronic Media, the Internet and E-Mail

The following constitutes unacceptable use of electronic media, the Internet and e-mail:

- The creation, downloading or transmission of any offensive, obscene, or indecent images, data or other material, or any data capable of being resolved into offensive, obscene or indecent images or material, except the transmission of official work-related information. Materials containing unlawful or inappropriate content.
- The creation or transmission of unsolicited commercial or advertising material either to other user organizations, or to organizations connected to other networks or users.
- Deliberate activities with any of the following characteristics:
 - Corrupting or destroying other users' data
 - Violating the privacy of other users
 - Disrupting the work of other users
 - Introduction of "viruses"
 - Violation of Federal, State or local laws
 - Transmitting threatening or harassing materials.
- Lobbying any government (elected official or agencies) for purposes of supporting or opposing any issues, programs, or projects except as directed by the Town Manager or the Board of Trustees.
- Use of services to gain unlawful access to information, computational, or communication devices or resources.
- Transmission of material in violation of applicable copyright laws or patents.
- Personal use not related to the conduct of work directly on behalf of the Town of Green Mountain Falls.
- Use for personal business.
- To misrepresent oneself or the Town of Green Mountain Falls government.
- To express views representing the Town of Green Mountain Falls government without proper authorization.
- Confidential or private matters.

Use of software

The Town of Green Mountain Falls will only allow municipally written software and public domain software to be stored or executed upon its computers. Programs installed with the intention of protecting municipal devices and peripherals, such as anti-virus software, shall not be removed or disabled.

Any software and software manuals covered under copyright laws or licensed under an agreement prohibiting duplication must not be duplicated, copied, or otherwise used on multiple computers, unless permitted by written agreement with the vendor. Single copies of software shared by multiple computers on a local/wide area network are not permitted unless specifically licensed for such purpose or unless the Town of Green Mountain Falls wrote the software. Licensed software on municipal computers shall not be downloaded to another computer for execution or for creation of a local copy unless permitted by written agreement of the vendor.

Privacy

Employees should have no expectation of privacy regarding the electronic media. Any information or data contained in any computer owned by the Town of Green Mountain Falls is available to the Town of Green Mountain Falls at all times and may be subject to audit. An employee does not have a right to individual privacy while using the Town of Green Mountain Falls' computer Electronic Communications System.

Interception

No user may intercept the e-mail of another employee, business or person. No employee may receive e-mail as an agent/employee of the Town without the knowledge and permission of the Town Manager.

Public Records

All electronic communications should be considered a public record and may open to inspection pursuant to the Colorado Open Records Act, C.R.S. § 24-72-201.1, *et seq.*

All requests for public records should be directed to the Town Clerk for processing.

Monitoring

The Town may monitor, with or without consent or knowledge of an employee, e-mail and Internet usage at any time, whether by tracking all users, selecting random users, or tracking employees at the request of the Town Manager or Board of Trustees.

CHAPTER XIV SEPARATION FROM EMPLOYMENT

Termination

Termination of an employee will be made at the discretion of the Town Manager in consultation with the Town attorney.

Resignation

An employee shall provide the Town with written notice no less than two weeks prior to the effective date of the resignation. Unauthorized absence from work for a period of three consecutive working days may result in termination.

Exit Interview

The supervisor or Town Manager may conduct an Exit Interview on each separating employee unless the circumstances of their separation make it impossible to do so. The notes from the Exit Interview will be placed in the employee's Personnel File.

Death

In the case of an employee's death, separation shall be effective as of the date of death. All compensation, including accrued vacation and compensatory time pay shall be paid to the estate of the employee, except for such sums as by law may be paid directly to the surviving spouse.

Final Paycheck

In addition to other remedies available under the law, an employee's final paycheck may be reduced if he or she has not turned in town equipment, tools, keys, or other property belonging to the Town, and/or if the employee owes money to the Town for any reason.

Final paychecks will include payment for any accrued, unused vacation benefits and compensatory time. The separating employee shall leave a forwarding address with the Town Clerk indicating where future correspondence and tax report forms can be mailed.

ACKNOWLEDGMENT OF RECEIPT

I HAVE RECEIVED A COPY OF OUR EMPLOYEE HANDBOOK DATED _____. I UNDERSTAND THAT THE HANDBOOK PROVIDES A SUMMARY OF THE TOWN'S GUIDELINES AND ITS EXPECTATIONS REGARDING MY CONDUCT. I UNDERSTAND I AM TO BECOME FAMILIAR WITH ITS CONTENTS.

I UNDERSTAND THAT, EXCEPT AS MAY BE REQUIRED BY LAW, MY EMPLOYMENT WITH THE TOWN IS AT-WILL. THIS MEANS THAT NEITHER I NOR THE TOWN IS COMMITTED TO AN EMPLOYMENT RELATIONSHIP FOR A SPECIFIC PERIOD OF

TIME AND THE EMPLOYMENT RELATIONSHIP MAY BE TERMINATED BY ME OR THE TOWN AT ANY TIME, FOR ANY REASON.

THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS OF MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR ANY SPECIFIC DURATION.

I UNDERSTAND THAT NO REPRESENTATIVE OF THE TOWN OTHER THAN THE TOWN MANAGER HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND ANY SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE TOWN MANAGER AND ME. WE HAVE NOT ENTERED INTO SUCH AN AGREEMENT.

FURTHER, I UNDERSTAND THAT THE CONTENTS OF THIS HANDBOOK ARE SUMMARY GUIDELINES FOR EMPLOYEES AND THEREFORE NOT ALL INCLUSIVE. THIS HANDBOOK SUPERSEDES ALL PREVIOUSLY ISSUED EDITIONS. NO ORAL STATEMENTS OR REPRESENTATIONS CAN CHANGE THE PROVISIONS OF THE HANDBOOK OR ANY SUPPLEMENT. EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT, THE TOWN RESERVES THE RIGHT TO REVISE, DELETE, OR ADD TO ANY OR ALL OF THE GUIDELINES MENTIONED, ALONG WITH ANY OTHER PROCEDURES, PRACTICES, BENEFITS, OR OTHER PROGRAMS OF THE TOWN. THESE CHANGES MAY OCCUR AT ANY TIME, WITH OR WITHOUT NOTICE.

IF I HAVE QUESTIONS REGARDING THIS EMPLOYEE HANDBOOK, OR EMPLOYMENT POLICIES OR BENEFITS I UNDERSTAND THAT I AM ENCOURAGED TO TALK DIRECTLY TO THE TOWN MANAGER.

I HAVE READ AND UNDERSTAND THE ABOVE STATEMENTS.

Employee Signature

Date

Print name:

GMF Fire Restrictions

	Fire Restrictions ^a			
	None	Stage 1 ^b	Stage 2 ^c	Stage 3
Portable fire pans, portable chimineas, trash cans, stock tanks, ground level campfires, fire pits dug into the ground, or any vessel that is not permanently mounted ^d	Not Allowed	Not Allowed	Not Allowed	Not Allowed
The burning of irrigation ditches	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Fireworks ^e	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Open Burning	Allowed	Not Allowed	Not Allowed	Not Allowed
Launching of model rockets	Allowed	Not Allowed	Not Allowed	Not Allowed
Outdoor charcoal grills	Allowed	Allowed	Not Allowed	Not Allowed
Smoking/Vaping Outdoors ^f	Allowed	Allowed	Not Allowed	Not Allowed
Fires and Campfires ^g	Allowed	Allowed	Not Allowed	Not Allowed
Permanent outdoor fireplace	Allowed	Allowed	Not Allowed	Not Allowed
Fires contained within liquid-fueled or gas-fueled stoves and grills.	Allowed	Allowed	Allowed	Not Allowed
Indoor fireplaces and wood-burning stoves ^h	Allowed	Allowed	Allowed	Not Allowed
Chainsaws with appropriate spark arrestors.	Allowed	Allowed	Allowed	Not Allowed
Smoking/Vaping Indoors and within enclosed vehicles				
Commercial or community fireworks displays properly permitted.	Allowed	Allowed	Allowed	Allowed
Burning in service in the performance of an official duty ⁱ	Allowed	Allowed	Allowed	Allowed

Any further exemptions to either the meaning of terms or the enforcement of this Ordinance shall be granted only by the Fire Chief, and only if the proposed action is deemed to be safe and mitigable in the Fire Chief's sole discretion based on best fire safety practices.^j

^a Town of Green Mountain Falls Municipal Code - Article XV [Restriction of all Open Fires and Open Burning] - Open fire or open burning . For purposes of this Ordinance, open fires or open burning shall be defined as any outdoor fire, including, but not limited to, campfires, warming fires, cooking fires, charcoal grill fires, fires in outdoor wood burning appliances, the use of explosives, outdoor welding or operating an acetylene or other torch with open flame other than in an area cleared of all flammable materials, fireworks of all kinds or brands, and the prescribed burning of fence lines or rows, fields, farmlands, rangelands, wildlands, trash, and debris.

^b Sec. 10-328 – Stage I Restrictions

^c Sec. 10-329 – Stage II Restrictions

^d Sec. 10-326 & Sec. 10-327 (a)

^e Sec. 10-291. – Definitions: Fireworks means and includes any article, device or substance prepared for the primary purpose of producing a visual or auditory sensation by combustion, explosion, deflagration or detonation, including without limitation the following articles and devices commonly known and used as fireworks: toy cannons, toy canes in which explosives are used, blank cartridges, the type of balloon which requires fire underneath to propel the same, firecrackers, torpedoes, skyrockets, roman candles and Day-Globombs. The term fireworks shall not include fountains, pinwheels, toy pistols, toy guns, sparklers or torches which do not contain explosive charges or other devices in which paper caps manufactured in accordance with United States Interstate Commerce Commission regulations for packing and shipping of toy paper caps are used and toy pistol paper caps manufactured as provided above.

^f Outdoor smoking except within an enclosed vehicle or building, a developed recreation site or while stopped in an area at least three (3) feet in diameter that is barren or cleared of all flammable materials.

^g within permanently constructed fire grates in developed campgrounds and picnic grounds, charcoal grills and permanent outdoor fireplaces at private residences in areas cleared of all flammable materials.

^h Indoor fireplaces and wood-burning stoves installed and maintained in compliance with all applicable codes and ordinances.

ⁱ Federal, State, or local officer, or member of a rescue or firefighting force organized, employed or contracted by a Federal, State or local firefighting, military, or police protection service in the performance of an official duty

^j Sec. 10-332 (d)

BOARD OF TRUSTEES AGENDA MEMO

DATE: August 1, 2018	AGENDA NO. 4.f.	SUBJECT: Ordinance No. 2018-08 regarding elections
Presented by: Judy A. Egbert, Interim town Clerk		

Recommend action:

Introduce ordinance and set for workshop and final action.

Background:

In reviewing the current Code, legal counsel noticed that the Town's provision for the deadline for a write-in candidate is in conflict with state law. The current Code specifies that in write-in candidate must file an affidavit no later than 20 days prior to election.

This ordinance dates back to 1992, well before substantial election law changes at the state level. State law now requires 65 days prior. Not only is the current code in conflict, but it presents an unworkable timetable in managing an election.

This ordinance is an integral piece in preserving the ability to cancel an election when there are no more candidates than there are seats available, and there are no other items on the ballot.

Issue Before the Board

Does the Board wish to introduce this ordinance?

Alternatives

- Introduce the ordinance as presented, and set it for a workshop and consideration of final action
- Introduce the ordinance with changes, and set it for a workshop and consideration of final action.
- Decline to introduce the ordinance, leaving the current Code unmanageable and out of compliance.

Conclusion

If the Town does not address the write-in deadline through ordinance, the Town would not be able to cancel an election. With the ordinance as it currently stands, the deadline falls well after the ballot is printed and in the mail process, again, forcing the Town to hold an election when it otherwise may not need to. Adopting this ordinance, brings the timing into compliance with state law, and allows a cancellation as otherwise provided.

TOWN OF GREEN MOUNTAIN FALLS

ORDINANCE NO. 2018-08

AN ORDINANCE AMENDING SECTION 2-2 OF THE GREEN MOUNTAIN FALLS MUNICIPAL CODE REGARDING ELECTIONS

WHEREAS, the state deadlines for filing of write-in candidate affidavits and cancellation of elections have changed; and

WHEREAS, the Board of Trustees desires to amend Sections 2-2 of the Green Mountain Falls Municipal Code to comport with state election law.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS AS FOLLOWS:

Section 1. Section 2-2 of the Green Mountain Falls Municipal Code is hereby repealed and reenacted to read as follows:

Sec. 2-2. Write-in candidate affidavit required.

No write-in vote for a Town office shall be counted unless an affidavit of intent has been filed with the Town Clerk, by the person who desires the office and is qualified to assume the duties of that office if elected. The affidavit of intent shall be filed with the Town Clerk sixty-five (65) days prior to the date of the election indicating that such person desires the office and is qualified to assume the duties of that office if elected.

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. Section 1 of this Ordinance shall be effective thirty (30) days after passage.

INTRODUCED AND ORDERED PUBLISHED the 7th day of August 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, Town Clerk

APPROVED AS TO FORM:

Town Attorney

Published in the Pike Peaks Courier, _____ 2018.

BOARD OF TRUSTEES AGENDA MEMO

DATE: August 7, 2018	AGENDA NO. 4.h.	SUBJECT:
Presented by: Jason Wells, Interim Town Manager		Proposed 2018 Budget Amendment

Recommended action:

Approve Resolution No. 2018-13, which amends the Town's budget for the 2018 budget year on first reading and set the Public Hearing for August 21, 2018.

Background:

The Town's 2018 Annual Budget was adopted on December 5, 2017. With a vacancy in the Town Manager position, the Board hired an interim Town Manager (hereinafter referred to as Town Manager) in February to manage the Town and assist with the search for a new manager. The Town Clerk and Public Works Director resigned the following week leaving the Town with only one full-time employee, the Town Marshal. During this transition period and with Board approval, the Town Manager hired four consultants, all on a part-time and temporary basis, to assist with the Town's administrative needs: clerk, finance, special project, and administrative services.

As a result of the turnover and interim solutions, the Town Manager reviewed the transitional impact to the budget, as well as, the entire adopted budget and determined a budget amendment is necessary.

This budget amendment is also necessary due to increased legal services expenditures, which is due to the upcoming election question and implementation of short-term rentals regulations.

The increase to the General Fund budget is \$67,578, which is covered by an estimated increase in the beginning fund balance. The staffing analysis and a draft of the proposed amendment to the budget are attached. A supplemental appropriation for the Conservation Trust Fund and the Capital Replacement Fund is not necessary at this time.

Issue before the Board

To consider approval of the resolution that will amend the 2018 Budget on first reading and set the Public Hearing for August 21, 2018.

Alternatives

1. Modify the amended budget as requested.
2. Not approve the amended budget.

Conclusion

Due to the increased costs related to the staffing transition and increased legal expenditures, staff recommends approval of the budget amendment.

TOWN OF GREEN MOUNTAIN FALLS
2018 Annual Budget
General Fund Revenue Detail

Description	2017 Actual (unaudited)	2018 Adopted Budget	2018 YTD as of 6/30	2018 Unexpended	Proposed 2018 Amended Budget	2018 Budget Changes
TAXES						
Property Taxes						
Teller County Property Tax	\$ 8,594	\$ 9,282	\$ 6,912	\$ 2,370	\$ 9,282	\$ -
El Paso County Property Tax	141,630	147,518	112,513	35,005	147,518	-
Delinq. Property Tax-El Paso	445	-	14	(14)	-	-
Delinq. Property Tax-Teller	4	-	-	-	-	-
Specific Ownership Tax-El Paso	19,571	15,200	7,190	8,010	15,200	-
Specific Ownership Tax - Teller	1,140	800	1,498	(698)	800	-
Total Property Taxes	171,384	172,800	128,126	44,674	172,800	-
Sales and Use Taxes						
3% Sales Tax-GMF St. of CO	129,249	98,000	29,408	68,592	98,000	-
3% Use Tax Auto El Paso	35,052	32,500	18,034	14,466	32,500	-
3% Use Tax Auto Teller	3,652	2,500	7,236	(4,736)	2,500	-
3% Use Tax Construction/PPRBD	7,533	6,490	3,878	2,612	6,490	-
Total Sales and Use Taxes	175,485	139,490	58,555	80,935	139,490	-
Franchise Taxes						
Franchise-Telephone	4,200	4,200	2,100	2,100	4,200	-
Franchise-Cable	11,814	10,700	5,537	5,163	10,700	-
Franchise-Gas	14,375	10,600	5,140	5,460	10,600	-
Franchise-Electric	38,228	18,600	-	18,600	18,600	-
Total Franchise Taxes	68,617	44,100	12,777	31,323	44,100	-
2% Lodging Tax	17,398	13,900	4,186	9,714	13,900	-
TOTAL TAXES	432,884	370,290	203,645	166,645	370,290	-
INTERGOVERNMENTAL REVENUE						
HUTF	31,567	28,500	11,677	16,823	28,500	-
Tobacco Tax	-	-	100	(100)	-	-
M.V. Reg. Lic. Fees El Paso	2,475	2,500	1,043	1,457	2,500	-
M.V. Reg. Lic. Fees Teller	250	300	22	279	300	-
Road and Bridge/El Paso	1,294	700	680	20	700	-
Road and Bridge/Teller	-	750	108	642	750	-
RTA Funds	59,451	33,666	1,715	31,951	33,666	-
State Sourced Grant Funds	-	50,000	-	50,000	50,000	-
Grants - Town Manager	21,454	42,187	-	42,187	42,187	-
DUI/CIOT/LEAF	-	-	123	(123)	-	-
TOTAL INTERGOVERNMENTAL REVENUE	116,491	158,603	15,467	143,136	158,603	-

TOWN OF GREEN MOUNTAIN FALLS

2018 Annual Budget

General Fund Revenue Detail

Description	2017 Actual (unaudited)	2018 Adopted Budget	2018 YTD as of 6/30	2018 Unexpended	Proposed 2018 Amended Budget	2018 Budget Changes
CHARGES FOR SERVICES						
Parks and Recreation						
Gazebo Rentals	3,550	3,000	1,800	1,200	3,000	-
Pool Admissions & Passes	12,412	16,500	228	16,272	16,500	-
Pool - Food	-	300	-	300	300	-
Swimming Lessons	-	-	-	-	-	-
Pool Rental	-	-	-	-	-	-
Total Parks and Recreation	15,962	19,800	2,028	17,772	19,800	-
Public Safety						
VIN Checks	30	-	-	-	-	-
Total Public Safety	30	-	-	-	-	-
TOTAL CHARGES FOR SERVICES	15,992	19,800	2,028	17,772	19,800	-
FINES AND FORFEITURES						
Court Traffic	645	8,500	600	7,900	8,500	-
Court Non-traffic	-	-	-	-	-	-
TOTAL FINES AND FORFEITURES	645	8,500	600	7,900	8,500	-
LICENSES AND PERMITS						
Business Licenses	4,904	12,800	3,100	9,700	12,800	-
Dog Licenses	400	400	362	38	400	-
Liquor License Fees	500	500	225	275	500	-
Planning Commission Fees	1,700	500	351	149	500	-
Special Event Permit	1,400	1,400	1,300	100	1,400	-
Special Use Permit	600	400	500	(100)	400	-
Easement Fees	-	-	-	-	-	-
Revocable Permit Fees	125	225	225	-	225	-
Road Cut Permit	594	-	-	-	-	-
Other Licenses	-	-	-	-	-	-
TOTAL LICENSES AND PERMITS	10,223	16,225	6,063	10,162	16,225	-
OTHER REVENUE						
Interest	1,310	700	1,188	(488)	700	-
Donations	27,129	50,000	1,500	48,500	50,000	-
Misc. Revenue	2,068	-	-	-	-	-
GMF Stickers/Hats/Decals/Shirts	59	-	24	(24)	-	-
Other Marshal Revenues	-	-	-	-	-	-
TOTAL OTHER REVENUE	30,566	50,700	2,711	47,989	50,700	-
TOTAL GENERAL FUND REVENUE	\$ 606,801	\$ 624,118	\$ 230,514	\$ 393,604	\$ 624,118	\$ -

TOWN OF GREEN MOUNTAIN FALLS

2018 Annual Budget

General Fund Expenditures Detail

Description	2017 Actual (unaudited)	2018 Adopted Budget	2018 YTD as of 6/30	2018 Unexpended	Proposed 2018 Amended Budget	2018 Budget Changes
ADMINISTRATION DEPARTMENT						
Operations						
Office Supplies	\$ 4,176	\$ 3,503	\$ 2,273	\$ 1,230	\$ 3,000	\$ (503)
Postage	292	600	204	396	300	(300)
Building Maintenance	6,171	7,400	456	6,944	1,500	(5,900)
Legal Publications	976	2,000	281	1,720	2,000	-
Code Publishing	1,463	3,000	-	3,000	3,000	-
Annual Fee - Server Maintenance/IT Support	2,298	2,800	2,157	644	4,680	1,880
Annual Maintenance Contracts	615	500	151	349	500	-
Travel/Meetings Expense	2,211	1,750	-	1,750	700	(1,050)
Tax Collection Expense	2,896	3,300	1,602	1,698	3,300	-
Payroll Processing	1,874	3,000	558	2,442	3,000	-
Surety Bond	667	700	595	105	530	(170)
Election	-	11,000	-	11,000	11,000	-
Training/Conferences/Travel	3,388	4,500	718	3,782	1,500	(3,000)
Computer Replacements	6,316	-	-	-	-	-
Contracted Services	32,114	-	19,337	(19,337)	67,470	67,470
Marketing	289	-	-	-	-	-
Bank Service Charges	39	-	85	(85)	-	-
Total Operations	65,785	44,053	28,416	15,637	102,480	58,427
Labor						
Full Time Salaries	44,917	60,000	55,139	4,861	108,238	48,238
Admin Job Search	1,146	700	-	700	700	-
Part Time Salaries	29,191	30,000	-	30,000	-	(30,000)
Unemployment Insurance	99	150	104	46	150	-
Cell Phone Stipend	420	-	60	(60)	60	60
Workers Comp (Pinnacol)	1,051	500	4,023	(3,523)	500	-
Health/Life/Dental (CEBT)	6,022	8,280	3,964	4,316	3,200	(5,080)
FICA	5,669	6,885	4,218	2,667	8,300	1,415
Retirement	-	1,500	-	1,500	-	(1,500)
On Boarding Expenses	1,999	15,000	-	15,000	-	(15,000)
Court Clerk Labor Allocation	-	(5,400)	-	(5,400)	(5,400)	-
Total Labor	90,515	117,615	67,507	50,108	115,748	(1,867)
Utilities						
Electric	2,183	2,000	831	1,169	3,000	1,000
Natural Gas	762	1,000	336	664	1,000	-
Telephone/Internet	1,286	1,500	1,508	(8)	1,800	300
Total Utilities	4,231	4,500	2,675	1,825	5,800	1,300
TOTAL ADMINISTRATION DEPARTMENT	160,531	166,168	98,598	67,570	224,028	57,860

TOWN OF GREEN MOUNTAIN FALLS

2018 Annual Budget

General Fund Expenditures Detail

Description	2017 Actual (unaudited)	2018 Adopted Budget	2018 YTD as of 6/30	2018 Unexpended	Proposed 2018 Amended Budget	2018 Budget Changes
JUDICIAL DEPARTMENT						
Operations						
Office Supplies	-	100	9	92	100	-
Postage	-	65	-	65	65	-
Other	-	-	-	-	300	300
Total Operations	-	165	9	157	465	300
Labor						
Municipal Judge Salary	800	3,600	1,000	2,600	3,600	-
Prosecutor Services	-	5,625	-	5,625	2,500	(3,125)
Court Clerk Labor Allocation	-	5,400	-	5,400	5,400	-
Total Labor	800	14,625	1,000	13,625	11,500	(3,125)
TOTAL JUDICIAL DEPARTMENT	800	14,790	1,009	13,782	11,965	(2,825)
PUBLIC WORKS DEPARTMENT						
Operations						
Office Supplies	655	-	1,717	(1,717)	2,500	2,500
Operating Supplies	873	1,551	763	788	2,000	449
Small Equipment Repair	1,385	3,500	171	3,329	3,500	-
Heavy Equipment Repair	5,207	8,000	6,914	1,086	15,000	7,000
Vehicle Maintenance	2,471	2,000	51	1,949	2,000	-
Building Maintenance	4,161	2,500	-	2,500	2,500	-
Clothing	1,086	1,000	304	696	1,000	-
Fuel	5,053	4,000	-	4,000	4,000	-
Equipment Purchase	30,928	5,000	415	4,585	5,000	-
Training/Conferences/Travel	64	750	225	525	750	-
Tools	807	2,750	99	2,651	1,750	(1,000)
Road & Street Materials/Maintenance	26,752	36,000	14,610	21,390	36,000	-
Road Striping/Asphalt Repair	-	2,200	-	2,200	2,200	-
Consumable - Vehicle	1,000	4,000	-	4,000	2,500	(1,500)
IT Support	58	200	-	200	200	-
Large Equipment Rental	-	-	32	(32)	-	-
Wildlife Mitigation	1,025	3,000	-	3,000	3,000	-
Total Operations	81,525	76,451	25,302	51,149	83,900	7,449

TOWN OF GREEN MOUNTAIN FALLS
2018 Annual Budget
General Fund Expenditures Detail

Description	2017 Actual (unaudited)	2018 Adopted Budget	2018 YTD as of 6/30	2018 Unexpended	Proposed 2018 Amended Budget	2018 Budget Changes
Labor						
Full Time Wages	46,746	40,500	15,156	25,344	29,103	(11,397)
Overtime	1,650	5,000	2,113	2,887	3,000	(2,000)
Part Time/Temp Salaries	15,789	29,500	11,404	18,096	23,556	(5,944)
Maintenance Job Search	-	100	-	100	100	-
Unemployment	99	150	77	73	150	-
Workers Comp (Pinnacol)	3,904	4,900	(194)	5,094	3,570	(1,330)
Health/Life/Dental (CEBT)	9,841	8,746	3,171	5,575	11,900	3,154
FICA	5,051	5,738	2,194	3,544	4,300	(1,438)
Retirement	-	1,520	-	1,520	-	(1,520)
Cell Phone Stipend	600	720	180	540	180	(540)
Parks Maint. Labor Allocation	-	(12,094)	-	(12,094)	(12,094)	-
Pool Maint. Labor Allocation	-	(5,102)	-	(5,102)	(5,102)	-
Total Labor	83,681	79,678	34,101	45,577	58,663	(21,015)
Utilities						
Street Lights	448	500	-	500	500	-
Electric	1,636	2,000	877	1,123	2,000	-
Natural Gas	1,251	1,500	456	1,044	1,500	-
Trash	909	1,000	638	362	1,500	500
Internet/phone	825	1,150	395	756	1,150	-
Total Utilities	5,068	6,150	2,366	3,784	6,650	500
TOTAL PUBLIC WORKS DEPARTMENT	170,274	162,279	61,769	100,510	149,213	(13,066)
PUBLIC SAFETY DEPARTMENT						
Operations						
Marshal Dept. Clothing	2,831	1,919	55	1,864	1,000	(919)
Marshal Vehicle Repair	4,892	5,299	-	5,299	4,000	(1,299)
Memberships/Certifications	605	1,500	90	1,410	500	(1,000)
Ammunition	499	500	-	500	500	-
Training/Conferences/Travel	-	750	-	750	1,000	250
Annual Fee - Server Maintenance	-	-	-	-	200	200
Annual Radio Fees	3,732	2,000	-	2,000	2,000	-
Surety Bond	-	250	-	250	100	(150)
Meals/Travel/Lodging	48	-	-	-	1,500	1,500
Office Supplies	869	1,000	215	785	700	(300)
Fuel/Mileage	1,822	3,000	-	3,000	3,000	-
Miscellaneous Expense	-	-	-	-	500	500
Departmental Supplies	4,740	3,980	1,886	2,095	5,698	1,718
IT Support	755	1,000	173	828	500	(500)
Total Operations	20,792	21,198	2,418	18,780	21,198	-

TOWN OF GREEN MOUNTAIN FALLS
2018 Annual Budget
General Fund Expenditures Detail

Description	2017 Actual (unaudited)	2018 Adopted Budget	2018 YTD as of 6/30	2018 Unexpended	Proposed 2018 Amended Budget	2018 Budget Changes
Labor						
Full Time - Salary	34,038	40,500	20,769	19,731	40,500	-
Marshal Job Search	1,645	-	-	-	-	-
FICA	2,235	3,099	1,413	1,686	3,099	-
Unemployment Insurance	35	124	36	88	124	-
Temporary/Season Help	600	-	-	-	-	-
Workers Comp (Pinnacol)	2,330	2,600	(122)	2,722	2,600	-
Health/Life/Dental (CEBT)	9,996	8,550	6,708	1,842	13,878	5,328
Retirement	-	2,025	-	2,025	2,025	-
Employee On Boarding	740	3,500	-	3,500	1,500	(2,000)
Cell Phone Stipend	540	720	180	540	720	-
Total Labor	52,159	61,118	28,984	32,134	64,446	3,328
Utilities						
Natural Gas	741	1,000	451	549	1,000	-
Electric	273	500	96	404	500	-
Telephone/Internet	1,843	1,896	465	1,431	1,896	-
Total Utilities	2,856	3,396	1,012	2,384	3,396	-
TOTAL PUBLIC SAFETY DEPARTMENT	75,807	85,712	32,414	53,298	89,040	3,328
PARKS AND RECREATION DEPARTMENT						
<u>Parks</u>						
Labor						
Public Works Labor Allocation - PARKS	-	2,903	-	2,903	2,903	-
Total Labor	-	2,903	-	2,903	2,903	-
Operations						
Operating Supplies	227	500	2,607	(2,107)	3,500	3,000
Signs	-	-	-	-	-	-
Park Maintenance	6,338	5,000	1,075	3,925	3,000	(2,000)
Total Operations	6,564	5,500	3,682	1,818	6,500	1,000
Utilities						
Electric- Gazebo	512	825	196	629	825	-
Electric -Fountain	1,343	850	79	771	850	-
Total Utilities	1,854	1,675	275	1,400	1,675	-
Total Parks	8,419	10,078	3,956	6,122	11,078	1,000

TOWN OF GREEN MOUNTAIN FALLS
2018 Annual Budget
General Fund Expenditures Detail

Description	2017 Actual (unaudited)	2018 Adopted Budget	2018 YTD as of 6/30	2018 Unexpended	Proposed 2018 Amended Budget	2018 Budget Changes
Pool						
Labor						
Lifeguard Salaries	17,570	17,950	921	17,029	11,017	(6,933)
Unemployment	15	300	3	297	300	-
Workers Comp	-	200	-	200	200	-
FICA	1,343	918	70	848	900	(18)
Public Works Labor Allocation - POOL	-	5,102	-	5,102	5,102	-
CPO Training	250	250	-	250	225	(25)
Total Labor	19,178	24,720	995	23,725	17,744	(6,976)
Operations						
Pool Food	287	500	46	454	500	-
Pool Supplies	406	2,200	846	1,354	2,200	-
Office Supplies	25	-	32	(32)	-	-
Pool Inspections	125	125	130	(5)	130	5
Pool and Pool Building Maintenance	859	1,300	3,666	(2,366)	1,300	-
Total Operations	1,702	4,125	4,720	(595)	4,130	5
Utilities						
Electric - Pool	728	1,000	131	869	1,000	-
Natural Gas - Pool	1,554	1,200	96	1,104	1,200	-
Telephone - Pool	538	450	400	50	1,000	550
Total Utilities	2,821	2,650	627	2,023	3,200	550
Total Pool	23,701	31,495	6,342	25,153	25,074	(6,421)
TOTAL PARKS AND RECREATION DEPARTMENT	32,120	41,573	10,298	31,275	36,152	(5,421)

TOWN OF GREEN MOUNTAIN FALLS

2018 Annual Budget

General Fund Expenditures Detail

TOWN OF GREEN MOUNTAIN FALLS 2018 Annual Budget General Fund Expenditures Detail						
Description	2017 Actual (unaudited)	2018 Adopted Budget	2018 YTD as of 6/30	2018 Unexpended	Proposed 2018 Amended Budget	2018 Budget Changes
GENERAL GOVERNMENT DEPARTMENT						
Operations						
CIRSA Liability Insurance	14,419	16,500	4,686	11,814	16,500	-
Town Attorney	13,861	14,000	19,673	(5,673)	29,000	15,000
Capital Outlay	3,290	-	-	-	-	-
Volunteer Medical	10,322	250	-	250	250	-
Non Salaried Board (Pinncol)	884	1,460	145	1,315	1,460	-
Annual Fees/Dues	1,125	600	515	85	600	-
Professional Services	-	100,000	-	100,000	100,000	-
Mountain States Employer's Council.	1,350	1,350	1,400	(50)	1,350	-
Audit Services	5,900	5,900	-	5,900	5,900	-
Total Operations	51,150	140,060	26,419	113,641	155,060	15,000
TOTAL GENERAL GOVERNMENT	51,150	140,060	26,419	113,641	155,060	15,000
TOTAL GENERAL FUND EXPENDITURES	\$ 490,681	\$ 610,582	\$ 230,507	\$ 380,075	\$ 665,458	\$ 54,876

TOWN OF GREEN MOUNTAIN FALLS
2018 Annual Budget
General Fund Summary

Description	2017 Actual	2018 Adopted Budget	2018 YTD as of 7/17	2018 Uncollected/ Unexpended	Proposed 2018 Amended Budget	2018 Budget Changes
REVENUE						
Property Taxes	\$ 150,673	\$ 156,800	\$ 119,438	\$ 37,362	\$ 156,800	\$ -
Specific Ownership Taxes	20,711	16,000	8,688	7,312	16,000	-
Sales & Use Taxes	175,485	139,490	58,555	80,935	139,490	-
Franchise Taxes	68,617	44,100	12,777	31,323	44,100	-
Lodging Taxes	17,398	13,900	4,186	9,714	13,900	-
Intergovernmental Taxes/Fees	35,586	32,750	13,630	19,120	32,750	-
Intergovernmental Grants	80,905	125,853	1,838	124,015	125,853	-
Charges for Services	15,992	19,800	2,028	17,772	19,800	-
Fines and Forfeitures	645	8,500	600	7,900	8,500	-
Licenses & Permits	10,223	16,225	6,063	10,162	16,225	-
Donations/Nonprofit Grants	27,129	50,000	1,500	48,500	50,000	-
Other Sources	3,437	700	1,211	(511)	700	-
Total Revenue	606,801	624,118	230,514	393,604	624,118	-
EXPENDITURES						
Administration	160,531	166,168	600	165,568	224,028	57,860
Judicial	800	14,790	-	14,790	11,965	(2,825)
Public Works	170,274	162,279	600	161,679	149,213	(13,066)
Public Safety	75,807	85,712	-	85,712	89,040	3,328
Parks & Recreation	32,120	41,573	-	41,573	36,152	(5,421)
General Government	51,150	140,060	3,100	136,960	155,060	15,000
Total Expenditures	490,681	610,582	4,300	606,282	665,458	54,876
Excess (Deficiency) of Revenue over Expenditure	116,120	13,536	226,214	(212,678)	(41,340)	(54,876)
OTHER FINANCING SOURCES/USES						
Transfer to Capital Reserve Fund	(11,000)	(225,385)	-	(225,385)	(238,087)	(12,702)
Total Other Financing Sources (Uses)	(11,000)	(225,385)	-	(225,385)	(238,087)	(12,702)
Net Change in Fund Balance	105,120	(211,849)	226,214	(438,063)	(279,427)	(67,578)
CUMULATIVE FUND BALANCE						
Beginning Fund Balance	310,898	348,440	416,017		416,017	67,577
Net Change in Fund Balance	105,120	(211,849)	226,214	(438,063)	(279,427)	(67,578)
Ending Fund Balance	416,017	136,591	642,231	(438,063)	136,591	(0)
Less Restrictions, Commitments & Assignments:						
TABOR Reserve	16,965	10,462	10,462		10,462	
Town Contingency	30,310	26,129	26,129		26,129	
Fund Balance Assignments	19,441	-	-		-	
Unassigned Fund Balance	\$ 349,301	\$ 100,000	\$ 605,640	\$ (438,063)	\$ 100,000	\$ (0)

Town of Green Mountain Falls

2018 Budget - Staff Vacancies vs. Professional Services costs

8/7/2018

2018 ADOPTED BUDGET			Budgeted Annual Costs	
TOWN MANAGER - 2018 Budget				
		Salary	\$60,000.00	
		FICA	\$4,590.00	
		Health	\$8,250.00	
		Retirement	\$1,500.00	
		Onboarding Expenses	\$15,000.00	
	SUBTOTAL		\$89,340.00	
TOWN CLERK - 2018 Budget				
		Hourly Allowance	\$30,000.00	Budgeted as Part-Time; \$30K; no benefits. Actual = \$35,360 + health
		FICA	\$2,295.00	
	SUBTOTAL		\$32,295.00	
PUBLIC WORKS - 2018 Budget				
		PW Director Salary	\$40,500.00	
		Part-Time Salaries	\$29,500.00	
		FICA	\$5,738.00	
		Overtime	\$5,000.00	
		Health	\$8,746.00	
		Retirement	\$1,520.00	
		Cell Stipend	\$720.00	
	SUBTOTAL		\$91,724.00	
	TOTAL		\$213,359.00	

2018 PROPOSED REVISED BUDGET			Estimated Annual Costs	
STAFF COSTS - 2018 Amended Budget				
		Town Manager Salary	\$10,152.43	1st Quarter Salary for Prior Town Manager
		Town Manager Hourly	\$68,640.00	\$65/hr x 48 hrs/pay period x 22 pay periods
		Town Manager FICA	\$6,027.62	For Prior and Current Town Manager
		Town Manager Health	\$3,200.00	1st Quarter Health Coverage for Prior Town Manager
		Town Clerk Salary	\$14,445.75	1st Quarter Salary for Prior Town Clerk
		Town Clerk	\$15,000.00	4th Quarter Salary + Benefits for Next Town Clerk-Treasurer
		Town Clerk FICA	\$1,105.10	1st Quarter Deductions for Prior Town Clerk
		PW Director Salary	\$13,243.00	1st Quarter Salary for Prior PW Director
		PW Director FICA	\$1,013.09	1st Quarter Deductions for Prior PW Director
		PW Director Health	\$3,171.00	1st Quarter Health Coverage for Prior PW Director
		PW Maintenance Staff Hourly	\$39,416.00	Based on 27 hours/week 1st half of the year; 56 hours/week 2nd half
		PW Maintenance Staff OT	\$3,000.00	
		PW Maintenance Staff FICA	\$3,244.82	
		PW Maintenance Staff Health	\$8,746.00	
	SUBTOTAL - Staff		\$190,404.81	
CONTRACTED SERVICES - 2018 Amended Budget			Monthly Costs	
		Interim Clerking Services	\$43,200.00	Based on \$600/day on-site rate 4X/mo + 12 hrs/week @ \$45/hr off-site rate
		Financial Services	\$7,520.00	Based on 160 hrs. total @ \$47/hr. rate
		Special Project Services	\$2,030.00	Based on 70 hrs. total @ \$29/hr. rate
		Admin Services	\$14,720.00	Based on 16 hrs/week; 40 weeks @ \$23/hr. rate
	SUBTOTAL - Contracts		\$67,470.00	
	TOTAL		\$257,874.81	

GREEN MOUNTAIN FALLS, COLORADO

RESOLUTION NO. 2018-13

**A RESOLUTION AMENDING THE BUDGET AND REAPPROPRIATING FUNDS FOR
THE 2018 BUDGET YEAR FOR THE TOWN OF GREEN MOUNTAIN FALLS,
COLORADO**

WHEREAS, The Board of Trustees of the Town of Green Mountain Falls, Colorado, pursuant to Colorado statute and the Town of Green Mountain Falls Code, is vested with the authority of administering the affairs of the Town of Green Mountain Falls, Colorado; and

WHEREAS, it has been determined by the Board of Trustees for the Town of Green Mountain Falls that during the 2018 budget year there was a need to amend the budget due to unanticipated revenue; and

WHEREAS, it has been determined by the Board of Trustees for the Town of Green Mountain Falls that during the 2018 budget year there was a need to amend the budget to reallocate available funds both within and between spending agencies to meet the capital and operational needs of each department; and

WHEREAS, whatever adjustments may have been made to revenues, like adjustments were made to expenditures and reserves so that the overall budget remains in balance, as required by law; and

WHEREAS, the Board of Trustees held a public workshop on June 19, 2018, regarding the possible adoption of this amended budget; and

WHEREAS, upon due and proper notice, published in accordance with the Local Government Budget Law of Colorado, C.R.S. § 29-1-101, a public hearing was held on August 21, 2018, and interested taxpayers were given the opportunity to file or register any objections to said proposed amended budget;

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

Section 1.

The budget as submitted, amended, and herein summarized by fund, is hereby approved as the budget of the Town of Green Mountain Falls for the year 2018, and the following sums are hereby appropriated from the revenue of each fund to each fund for the purposes stated.

The estimated revenues for each fund are revised as follows:

<u>Fund and Source</u>	<u>Original Budget</u>	<u>2018 Adjustment</u>	<u>Amended Budget</u>
General Fund			
Beginning Fund Balance	\$348,440	\$67,577	\$416,017
2018 Revenue	<u>624,118</u>	<u>0</u>	<u>624,118</u>
Total General Fund	\$972,558	\$67,577	\$1,040,135

The estimated expenditures for each fund are as follows:

<u>Fund and Spending Agency</u>	<u>Original Budget</u>	<u>2018 Adjustment</u>	<u>Amended Budget</u>
General Fund			
Administration	\$166,168	\$57,860	\$224,028
Judicial	14,790	(2,825)	11,965
Public Works	162,279	(13,066)	149,213
Public Safety	85,712	3,328	89,040
Parks and Recreation	41,573	(5,421)	36,152
General Government	140,060	15,000	155,060
Transfer to Capital Reserve	<u>225,385</u>	<u>12,702</u>	<u>238,087</u>
Total General Fund	\$835,967	\$67,578	\$903,545

Section 2.

Severability. If any article, section, paragraph, sentence, clause, or phrase of this resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The Town Board hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3.

Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this resolution are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any resolution hereby repealed prior to the effective date of this resolution.

INTRODUCED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS ON THE 7TH DAY OF AUGUST 2018 AND READ, PASSED, AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS ON THIS 21ST DAY OF AUGUST 2018.

TOWN OF GREEN MOUNTAIN FALLS,
COLORADO

Jane Newberry, Mayor

ATTEST:

Judy Egbert, Interim Town Clerk

BOARD OF TRUSTEES AGENDA MEMO

DATE: August 1, 2018	AGENDA NO. 5.c.	SUBJECT:
Presented by: Judy A. Egbert, Interim town Clerk		Determine next actions regarding Trustee Vacancy

Recommend action:

Direct staff toward the next step in considering appointment for the vacancy.

Background:

David Pearlman resigned from his position as Trustee on June 20, 2018. The Board accepted this resignation at its meeting on July 17, 2018, and declared this position vacant.

The Board is obligated to either fill this position within 60 days (September 15, 2018), or call for a special vacancy election.

Margaret Petersen submitted an application to be considered for this position on July 16, 2018.

NOTE: This vacancy is on a separate timetable from the two vacancies that are to be addressed at the upcoming election.

Issue Before the Board

What process does the Board desire to carry through the vacancy selection process?

Alternatives

The Board may choose any number of options for this purpose, including but not limited to:

- Set a deadline and continue to recruit for interested persons, and determine the screening and selection process.
- Interview Ms. Peterson and determine future actions after interview.
- Consider appointment with no further actions.

Conclusion

There is no statutory process that addresses how to screen and select a replacement, other than the 60-day deadline mentioned above. The Board has complete discretion over this process.

TOWN OF GREEN MOUNTAIN FALLS, COLORADO
APPLICATION FOR VOLUNTEERING

Thank you for your interest in volunteering for the Town of Green Mountain Falls!
Please return your completed application by email to: gmftownclerk1@gmail.com, or you
may mail it to: GMF Town Hall, P.O. Box 524, Green Mountain Falls, CO 80819.
If you have any questions, please contact Town Hall at 719-684-9414.

APPLYING FOR: Trustee

NAME: margaret blerem

RESIDENCE ADDRESS: 10795 Belvidere

MAILING ADDRESS: PO Box 12 GMF

HOME PHONE: 719-684-2130 **WORK PHONE:** 719-597-1413 x1002

FAX: **E-MAIL ADDRESS:** margaretp409@gmail.com

HOW LONG HAVE YOU BEEN A RESIDENT OF GREEN MOUNTAIN FALLS: life long

CURRENT OCCUPATION/EMPLOYER: Financial And Administrator
International Salmon and Sea Academy

PREVIOUS WORK EXPERIENCE: mail order sales/purchasing
Retail - sales/management

APPLICABLE COMMUNITY ACTIVITIES/VOLUNTEER WORK:

Sallie Bush Board of Directors

Bronc Day Committee

Docent for upell Marigreen Pines tour
Prim Sunday School teacher Church in the wildwood
Prim Trustee 2012 - 2014

SPECIAL QUALIFICATIONS APPLICABLE TO THE COMMITTEE OR COMMISSION TO WHICH YOU ARE APPLYING:

Familiar with workings of Government
Rules & Regulations -
Numbers oriented.

WHY DO YOU WANT TO SERVE ON THIS COMMISSION OR COMMITTEE?

the town needs people to step up and
help.

LIST ANY OTHER COMMITTEES ON WHICH YOU ARE CURRENTLY SERVING:

N/A for town committees

OTHER COMMENTS:

Please attach any documentation that would enhance your application.


Signature

7-16-18
Date

RESOLUTION NO. 2018-09

TITLE: A RESOLUTION OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO, REFERRING TO VOTERS AT THE NOVEMBER 6, 2018, SPECIAL ELECTION A BALLOT ISSUE ON WHETHER TO ENACT A LODGING OCCUPATION TAX

WHEREAS, the Town has called a special election to take place on November 6, 2018, as part of the state general election and to be coordinated with El Paso and Teller Counties;

WHEREAS, pursuant to Article X, Section 20, of the Colorado Constitution, voters may approve a new tax at a state general election;

WHEREAS, the Board of Trustees of the Town of Green Mountain Falls seeks to submit a ballot issue to enact a lodging occupation tax to the registered electors of the Town of Green Mountain Falls as part of the November 6, 2018, state general election;

WHEREAS, the Town has ceased collection of the Town's lodging tax imposed by Article VI of Chapter 4 of the Green Mountain Falls Municipal Code as inconsistent with state law and, by Ordinance No. 2018-05, has repealed Article VI of Chapter 4 of the Green Mountain Falls Municipal Code;

WHEREAS, approval of this ballot issue would create a valid lodging occupation tax to replace this lost revenue; and

WHEREAS, revenue from a lodging occupation tax would offset a portion of the impacts on Town roads, utilities, and services caused by the provision of hotel rooms and other similar accommodations in Town;

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

Section 1. At the November 6, 2018, special election, the following ballot question shall be submitted to the registered electors of the Town of Green Mountain Falls, Colorado:

BALLOT TITLE: Lodging Occupation Tax

BALLOT TEXT:

SHALL THE TOWN OF GREEN MOUNTAIN FALLS TAXES BE INCREASED THIRTY TWO THOUSAND FIVE HUNDRED TWENTY TWO DOLLARS (\$32,522.00) ANNUALLY IN 2019, AND BY WHATEVER ADDITIONAL AMOUNTS ARE COLLECTED ANNUALLY THEREAFTER, BY THE ADOPTION OF A LODGING OCCUPATIONAL TAX OF UP TO \$4.50/DAY PER OCCUPIED ROOM, ON THE PROVISION OF HOTEL ROOMS AND OTHER SIMILAR ACCOMMODATIONS IN TOWN, AND

SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND THE
FULL PROCEEDS OF SUCH TAX WITHOUT LIMITATION AND WITHOUT
LIMITING THE EXPENDITURE OF ANY OTHER REVENUES OR FUNDS
UNDER ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION?

Yes _____

No _____

INTRODUCED, READ and PASSED this 7th day of August 2018.

TOWN OF GREEN MOUNTAIN FALLS,
COLORADO

Jane Newberry, Mayor

(SEAL)

ATTEST:

Judy Egbert, Town Clerk

TOWN OF GREEN MOUNTAIN FALLS

ORDINANCE NO. 2018-05

AN ORDINANCE REPEALING AND REENACTING ARTICLE VI, CHAPTER 4, OF THE GREEN MOUNTAIN FALLS MUNICIPAL CODE TO CREATE A VALID LODGING OCCUPATION TAX

WHEREAS, the Town has ceased collection of the Town's lodging tax imposed by Article VI of Chapter 4 of the Green Mountain Falls Municipal Code as inconsistent with state law;

WHEREAS, with voter approval, a statutory town can impose an additional occupation tax on inn-keepers and the like pursuant to Section 31-15-501(1)(c), C.R.S.;

WHEREAS, by Resolution No. 2018-09, the Town has referred to voters a ballot issue to create a valid lodging occupation tax;

WHEREAS, if approved, revenue from the lodging occupation tax would offset a portion of the impacts on Town roads, utilities, and services caused by the provision of hotel rooms and other similar accommodations in Town; and

WHEREAS, the Town wishes to repeal and reenact Article VI, Chapter 4, of the Green Mountain Municipal Code as follows.

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

Section 1. Article VI, Chapter 4, of the Green Mountain Falls Municipal Code is repealed in its entirety.

Section 2. Article VI, Chapter 4, of the Green Mountain Falls Municipal Code is reenacted to read as follows:

ARTICLE VI – Lodging Occupation Tax

Sec. 4-101. Imposition of tax.

(a) The provision of lodging rooms and accommodations to the traveling public results in the increased use of Town streets and rights-of-way, increased traffic, increased demands upon municipal services such as police protection and has a substantial effect upon the health, safety and welfare of the citizens of the Town and upon the expenditures budgeted by the Town which is a matter of local concern.

(b) The classification of the provision of lodging as separate businesses and occupations is reasonable, proper, uniform and nondiscriminatory; and the taxable amount hereby levied is reasonable, proper, uniform, nondiscriminatory, and necessary.

(c) There is hereby levied by the Town an occupation tax on the provision of lodging upon every lodging business furnishing any room or accommodation for less than one (1) month or thirty (30) consecutive days within the Town in the amount of Four dollars and fifty cents (\$4.50) per day, per occupied lodging room or accommodation.

Sec. 4-102. Lodging defined.

The provision of lodging means the transaction of furnishing rooms or accommodations to any person who, for monetary consideration, possesses or has the right to use or possess any room or rooms in a hotel, apartment hotel, lodging house, motor hotel, guest house, guest ranch, short-term rentals licensed pursuant to Chapter 6, Article VIII, of this Code, or any other place that furnishes sleeping accommodations under any concession, permit, right of access, license to use, other agreement or otherwise and for a period of less than thirty (30) consecutive days or which rental is on a weekly or daily basis.

Sec. 4-103. Exemptions.

Lodging Tax Exemptions. The following transactions shall be exempt from the tax imposed by this Article:

- (a) Accommodations provided by the United States, the State of Colorado, its departments and institutions, and the political subdivisions of the State in their governmental capacities only.
- (b) Accommodations provided by those charitable, religious and eleemosynary organizations that have received from the Internal Revenue Service status under Section 501(c)(3) of the Internal Revenue Code as a tax-exempt organization, while in the conduct of their regular charitable, religious or eleemosynary functions and activities.
- (c) Accommodations provided to a person who is a permanent resident of a hotel, motel, apartment hotel, lodging house, motor hotel, guest house, or other similar business pursuant to a written agreement for a period of at least one (1) month or thirty (30) consecutive days.
- (d) Accommodations provided to a person without monetary consideration being paid to the vendor for such accommodations.

Sec. 4-104. Payment of tax.

- (a) Every lodging business shall remit the lodging occupation tax not less than quarterly on account of lodging provided in the preceding quarter and not later than fifteen (15) days following the end of each quarter of the calendar year. Said payment shall be accompanied by a return containing such information and be in such form as the Town Clerk may prescribe.
- (b) The burden of providing that any transaction is exempt from the tax shall be upon the lodging business.

Sec. 4-105. Penalty for late payment.

In the event payment of the lodging tax is not timely made as provided in Section 4-104, the lodging business shall be required to pay unto the Town a fifteen percent (15%) penalty of the entire tax due for any given quarter.

Sec. 4-106. Inspection of records.

The Town, its officers, agents or representatives shall have the right to all reasonable hours and times to examine the books and records of the lodging businesses that are subject to the provisions of this Article and to make copies of the entries or contents thereof.

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. Section 1 of this Ordinance shall be effective thirty (30) days after passage. Section 2 of this Ordinance shall be effective only upon approval at the November 6, 2018, special election of the Lodging Occupation Tax Ballot Issue referred to voters by Resolution No. 2018-08.

INTRODUCED AND ORDERED PUBLISHED the 17th day of July 2018, at the Green Mountain Falls Town Hall, 10615 Green Mountain Falls Road, Green Mountain Falls, Colorado.

ADOPTED AND ORDERED PUBLISHED the 7th day of August 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.

RESOLUTION NO. 2018-10

TITLE: A RESOLUTION OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO, REFERRING TO VOTERS AT THE NOVEMBER 6, 2018, SPECIAL ELECTION THE QUESTION OF WHETHER TO PUBLISH TOWN ORDINANCES BY TITLE ONLY

WHEREAS, the Town has called a special election to take place on November 6, 2018, as part of the state general election and to be coordinated with El Paso and Teller Counties;

WHEREAS, Colorado Revised Statutes, Section 31-16-105 requires all ordinances of a general or permanent nature be published by a newspaper published in the Town unless the municipality determines at a regular or special election that such requirement may be met by publishing the ordinance by title only rather than publishing the ordinance in full;

WHEREAS, it is an undue financial burden on the taxpayers of the Town of Green Mountain Falls to publish the full text of lengthy ordinances;

WHEREAS, the cost of publication should not inhibit the Board of Trustees from enacting ordinances that are in the best interests of the Town; and

WHEREAS, the full text of approved ordinances are posted on the Town's web site or at Town Hall, 10615 Green Mountain Falls Road, Green Mountain Falls, Colorado 80819.

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

Section 1. At the November 6, 2018, special election, the following ballot question shall be submitted to the registered electors of the Town of Green Mountain Falls, Colorado:

Ballot question:

In order to save money on the cost of publication, shall Town ordinances, after they are adopted, be published in the newspaper by title only, with the full text of all such ordinances being made available for public review at Town Hall and, when possible, on the Town's website?

Yes _____
No _____

INTRODUCED, READ and PASSED this 7th day of August 2018.

TOWN OF GREEN MOUNTAIN FALLS,
COLORADO

Jane Newberry, Mayor

(SEAL)

ATTEST:

Judy Egbert, Town Clerk

RESOLUTION NO. 2018-11

TITLE: A RESOLUTION OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO, REFERRING TO VOTERS AT THE NOVEMBER 6, 2018, SPECIAL ELECTION THE QUESTION OF WHETHER TO STOP PUBLISHING TOWN BILLS IN A NEWSPAPER

WHEREAS, the Town has called a special election to take place on November 6, 2018, as part of the state general election and to be coordinated with El Paso and Teller Counties;

WHEREAS, Colorado Revised Statutes, Section 31-20-202, allows voters to determine that the Town need not publish its proceedings related to payments of bills, contracts awarded and rebates allowed;

WHEREAS, it is an undue financial burden for the Town to continue to publish its proceedings related to payments of bills, contracts awarded and rebates allowed in a newspaper of general circulation; and

WHEREAS, the payment of Town bills, contracts awarded and rebates allowed, and indeed all Town finances, are a matter of public record open and available for public review without newspaper publication.

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

Section 1. At the November 6, 2018, special election, the following ballot question shall be submitted to the registered electors of the Town of Green Mountain Falls, Colorado:

Ballot question:

In order to save money on the cost of publication, shall the Town elect not to publish in the newspaper its proceedings related to payments of bills, contracts awarded and rebates allowed, with such information being reported publicly at least monthly as part of Board of Trustee meeting packets?

Yes _____

No _____

INTRODUCED, READ and PASSED this 7th day of August 2018.

TOWN OF GREEN MOUNTAIN FALLS,
COLORADO

Jane Newberry, Mayor

(SEAL)

ATTEST:

Judy Egbert, Town Clerk

TOWN OF GREEN MOUNTAIN FALLS

ORDINANCE NO. 2018-07

AN ORDINANCE AMENDING ARTICLE IV, CHAPTER 4, OF THE GREEN MOUNTAIN FALLS MUNICIPAL CODE TO RE-CODIFY THE TOWN'S SALES TAX WITHOUT A TAX POLICY CHANGE

WHEREAS, as a statutory town, the Town is limited in its local taxing authority as set out in Section 29-2-105, C.R.S.;

WHEREAS, by Ordinance No. 119, Series 1976, the Town enacted a sales tax on tangible property sold at retail and the furnishing of services at a rate of 2% as provided by Section 29-2-105, C.R.S., and this sales tax was approved by voters with a January 1, 1977, effective date (the "1977 Tax");

WHEREAS, on April 15, 1976, the Town provided notice to and authorized the Colorado Department of Revenue to administer, collect and distribute the 1977 Tax;

WHEREAS, since January 1, 1977, the Colorado Department of Revenue has been collecting the Town's sales tax;

WHEREAS, by Ordinance 01-2004, the Town enacted a voter-approved sales tax rate increase of 1% with the additional tax revenue dedicated to maintaining Town services, the repair and replacement of road maintenance and snow-plowing equipment, the purchase of road maintenance materials, and the maintenance, repair and improvement of town parks and recreational facilities (the "2004 Increase");

WHEREAS, the Town provided notice of 2004 Increase to the Colorado Department of Revenue, and the Department updated the Town's sales tax rate accordingly;

WHEREAS, the 2004 Increase did nothing to alter the scope of the Town's sales tax base, and it neither introduced nor eliminated tax exemptions; the 2004 Increase simply increased the Town's sales tax rate from 2% to 3% and applied it to the same tangible property and furnishing of services;

WHEREAS, due to drafting or codification errors, the current Article IV, Chapter 4, of the Green Mountain Municipal Code, last amended to reflect the 2004 Increase, does not contain significant language from the 1977 Tax defining the proper scope of the Town's sales tax;

WHEREAS, notwithstanding these drafting or codification errors or oversights the Colorado Department of Revenue has been collecting the Town's sales tax on the same tangible property and services since 1977;

WHEREAS, the Town wishes to adopt the following revisions to Article IV, Chapter 4, of the Green Mountain Municipal Code to restore compliance with state law and to reflect the 1977 Tax, as amended in rate only by the 2004 Increase; and

WHEREAS, the following revisions have been reviewed and found to be revenue-neutral; they do not reflect a change in tax policy or require voter approval.

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

Section 1. Article IV, Chapter 4, of the Green Mountain Falls Municipal Code is revised to read as follows with deleted language shown in ~~striketrough~~ and new language shown in UNDERLINE:

ARTICLE IV - Sales Tax

Sec. 4-61. Purpose.

The purpose of this Article is to impose a sales tax on the privilege of selling tangible personal property at retail AND ON THE FURNISHING OF SERVICES upon every retailer in the Town.

Sec. 4-62. Definitions.

For the purposes of this Article, the definitions of words herein contained shall be as defined in Section 39-26-102, C.R.S., AS AMENDED, and said definitions are incorporated herein by this reference.

Sec. 4-63. Licenses.

(a) It shall be unlawful for any person to engage in the business of selling tangible personal property at retail OR IN THE FURNISHING OF SERVICES without first having obtained a license therefor. Such license shall be granted and issued by the Town Clerk and shall be in force and effect until December 31 of the year in which it is issued unless sooner revoked.

(b) Such license shall be granted and renewed only upon application stating the name and address of the person desiring such a license, the name of such business and the location and such other facts as the Town Clerk may require.

(c) It shall be the duty of each licensee, on or before January 1 of each year during which this Article remains in effect, to obtain a renewal thereof if the licensee remains in the retail business or liable to account for the tax herein provided, but nothing herein contained shall be construed to empower the Town Clerk to refuse such renewal except revocation for cause of the licensee's prior license.

(d) In case business is transacted at one (1) or more separate premises by one (1) person, a separate license for each place of business shall be required.

(e) Any person engaged in the business of selling tangible personal property at retail OR IN THE FURNISHING OF SERVICES in the Town without

having secured a license therefor, except as specifically provided herein, shall be guilty of a violation of this Article.

(f) Each license shall be numbered, shall show the name, residence, place and character of business of the licensee and shall be posted in a conspicuous place in the place of business for which it is issued. No license shall be transferrable.

(g) No license shall be required for any person engaged exclusively in the business of selling commodities OR IN THE FURNISHING OF SERVICES THAT which are exempt from taxation under ~~this Article~~ STATE LAW.

Sec. 4-64. General provisions; exemptions.

(a) For the purpose of collection, administration and enforcement of this Article the provisions of Section 39-26-114, C.R.S., shall be deemed applicable and incorporated into this Article.

(b) The amount subject to tax under this Article shall not include the state sales and use tax imposed by Article 26, Chapter 39, C.R.S.

(c) For the purpose of this Article, all retail sales shall be considered consummated at the place of business of the retailer, unless the tangible personal property sold is delivered by the retailer or his or her agent to a destination outside the limits of the Town or to a common carrier for delivery to a destination outside the limits of the Town.

(d) The gross receipts from sales shall include delivery charges when such charges are subject to the state sales and use tax imposed by Article 26 of Chapter 39, C.R.S., regardless of the place to which delivery is made.

(e) In the event a retailer has no permanent place of business or more than one (1) place of business in the Town, the place or places at which the retail sales are consummated for the purpose of this sales tax shall be determined by the provisions of Article 26 of Chapter 39, C.R.S., and by the rules and regulations promulgated by the Department of Revenue.

(F) FOR THE PURPOSES OF COLLECTION, ADMINISTRATION AND ENFORCEMENT OF THIS ARTICLE, THE SALE OF TANGIBLE PERSONAL PROPERTY AND SERVICES TAXABLE PURSUANT TO THIS ARTICLE SHALL BE THE SAME AS THE SALE OF TANGIBLE PERSONAL PROPERTY AND SERVICES TAXABLE PURSUANT TO SECTION 39-26-104, C.R.S., AS AMENDED.

Sec. 4-65. Schedule of sales tax.

(a) There is hereby imposed, ~~effective July 1, 2004~~, on all sales of tangible personal property AND ON THE FURNISHING OF ALL TAXABLE SERVICES, a tax equal to two percent (2%) of the gross receipts.

(b) There is hereby imposed on all sales of tangible personal property AND ON THE FURNISHING OF ALL TAXABLE SERVICES an additional tax equal to one percent (1%) of the gross receipts. This additional sales tax, by voter approval, is to be used for the purpose of maintaining current services, repair and replacement of Town road maintenance and snowplowing equipment, the purchase of road maintenance materials and the maintenance, repair and improvements of Town parks and recreational facilities.

(c) The imposition of tax on individual sales shall be in accordance with schedules set forth in the rules and regulations promulgated by the Colorado Department of Revenue or by separate ordinance of the Town.

(d) The collection, administration and enforcement of this sales tax shall be performed by the Director of Revenue in the same manner as the collection, administration and enforcement of the state sales tax. The provisions of Article 26 of Chapter 39, C.R.S., AS AMENDED, and all rules and regulations promulgated by the Director of Revenue shall govern the collection, administration and enforcement of sales tax imposed by this Article.

Sec. 4-66. Election and amendments.

~~(a) — Before this Article shall become effective, it shall receive the approval of a majority of the qualified electors of the Town at a special election. Any sales tax presently in effect shall remain in effect until such special election.~~

~~(b) — The Board of Trustees may amend, alter or change this Article, except as to the two percent (2%) rate of tax herein imposed, subsequent to adoption by a majority vote of the Board of Trustees. Such amendment, alteration or change need not be submitted to the electors of the Town for their approval.~~

Secs. 4-66 4-67 - 4-80. Reserved.

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.

BOARD OF TRUSTEES AGENDA MEMO

DATE: August 2, 2018	AGENDA NO. 6.a.	SUBJECT: Hotel/Restaurant License Renewal for The Pantry
Presented by: Judy A. Egbert, Interim town Clerk		

Recommend action:

Approve renewal of the license as requested.

Background:

Buffalo Chefs, Inc. d/b/a The Pantry has submitted a renewal application for its Hotel/Restaurant liquor license. The application and corresponding fees were submitted in a timely manner. The licensee meets all criteria for renewal as affirmed on the attached form.

Issue Before the Board

Does the Board wish to renew this license?

Alternatives

- Renew the license as requested.
- Do not renew the license and seek appropriate legal advice.

Conclusion

In its role as the Local Licensing Authority, the Board is obligated to act on this renewal. In the absence of any compelling reason to not renew, it would be inappropriate to take any other action than renewal.

**RETAIL LIQUOR OR 3.2 BEER
LICENSE RENEWAL APPLICATION**

PANTRY RESTAURANT THE
6980 LAKE ST
GREEN MOUNTAIN FALLS CO 80819-0378

Fees Due	
Renewal Fee	500.00
Storage Permit \$200 x _____	_____
Optional Premise \$200 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	

Make check payable to: **Colorado Department of Revenue**
The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW


RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name BUFFALO CHEFS INC		DBA PANTRY RESTAURANT THE		
Liquor License # 40628580000	License Type Hotel & Restaurant (city)	Sales Tax License # 40628580000	Expiration Date 09/01/2018	Due Date 07/18/2018
Operating Manager Dennis L. Stephens, Jr.	Date of Birth 11-29-1952	Home Address 8620 Chipita Park Road, Cascade, CO 80809		
Manager Phone Number 719-684-2080		Email Address thepantry@comcast.net		
Street Address 6980 LAKE ST GREEN MOUNTAIN FALLS CO 80819				Phone Number 7196849018
Mailing Address 6980 LAKE ST GREEN MOUNTAIN FALLS CO 80819-0378				

- Do you have legal possession of the premises at the street address above? ☒ YES ☐ NO
Is the premises owned or rented? ☒ Owned ☐ Rented* *If rented, expiration date of lease _____
- Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. ☐ YES ☒ NO
NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. ☐ YES ☒ NO
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. ☐ YES ☒ NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. ☐ YES ☒ NO

AFFIRMATION & CONSENT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business Dennis L. Stephens, Jr.	Title Owner/President
Signature 	Date 7-2-2018

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For		Date
Signature	Title	Attest

**TOWN OF GREEN MOUNTAIN FALLS
PLANNING COMMISSION MEETING
Tuesday, July 24, 2018 – 6:30 P.M.**

MEETING MINUTES

PC Members Present

Mayor Jane Newberry
Chairman Eric Caldwell
Commissioner Dick Bratton
Commissioner Rocco Blasi

PC Members Absent

Commissioner Gerald Irwin
Commissioner Greg Williamson

Secretary

Katharine Guthrie

1. Call to Order/Roll Call

Chairman Caldwell called the meeting to order at 6:44 pm.

2. Additions, Deletions, or Corrections to the Agenda

M/S: Bratton/Blasi

Motion: Move to approve the agenda as presented.

Vote: Motion carried. All yea.

3. Approve Minutes of July 10

M/S: Caldwell/Blasi (2:38)

Motion: Move to approve minutes with the one change [date of CAC meeting from 'June 11' to 'July 11'].

Vote: Motion carried. All yea.

4. Public Input

1. Ann Esch asked for guidance as a Citizen Representative for the Pikes Peak Regional Counsel of Governments Citizen's Advisory Committee. Esch is carpooling with others from Woodland Park and Victor and will discuss with them common concerns of Ute Pass residents. Mayor Newberry reported that GMF has been hit hard by the rain and PPRCG can provide additional help for the town's recovery.

2. Mayor Newberry reports she is drafting a Declaration of Emergency. It will then be submitted to the town Marshal who makes it known publicly. This alerts government agencies, i.e., FEMA, El Paso and Teller counties, etc. that there is a financial need even after the emergency has passed.

Maple Street bridge, though damaged prior to the recent rain, sustained more damage due to flooding and local governments are aware of needs. Culvert is okay but the concrete around it has been compromised.

DOLA is always an option when looking for resources.

3. Jason Wells, Interim Town Manager, reports that the Federal disaster threshold is based on a million dollar plus need and it looks very unlikely that GMF would meet that threshold.

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Wells spoke with the operations managers of both the El Paso County Emergency Management and the Colorado Division of Homeland Security and Emergency Management. El Paso County had their damage assessment team on the ground today making the rounds. El Paso County Public Works Director and the Emergency Operations Directors were here today and they did a drive-around. A bureaucratic process must be take place before providing substantial assets to GMF. El Paso County sent a loader up here late last night but the equipment was oversized for the town's immediate needs. El Paso County is well aware of our needs and will do what they can, but in terms of Federal Disaster funds, it is looking very unlikely.

The outside team contracted to grade the roads (including Jim Van Scooten) is scheduled to begin work tomorrow morning, which may offset county resources for this purpose.

Maple Street bridge was compromised before yesterday's event. A representative of Kiowa Engineering came out to assess the bridge and reported there was no immediate safety risk and is structurally sound as far as the actual crossing. The concrete was and support wall supporting the timbers is cracked down the middle and needs to be replaced. Next a survey team needs to do a survey of the bridge, possibly as soon as this week, and then create a design plan to repair the bridge.

5. New Business—None

6. Old Business

A. 10270 Mountain Lane—Fence Permit—Bill Engel (Tabled from July 10 PC meeting)

M/S: Bratton/Blasi

Motion: Move that we approve the fence permit for Mr. Engel's fence at 10270 Mountain Lane.

Vote: Motion carried. All yea.

B. Recommend changes to Town Board of Trustees

1. Jan 1, 2017 Fee Schedule

M/S: Bratton/Caldwell

Motion: Move that we table this discussion and for homework take a look at how Regional establishes their Plan Review Fees and see if we can use the same technique.

Vote: Motion carried. All yea.

Jason Wells stated concerns that the Planning Commission, Board of Trustees and Marshal are all on the same page. The Municipal Code Zoning Section uses the word "structure," which suggests that even something as modest as a shed requires a permitting process and therefore has a fee attached. The Code needs to be consistent with everyone's understanding. The recommendation to establish a \$50 fence permit fee regardless of whether it is for a new fence, a replacement or a repair was agreed upon by the Board of Trustees but not acted upon due to the ongoing revision of the Municipal Code and Fee Schedule that is attached to the budget process. Therefore, the permit fee for a new fence is still \$125. Short-term Rental fee likewise needs clarification.

7. Citizen Advisory Committee

- a. Megan Moore, Logan Simpson Project Manager, described the current information gathering stage that will continue with in-person interviews at a booth on Bronc Day on July 28, 2018.
- b. www.plangmf.com website is on line now and contact info is available there. The website will be updated regularly with milestones and at least monthly throughout
- c. facebook/plangreenmountainfalls is another resource for information and feedback.
- d. An online survey is available now on the website.
- e. Posters have been posted at local businesses for Town Meeting/Public Workshop
- f. Other suggestions for distribution of information are welcome.
- g. Values—"small-town feel," the Lake/Gazebo Park, trails, easy access to Colorado Springs but "a world away."
- h. Concerns—parking, litter, town communication and transparency, cell service and broadband. Jason Wells reports that CDOT is planning to run a fiber optic belt through Ute Pass that should result in better connectivity.
- i. Opportunities—Laundry list...infrastructure (roads, water, sewage), events (farmers' market, senior programs, festivals), interactive activities (drones, art), tourism (trails, parking, maintenance, directions). Logan Simpson team will refine this laundry list and pull these items into themes and then underneath that vision start to address high-level goals for each of those themes.
- j. Plan to continue to meet one-on-one with citizens and talk with visitors throughout the process.
- k. A wildfire expert is part of the Logan Simpson team and he will start with the county's plan and using those recommendations go out within the town and identify very specific recommendation and specific locations for improvements in mitigation efforts that can addressed on both private and public properties.
- l. Sewage issues severely limit development and many present systems are unsustainable. The expense may be prohibitive but possible solutions need to be explored. A tour of our local water treatment plant can be scheduled by calling Colorado Springs Utilities and information about the latest technology and developing technologies is shared during this tour.
- m. Grants—funding is a big issue and will be addressed in short and long-term action items. For example: Monitoring the water quality may be part of the plan and determine actions. Look at regional issues, developing technologies, alternative ways to address problems, identifying potential grant opportunities. Action items are usually listed in a left-hand column and then a series of other columns list short-term, long-term, sometimes mid-term actions. An order of magnitude cost for it, responsibilities (who's going to do it, i.e. town, partnership with town El Paso or Teller County, PPACG, Colorado Springs Utilities, etc.). Another column lists other funding opportunities available to help with the cost, and this is where grant opportunities would be listed.
- n. The Plan Audit takes a look at the existing Comprehensive Plan and making sure that important items are not lost or left out of the new plan. Some ideas as they are written may need to be updated or refined in the final plan.
- o. Community Assessment looks at the vision and the existing conditions ("Existing Conditions Snapshots"), the piece that is looking at key issues and do research into what the trends are and document that. The timeframe for this in direct form for review is late August-September. A joint meeting of the Planning Commission and

Board of Trustees is planned sometime in August and may coincide with the presentation of the Community Assessment.

Adjourned: 8:53 pm

Eric Caldwell-Chairman

ATTEST:

Katharine Guthrie-Secretary

DRAFT



Town of Green Mountain Falls

Memorandum

To: Mayor and Board of Trustees

From: Jason S. Wells, Interim Town Manager

Re: Management Report

Date: August 7, 2018

1) Flood Response

- a) Outside Funding Eligibility/Disaster Declaration
- b) County Damage Assessment & Other Mutual Aid
- c) Re-Assignment of Contracted Roads Crew from Maintenance Priorities to Recovery Needs
- d) Immediate Priorities
 - i) Expedited Procurement
 - ii) Engineering Services
- e) Private Sector Issues
 - i) Surveying Needs.
 - ii) Stream Bank Stabilization
 - iii) Water/Debris Flows
- f) PPRTA Role in Addressing Drainage Needs

2) Departmental Info

- a) Town Clerk – See included report
 - i) Public Input Protocols
- b) Marshall's Office – Verbal report to be provided
- c) Public Works – See new included report
 - i) Parks
 - (1) Water Service – CSU Regulatory Compliance/Backflow Preventers
 - (2) Goose Abatement
 - ii) Road Maintenance
 - (a) Mag. Chloride Application – Pushed out to 8/15 in light of recent weather events
 - iii) Belvidiere Road Improvement Project
 - (1) Coordination w/ El Paso County
 - (a) Project Budget/Possible Presentation on 7/17
 - (i) Project Estimate - Full-Depth Reclamation w/ Drainage Improvements (\$220K)
 - (ii) PPRTA Project Budget
 - 1. 2017 Carry-Over - \$107,774
 - 2. 2018 Allocation - \$50,000
 - 3. Stilling Basin Allocation - \$66,143
 - (b) Possible Utilization of County Contractor – No Need for Town-County IGA

Management Report

January 27, 2017

- iv) Lake/Park Improvements
 - (1) Sod/Irrigation Project
 - (2) CDBG Grant - \$7,500 – ADA Fishing Pier
 - (3) Fishing is Fun Grant – Automated Lake Inlet
- d) Pool
 - i) 2018 Schedule/Operations
- e) Planning
 - i) Short-Term Rental Operations – Implementation of New Licensing Structure
 - ii) Comprehensive Plan Update
 - iii) Economic Development
 - (a) EPC Enterprise Zone Designation
 - (b) Fiber Optic Collaboration?
- f) Human Resources
 - i) Personnel Policies
- g) Finance
 - i) Budget Updates/Revisions
 - ii) External Entity Reporting
 - (1) DoLA/Conservation Trust Fund
 - (2) DoLA/Town Manager Grant
 - (3) HUTF
 - iii) Auditing
 - (1) 2017 Audit Status
 - iv) Banking – Chase, Park State Bank, Colorado Trust
- h) Information Technology
 - i) A/V Needs
 - ii) Website
- 3) Insurance Administration
 - a) CIRSA
 - i) Need to Complete 2019 Renewal Application
 - ii) Claims
 - (1) June 3rd Pool Flooding Damage
 - (2) June 24th Hail Damage
 - (3) July 23rd Flooding
- 4) Legal
 - a) Mobile Food Truck Operator Fee

The Town of



Green Mountain Falls

P.O. Box 524, 10615 Green Mountain Falls Road, Green Mountain Falls, CO 80819 (719) 684-9414, www.gmfco.us

To: Mayor and Board of Trustees
From: Judy A. Egbert, Interim Town Clerk
Re: Town Clerk Report
Date: August 2, 2018

Routine activities continuing

- Gazebo rentals. The forms and information documents for this service have been revised, and are available on the website. A process has been put in place for better control over collecting the entire fee.
- Payroll
- Accounts payable
- Agenda packet preparation
- Meeting management
- Legal notices and postings

Election

The Board will conclude its actions regarding setting the ballot for the November coordinated election at tonight's meeting. The IGAs with both El Paso and Teller Counties are anticipated any time now, and will be presented to the Board for action at the August 21 meeting.

Candidate petitions will be available starting August 7 for those who wish to run to fill the two vacancies. Petitions will be available at Town Hall, and are due to be returned no later than August 27.

Human Resources

The employee handbook is being presented to the Board tonight after multiple reviews by staff and legal counsel. This handbook references a handful of ancillary policies that still need to be developed.

I have begun to develop the job description and recruitment materials in anticipation of recruiting a Town Clerk/Treasurer in the near future. The timing of this will be determined as the budget becomes clearer.

There is still work to be done to establish appropriate in-processing/onboarding procedures.

Also pending is developing and implementing a system for employee payroll and benefits data tracking.

Website

The new website is being updated continually, with more content being added as time allows and as priorities develop. Immediate priorities are:

- Post 2018 Planning Commission agendas/packets/minutes.
- Develop a section for forms, in addition to the forms available on specific pages.
- Add a page for recently-adopted ordinances and resolutions

We also have received feedback that the site isn't formatted well for use on mobile devices, and we now have resources on how to make changes to improve that.

The County is awaiting my approval to redirect and then remove the old site. I want to be sure that there are no documents on that old site that don't exist elsewhere before I make that call, and am continuing working on that as time allows.

Records Management

I am making slow but steady progress in organizing the electronic files. Hard copy still remains a substantial need, which will require on-site time from me.

Court

There is no new action in this area. Time will be dedicated to this prior to the next court date in September.

Planning Commission support

While the bulk of this remains in my unmet needs section, I have implemented a process for assisting with the packet preparation in a limited way that I can do off-site. While this is an improvement, it is still a stop-gap measure until a Clerk is hired who can be on-site on a regular basis.

Immediate future actions needed (within 2 months)

- The topic of how the Board handles citizen comment during meetings has been brought to my attention. I see ways to improve this to make meetings more efficient and ensure that comments are fully recognized and any future actions followed through. I recommend that the Board discuss this at a future meeting or workshop, with the timing of this at the Board's discretion.
- CIRSA renewal. CIRSA has given us an extension on time to do this.

Near-term actions needed (after November election)

- Committee appointments
- Pro Tem appointment

Unmet needs

- Staff support to Planning Commission (meeting management, communication link with Board).
- Events process review
- Code revisions