



Town of Green Mountain Falls

Regular Board of Trustee Meeting Agenda

10615 Green Mountain Falls Road

Tuesday, January 7, 2020 7:00 p.m.

WORKSHOP: Public Input on Ordinance 2019-09, An Ordinance Repealing And Reenacting Article Xv Of Chapter 10 Of The Green Mountain Falls Municipal Code Regarding Fire Restrictions

REGULAR MEETING:

1. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE
2. ADDITIONS, DELETIONS, OR CORRECTION TO THE AGENDA
3. CONSENT AGENDA
 - a. Approve Board of Trustees Meeting Minutes from December 3, 2019
 - b. Bring Into Record Checks Run January 6, 2020
 - c. Flood Recovery Construction Contract
4. NEW BUSINESS
 - a. Consideration of Resolution 2020-01, A Resolution Of The Town Of Green Mountain Falls Colorado, Making Appointment Of Town Officials
 - b. Consideration of Resolution 2020-02, A Resolution Of The Town Of Green Mountain Falls Colorado, Designating The Official Public Notice Posting Place
 - c. Discussion of Resolution 2020-03, A Resolution Naming Committee Appointments
 - d. Introduction of Ordinance 2020-01, An Ordinance Amending Article I Of Chapter 2 Of The Green Mountain Falls Municipal Code Regarding Elections
5. OLD BUSINESS

- a. Public Hearing and Final Adoption, Ordinance 2019-09, An Ordinance Repealing And Reenacting Article Xv Of Chapter 10 Of The Green Mountain Falls Municipal Code Regarding Fire Restrictions

6. PUBLIC INPUT: 3 Minutes per speaker

7. CORRESPONDENCE

- a. Vacancy Announcement Teller 911 Authority

8. REPORTS

- a. Trustees

9. EXECUTIVE SESSION:

- a. Pursuant to C.R.S § 24-6-402(f) for the Purpose of Personnel Matters, Specifically to Evaluate Applicants for Position of Town Clerk/Treasurer

10. EXECUTIVE SESSION:

- a. Pursuant to C.R.S § 24-6-402(e) for The Purpose of Matters That May be Subject to Negotiations, Developing Strategy for Negotiations, and/or Instructing Negotiators Regarding Work on the Lake

11. ADJOURN

TOWN OF GREEN MOUNTAIN FALLS
Regular Board of Trustee Meeting
December 3, 2019 – 7:00 P.M.

REGULAR MEETING MINUTES

Board Members Present

Mayor Jane Newberry
Trustee Margaret Peterson
Trustee Tyler Stevens
Trustee Katharine Guthrie

Board Members Absent

Trustee Chris Quinn

Town Attorney

Not present

Town Manager

Angie Sprang

Public Works

Marshal's Dept.

Town Clerk

Laura Kotewa

-
- 1. Public workshop** - Ordinance 2019-06, An Ordinance Amending Section 2-28 And Adding A New Section 2-39 To The Town Of Green Mountain Falls Municipal Code Concerning Regular And Special Meetings And Work Sessions

A Public Workshop was held 7:09-7:10p.m. No public comments were made.

- 2. Public workshop** – Ordinance 2019-07, An Ordinance Amending Section 2-228 Of The Town Of Green Mountain Falls Municipal Code Concerning Planning Commission Meetings

A Public Workshop was held 7:10-7:11p.m. No public comments were made.

- 3. Public workshop** – Ordinance 2019-08, An Ordinance Amending Sections 6-155(B) And 6-156(C) Of The Town Of Green Mountain Falls Municipal Code Concerning The Expiration Date Of Short Term Rental Licenses

A Public Workshop was held 7:11-7:12p.m. No public comments were made.

4. Public workshop - Public Input on Resolution 2019-15, Resolution to Adopt 2020 Budget

A Public Workshop was held 7:16-7:29p.m. Public comments were heard regarding several Capital Improvement budget items. Corrections made on December 3rd from late arriving information were noted in relation to the property valuation from El Paso County.

Regular Meeting:

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

Mayor Newberry called the meeting to order at 7:30p.m. The Pledge of Allegiance was recited, and roll was taken.

2. Additions, Deletions, or Corrections to the Agenda

Trustee Stevens made a motion, seconded by Mayor Newberry, to accept the Agenda with the addition of item g. under New Business to be Discussion of Road Conditions and Snow Plowing Plans. Motion passed.

3. Consent Agenda

- a. Approve Board of Trustees Meeting Minutes November 19, 2019
- b. Bring into Record Checks Run November 27, 2019

Mayor Newberry made a motion, seconded by Trustee Peterson to accept the Consent Agenda. Motion carried.

4. New Business

- a. Consideration of Standing Order
- b. Consideration of SB203 Appointed Counsel

The Town Board has reviewed both items and acknowledge receipt.

- c. Consideration of Resolution 2019-14, A Resolution Of The Town Of Green Mountain Falls, Colorado, Calling The Regular Election To Be Held On April 7, 2020

Mayor Newberry made a motion, seconded by Trustee Stevens, to approve Resolution 2019-14. Motion carried by unanimous vote.

- d. Consideration of Resolution 2019-15, A Resolution Summarizing Expenditures And Revenues For Each Fund And Adopting A Budget For The Town Of Green Mountain Falls Colorado, For The Calendar Year Beginning On The First Day Of January, 2020, And Ending On The Last Day Of December, 2020.

Mayor Newberry made a motion, seconded by Trustee Stevens, to approve Resolution 2019-15. Motion carried by unanimous vote.

- e. Consideration of Resolution 2019-16, A Resolution Levying General Property Taxes For The Year 2020, To Help Defray The Costs Of Government For The Town Of Green Mountain Falls, Colorado, For The 2020 Budget Year

Mayor Newberry made a motion, seconded by Trustee Guthrie, to approve Resolution 2019-16. Motion carried by unanimous vote.

- f. Consideration of Resolution 2019-17, A Resolution Adopting The 2020 Municipal Fee Schedule

Mayor Newberry made a motion, seconded by Trustee Guthrie, to approve Resolution 2019-17. Motion carried by unanimous vote.

- g. Discussion of Road Conditions and Snow Plowing

Mayor Newberry gave some background on behalf of town citizens. Ms. Angie Sprang spoke to the improvements being made and plans for two Public Works employees to work offsetting shifts during snow events. The board requested a report be given based on Kudos/Concerns information. Ms. Angie Sprang is looking into it.

5. Old Business

- a. Public Hearing and Final Adoption, Ordinance 2019-06, An Ordinance Amending Section 2-28 And Adding A New Section 2-39 To The Town Of Green Mountain Falls Municipal Code Concerning Regular And Special Meetings And Work Sessions

Mayor Newberry made a motion, seconded by Trustee Guthrie, to approve Ordinance 2019-06. Motion carried by unanimous vote.

- b. Public Hearing and Final Adoption, Ordinance 2019-07, An Ordinance Amending Section 2-228 Of The Town Of Green Mountain Falls Municipal Code Concerning Planning Commission Meetings

Trustee Guthrie made a motion, seconded by Trustees Stevens and Peterson simultaneously, to approve Ordinance 2019-07. Motion carried by unanimous vote.

- c. Public Hearing and Final Adoption, Ordinance 2019-08, An Ordinance Amending Sections 6-155(B) And 6-156(C) Of The Town Of Green Mountain Falls Municipal Code Concerning The Expiration Date Of Short Term Rental Licenses

Trustee Stevens made a motion, seconded by Trustee Guthrie, to approve Ordinance 2019-08. Motion carried by unanimous vote.

Licensing fees are to be prorated for 2020 as indicated by original licensing date per Short Term Rental.

- d. Consideration of Resolution 2019-10, A Resolution Of The Town Of Green Mountain Falls, Colorado, Adjusting The Terms Of Members Of The Town's Planning Commission

Trustee Stevens made a motion, seconded by Trustee Peterson, to approve Resolution 2019-10 . Motion carried by unanimous vote.

6. Public Input – 3 Minutes Per Speaker

No public comments were heard.

7. Correspondence:

- a. Annexation Petition
- b. Audit Engagement Letter

Mayor Newberry made a motion to approve the use of Logan & Associates and to authorize the Town Manager to sign the letter. The motion was seconded by Trustee Stevens, and the motion passed.

- c. Approved Trails Committee Minutes

The Board asked to make it customary for the Chair of the Trails Committee to be invited to share a verbal report with the Board on a quarterly basis. In 2020 the dates of Verbal Committee Reports would be January, March, July and September.

8. Reports

- a. Trustees – Trustee Peterson mentioned that the Yule Festival is happening on Sunday, December 8th for the public, and on the 7th in conjunction with the Parade of Holiday Homes as a way of building community. It was also mentioned that the Tree Lighting in town had gone well.

9. Adjournment

Meeting adjourned at 8:08 p.m.

Jane Newberry, Mayor

Laura J. Kotewa, Town Clerk/Treasurer



Dates	10/06/2019					
Account	1-00-00-1010					
	Cash - Gen - PS					
	Displaying 1 - 3 of 3 Transactions	Filter	Clear		Amount	
Date	Name			Amount	Balance	
01/06/2020	Colorado Municipal Clerks Association			155.00	(380.00)	
	Invoice 204750					
	Municipal Code Coportion			225.00	(225.00)	
	Invoice 00337244					

3:41 PM
01/06/20
Accrual Basis

Town of Green Mountain Falls
Expenses by Vendor Summary
December 28, 2019 through January 6, 2020

	Dec 28, '19 - Jan 6, 20
Black Hills Energy	188.28
Cirsa	100.00
Colorado Interactive	200.00
Colorado Municipal Clerks Association	0.00
Colorado Springs Gazette, LLC	84.42
Colorado Springs Utilities	842.20
Comcast	206.34
Flair Data Systems DBA	1,525.95
Hoffman, Parker, Wilson & Carberry	781.00
LAW OFFICES OF DEBRA EILAND	110.00
Pinnacol Assurance	525.00
Waste Management	96.09
Woodland Hardware and Home	10.60
TOTAL	4,669.88

Late Additions

CEBT	5634.80
Pros. Bus. Solutions	150.00
	<u>10,454.68</u>

CONSTRUCTION CONTRACT

THIS CONSTRUCTION CONTRACT is made and entered into this 6th day of January, 2020, by and between the Town of Green Mountain Falls, a Colorado municipal corporation having an address of 10615 Unit B, Green Mountain Falls Road, Green Mountain Falls, Colorado, 80819 (the "Town"), and Milestone Grading & Drainage, LLC, an independent contractor with a principal place of business at 15630 Fox Creek Lane; Colorado Springs, CO 80908 and phone number of 719-352-8886 ("Contractor") (collectively the "Parties").

For the consideration described herein, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. Scope of Work. Contractor shall perform the following described work (the "Work"), in accordance with this Contract and the Contract Documents, attached hereto and incorporated herein by this reference: Flood repair work. In addition to the work to be performed as set forth in the Contract Documents, the following terms shall apply:

- a. Contractor shall provide the Town's representative with a work schedule prior to commencing work. The schedule shall include: (a) a schedule of listing the dates when specific material and equipment will be mobilized to the job sites; (b) a description of estimated hours of work and shall list the estimated materials to be delivered to the job sites; (c) a list of subcontractors and material suppliers and their schedules for performing work and delivering materials; and (d) a list of project milestones and completion dates.
- b. Prior to installation of any materials, Contractor shall provide submittals with detailed descriptions of the type and quantity of materials to be used on the project including without limitation, gravels and topsoils, concrete mix design, culverts, rip rap, geotextiles, and similar materials. All such submittals shall be approved by the Town's project engineer prior to installation
- c. Representatives of the Town or the Contractor shall have the right to suspend operations due to an unsafe work environment, severe weather conditions, or non-compliance or misuse of pre-approved materials.

2. Bonds. Within ten (10) days of the date of this Contract, Contractor shall provide the payment and performance bond and certificate of insurance required by the Contract Documents.

3. Commencement and Completion of Work. Contractor shall commence and complete the Work as set forth in the Contract Documents.

4. Compensation/Contract Price. The Town agrees to pay Contractor, subject to all of the terms and conditions of the Contract Documents, for the Work, an amount not to exceed one hundred and forty-six thousand dollars (\$146,000.00). The Town shall pay Contractor in the manner and at such times as set forth in the General Provisions such amounts as required by the Contract Documents.

5. Illegal Aliens.

A. Certification. By entering into this Contract, Contractor hereby certifies that, at the time of this certification, it does not knowingly employ or contract with an illegal alien who will perform work under the Contract and that Contractor will participate in either the E-Verify Program administered by the United States Department of Homeland Security and Social Security Administration or the Department Program administered by the Colorado Department of Labor and Employment in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under the Contract.

B. Prohibited Acts. Contractor shall not:

(1) Knowingly employ or contract with an illegal alien to perform work under this Contract; or

(2) Enter into a contract with a subcontractor that fails to certify to Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Contract.

C. Verification.

(1) If Contractor has employees, Contractor has confirmed or attempted to confirm the employment eligibility of all employees who are newly hired for employment to perform work under this Contract through participation in either the E-Verify Program or the Department Program.

(2) Contractor shall not use the E-Verify or Department Program procedures to undertake pre-employment screening of job applicants while this Contract is being performed.

(3) If Contractor obtains actual knowledge that a subcontractor performing work under this Contract knowingly employs or contracts with an illegal alien who is performing work under the Contract, Contractor shall:

1. Notify the subcontractor and the Town within three (3) days that Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien who is performing work under the Contract; and

2. Terminate the subcontract with the subcontractor if within three (3) days of receiving the notice required pursuant to subsection (1) hereof, the subcontractor does not stop employing or contracting with the illegal alien who is performing work under the contract; except that Contractor shall not terminate the contract with the subcontractor if during such three (3) days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien who is performing work under the Contract.

D. Duty to Comply with Investigations. Contractor shall comply with any reasonable request by the Colorado Department of Labor and Employment made in the

course of an investigation conducted pursuant to C.R.S. § 8-17.5-102(5)(a) to ensure that Contractor is complying with the terms of this Contract.

E. If Contractor does not have employees, Contractor shall sign the attached "No Employee Affidavit."

F. If Contractor wishes to verify the lawful presence of newly hired employees who perform work under the Contract via the Department Program, Contractor shall sign the "Department Program Affidavit" attached hereto.

6. Governing Law and Venue. This Contract shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in El Paso County, Colorado.

7. No Waiver. Delays in enforcement or the waiver of any one or more defaults or breaches of this Contract by the Town shall not constitute a waiver of any of the other terms or obligation of this Contract.

8. Integration. This Contract and any attached exhibits constitute the entire Contract between Contractor and the Town, superseding all prior oral or written communications.

9. Third Parties. There are no intended third-party beneficiaries to this Contract.

10. Notice. Any notice under this Contract shall be in writing, and shall be deemed sufficient when directly presented or sent pre-paid, first class United States Mail, addressed to:

The Town: Town of Green Mountain Falls
P.O. Box 524
10615 Green Mountain Falls Road
Green Mountain Falls, CO 80819

Contractor: Milestone Grading & Drainage, LLC
15630 Fox Creek Lane
Colorado Springs, CO 80908

11. Severability. If any provision of this Contract is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

12. Modification. This Contract may only be modified upon written agreement of the Parties.

13. Assignment. Neither this Contract nor any of the rights or obligations of the Parties hereto, shall be assigned by either party without the written consent of the other.

14. Governmental Immunity. The Town, its officers, and its employees, are relying on, and do not waive or intend to waive by any provision of this Contract, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Town and its officers or employees.

15. Rights and Remedies. The rights and remedies of the Town under this Contract are in addition to any other rights and remedies provided by law. The expiration of this Contract shall in no way limit the Town's legal or equitable remedies, or the period in which such remedies may be asserted, for work negligently or defectively performed.

IN WITNESS WHEREOF, this Construction Contract has been executed by the Parties as of the date first above written, whether or not the date of signing is some other date.

[Remainder of page intentionally blank. Signatures on following page.]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date first set forth above.

**TOWN OF GREEN MOUNTAIN FALLS,
COLORADO**

ATTEST:

Office of the Town Clerk

CONTRACTOR

By: _____

[Signature]
Milestone Grading & Drainage
President

STATE OF COLORADO)

COUNTY OF El Paso)

) ss.

The foregoing Professional Agreement for Services was subscribed, sworn to and acknowledged before me this 6 day of January 20 20 by Laura Kotewa, as Town Clerk of the Town of Green Mountain Falls, Co

My commission expires:

(SEAL)

[Signature]

Notary Public



NO EMPLOYEE AFFIDAVIT

[To be completed only if Contractor does not have any employees]

1. Check and complete one:

☐ I, _____, am a sole proprietor doing business as _____. I do not currently employ any individuals. Should I employ any individuals during the term of my Contract with the Town, I certify that I will comply with the lawful presence verification requirements outlined in that Contract.

OR

☐ I, _____, am the sole owner/member/shareholder of _____, a _____ [specify type of entity – i.e., corporation, limited liability company], that does not currently employ any individuals. Should I employ any individuals during the term of my Contract with the Town, I certify that I will comply with the lawful presence verification requirements outlined in that Contract.

2. Check one.

☐ I am a United States citizen or legal permanent resident.

The Town must verify this statement by reviewing one of the following items:

- *A valid Colorado driver's license or a Colorado identification card;*
- *A United States military card or a military dependent's identification card;*
- *A United States Coast Guard Merchant Mariner card;*
- *A Native American tribal document;*
- *In the case of a resident of another state, the driver's license or state-issued identification card from the state of residence, if that state requires the applicant to prove lawful presence prior to the issuance of the identification card;*
- *Any other documents or combination of documents listed in the Town's "Acceptable Documents for Lawful Presence Verification" chart that prove both the contractor's citizenship/lawful presence and identity.*

OR

☐ I am otherwise lawfully present in the United States pursuant to federal law.

Contractor must verify this statement through the federal Systematic Alien Verification of Entitlement program, the "SAVE" program, and provide such verification to the Town.

Signature

Date

DEPARTMENT PROGRAM AFFIDAVIT

*[To be completed if Contractor participates in the
Department of Labor's Lawful Presence Verification Program]*

I, _____, as a public contractor under contract with the Town of Buena Vista (the "Town"), hereby affirm that:

1. I have examined or will examine the legal work status of all employees who are newly hired for employment to perform work under this public contract for services ("Contract") with the Town within twenty (20) days after such hiring date;

2. I have retained or will retain file copies of all documents required by 8 U.S.C. § 1324a, which verify the employment eligibility and identity of newly hired employees who perform work under this Contract; and

3. I have not and will not alter or falsify the identification documents for my newly hired employees who perform work under this Contract.

Contractor Signature

Date

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was subscribed, sworn to and acknowledged before me this ____ day of _____, 20__, by _____ as _____ of _____.

My commission expires:

(S E A L)

Notary Public

RESOLUTION NO. 2020-01

**A RESOLUTION OF THE TOWN OF GREEN MOUNTAIN FALLS
COLORADO, MAKING APPOINTMENT OF TOWN OFFICIALS**

WHEREAS, Colorado Revised Statutes 31-10-304 requires the Town Board of Trustees to appoint a Clerk, Treasurer, and Attorney, as well as any other officers it deems necessary; and

WHEREAS, this statute further specifies that the appointment of officers shall not extend more than 30 days after election; and

WHEREAS, The Town of Green Mountain Falls' Code of Ordinances Section 2-21(b) also provides the authority of the Board of Trustees to appoint officers;

WHEREAS, in addition to the Clerk, Treasurer, and Attorney, the Board of Trustees wishes to also appoint a Town Manager and Marshal;

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

Town Officials are appointed as follows:

Town Clerk/Treasurer – Laura Kotewa
Town Attorney – The Firm of Hoffmann, Parker, Wilson & Carberry, P.C.
Town Manager – Angie Sprang
Town Marshal – Virgil Hodges

INTRODUCED, READ and PASSED this 7th day of January, 2020.

TOWN OF GREEN MOUNTAIN FALLS,
COLORADO

Jane Newberry, Mayor

(SEAL)

ATTEST:

Laura Kotewa, Town Clerk/Treasurer

RESOLUTION NO. 2020-02

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

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

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

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

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

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

WHEREAS, HB 19-1087 added language in 24-6-402(c)(II) expressing intention to move toward online posting as the official location over the next two years, culminating with compliance of the newly-created 24-6(c)(III), and;

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

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

The town website, www.gmfc.us, is to be the official posting place for all meeting notices. When possible, the Post Office and Town Hall may be used in addition.

INTRODUCED, READ and PASSED this 7th day of January, 2020

**TOWN OF GREEN MOUNTAIN FALLS,
COLORADO**

Jane Newberry, Mayor

ATTEST:

Laura Kotewa, Town Clerk/Treasurer

BOARD OF TRUSTEES AGENDA MEMO – Information Only

DATE: 1.7.2020	AGENDA NO 4.d	SUBJECT:
Presented by: Angie Sprang, Town Manager		Discussion of Resolution 2020-03, A Resolution Naming Committee Appointments

Background:

For your review and discussion, attached you'll find the 2019 committee appointments, with strike throughs where vacancies will occur in 2020.

Now that the Holiday season is passed, Staff is preparing to launch a recruitment campaign for vacancies via social media, newspaper, post office posting, local job boards postings, and town hall & website posting. As part of the recruitment campaign descriptions as well as an expectation of hours committed annually will be provided for volunteers.

I'm happy to report that the reduction in meeting times has made operations more efficient on the Staff end, reduced some cost(s), and refocused Staff time on achieving goals. Please note that with the once monthly meeting, the option to call a second or special meeting as Boards/Commissions may need is always available. With a reduced time commitment for our volunteers, we hope to see more involvement from our civically engaged Citizens who may be interested in serving on an Advisory Board/Commission (e.g. Parks & Recreation Commission, Planning Commission, etc.). There are a number of fun and interesting potential projects upcoming in 2020, and a number of many opportunities for Citizens to get involved in supporting their Community. We do plan to recruit volunteers via social media, our website, and other news outlets beginning after the holidays. Any interested Citizens are encouraged to reach out to the Town Manager at their convenience via email manager@gmfcu.us or phone 719-684-9414 extension 5.

BOARD OF TRUSTEES AGENDA MEMO

DATE: 9 October 2019	SUBJECT: Implementation Prioritization- Fire Mitigation
Presented by: Julia Simmons, Town Land Use Planner	

Board Recommended Action

None

Staff Findings

The Planning Commission requested some time during a regularly scheduled business meeting to conduct a prioritization exercise using the implementation measures in the Plan GMF Comprehensive Plan. The end goal was to make recommendations to the Board on the action items the Planning Commission deemed of highest importance.

At the 24 September meeting, The Commissioners were asked to review the implementation actions and come to the following meeting prepared to work on a matrix.

At the 8 October meeting, Staff presented a document the group could use to determine a timeline for action and its level of importance. Cost could be considered a factor. Four Commissioners were present; some expressed the need for more time to prepare. Upon further discussion, the members agreed that if they had to single-out an item of importance, they would recommend a fire mitigation action.

The audio recording of the discussion and motion is available at Town Hall.

Planning Commission Findings

The Commission recommended to the Board of Trustees the following action item be a top priority, acted upon between October 2019 and February 2020:

2.6 Work with El Paso County Emergency Management and Colorado State Patrol to develop a notification and evacuation plan for the community (page 73, Plan GMF, approved June 25, 2019).

The Commission recommends the Board create a committee to work on an evacuation plan, which includes the expertise and participation of EMS and other relevant stakeholders. Stakeholders and funding recommendations came from **Table 2. Action Recommendations for Structural Ignitability and Public Outreach** (page 93, Plan GMF, approved June 25, 2019):

Project Partner: GMF, GMFCFPD, CSP, EPCOEM

Project: A8 - Enhanced Public Education, Information, and Outreach/ Safety

Specific Recommendation: Emergency Management and Colorado State Patrol to develop a notification and evacuation plan for the community.

Estimated Cost: Staff time, coordination efforts, research, and meetings: Est. \$5,000.00

Timeline: October 2019 and February 2020



Town of Green Mountain Falls

Town Hall

Post Office Box 523
Green Mountain Falls, CO 80819
(719) 684-9414
(719) 684-9414 -Fax

Tyler S.C. Stevens, Mayor

Tall Pines
Post Office Box 114
Green Mountain Falls, CO 80819
(719) 219-5411 Work
(719) 684-2349 Residence
(719) 213-2492 Fax
GMFMayor@tymosaco.net E-Mail

To: Board of Trustees
From: Tyler Stevens, Mayor
Date: July 7, 2009
Re: Advisory Committee Guidelines

Purpose:

Over the past few meetings we have had important discussions about how interact with committees of the town. The intent with these guidelines is to draft some guidelines to allow the Town Board of Trustees to utilize the expertise, dedication, and focused attention of willing to serve the town.

Guidelines:

1. The Town of Green Mountain Falls Board of Trustees may form advisory committees through the passage of resolution(s) from time to time.
2. The Resolution forming the Advisory Committee shall include at least the following information regarding the Advisory Committee:
 - a. The purpose of such Advisory Committee
 - i. Any specific goals, tasks, issues which the Board of Trustees designated
 - b. The tenure of the committee
3. The Board of Trustees shall approve membership for all committees
 - a. The Board of Trustees shall ask committee members for a letter of interest detailing their experience relevant to the committee
 - b. The town shall issue letters to accepted committee members detailing the committee work, including the passed resolution, and when their term expires
4. Should an Advisory Committee need to establish bylaws, they may propose bylaws for the Board of Trustees
 - a. The Board of Trustees shall pass, amend, rescind or take any other action regarding bylaws
5. Each Advisory Committee shall appoint a Chair and a Vice Chair
 - a. The Chair of an Advisory Committee will be responsible for establishing an agenda, notifying members of upcoming meetings, running the meetings, providing a written report to the Board following each meeting, providing the Board with advise as outlined in the Resolution
 - b. The Vice Chair shall carry out the duties of Chair, if the chair is unable.

**GREEN MOUNTAIN FALLS, COLORADO
RESOLUTION NO. 2020-03**

**A RESOLUTION NAMING APPOINTMENTS TO COMMITTEES,
COMMISSIONS, AND OUTSIDE AGENCIES**

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

WHEREAS, the Board of Trustees appoints members to the Planning Commission for regular, limited terms; and

WHEREAS, the Board of Trustees appoints members to various standing and ad-hoc advisory committees for regular, limited terms; and

WHEREAS, the Board of Trustees appoints various people to outside agency appointments to represent the interests of the town; and

WHEREAS, minimizing vacancies to these appointments – whether by reappointment or new appointment in advance of term expirations – maximizes continuity in each agency;

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

Section 1.

The following members, alternates, or secretaries—as indicated—are hereby appointed, nominated, or reaffirmed to these commissions, committees, and outside agencies for the terms as specified:

Member Name	Term Beginning*	Term Ending**
GMF Planning Commission		
<i>The Planning Commission is charged with advising the Board of Trustees in matters of building permits, parking, signage, architectural controls, planning, and zoning, as well as the formulation of a Comprehensive Plan. The Commission consists of a fixed membership of five (5) members serving two (2) year terms, until replaced, appointed by the Board of Trustees. The Planning Commission itself elects a Chair and Vice Chair from among their members.</i>		

Member Name		Term Beginning*	Term Ending**
<i>The Board of Trustees may designate a Secretary who is not a Member of the Commission. In addition, the Mayor is a non-voting ex-officio member of the Planning Commission.</i>			
<i>Town Code Chapter 2 Article IX C.R.S. Title 31 Article 23 Part 2</i>			
Eric Caldwell	(3)	June 3, 2018	June 3, 2020
Dick Bratton	(2)	January 20, 2017	January 20, 2019
Rocco Blasi	(1)	April 12, 2017	April 12, 2019
Greg Williamson	(1)	June 20, 2017	June 20, 2019
Nathan Scott	(1)	January 16, 2018	January 16, 2020
Katharine Guthrie (Secretary)			Until replaced
GMF Parks & Recreation Advisory Committee			
<i>The Parks & Recreation Advisory Committee is a standing committee charged with reviewing the maintenance and capital needs of the Town's parks, recreation facilities, and trails, as well as the formulation of a Parks & Recreation Master Plan. The Committee consists of a fixed membership of seven (7) members serving staggered three (3) year terms, appointed by the Board of Trustees. The Committee itself elects a Chair and Vice Chair from among their members. In addition, the Board of Trustees appoints a Secretary who is not a Member of the Committee.</i>			
<i>Town Code Chapter 2 Article XII</i>			
Vacancy (Member)			
Vacancy (Member)			
Vacancy (Member)			
Vacancy (Member)			
Vacancy (Member)			
Vacancy (Member)			
Vacancy (Member)			

Member Name	Term Beginning*	Term Ending**
Vacancy (Secretary)		
GMF Trails Committee <i>The Trails Committee is an ad-hoc committee charged with recommending for approval and carrying out a body of work maintaining and expanding the Town trail system. The Committee consists of a fixed membership of nine (11) members serving staggered three (3) year terms, appointed by the Board of Trustees. The Committee itself elects a Chair and Vice Chair from among their members. In addition, the Board of Trustees appoints a Secretary who is not a Member of the Committee.</i>		
Resolution 2017-09		
Dick Bratton	(1) January 16, 2018	January 16, 2022
Tom McCormick	(1) January 16, 2018	January 16, 2022
Claudia Eley	(1) January 16, 2018	January 16, 2022
Rocco Blasi	(1) January 16, 2018	January 16, 2022
Richard Truesdell	(1) January 16, 2018	January 16, 2021
Jan Smith	(1) January 16, 2018	January 16, 2021
Richard Brown	(1) January 16, 2018	January 16, 2021
Mike Lohman	(1) January 16, 2018	January 16, 2021
Greg Pfander	(1) January 16, 2018	January 16, 2020
Lisa Townsend	(1) January 16, 2018	January 16, 2020
Rebecca Oehkie	(1) January 16, 2018	January 16, 2020
Vacancy (Secretary)		Until replaced
PPACG Board of Directors <i>The Pikes Peak Area Council of Governments is comprised of membership spanning 16 participating local counties and municipalities. Its Board of Directors is charged with establishing objectives and policies related to issues that cross political boundaries, shared opportunities and challenges, and collaborative strategies for action. As a participating</i>		

Member Name	Term Beginning*	Term Ending**
<i>member government, the Town Board of Trustees designates a voting representative and an alternate from among the elected Board of Trustees to represent the Town during their term of office.</i> <i>PPACG Board of Directors Bylaws, Article IV</i>		
Tyler Stevens, Trustee	April 18, 2016	April 21, 2020
Jane Newberry, Mayor (Alternate)	April 15, 2014	April 21, 2020
PPACG Community Advisory Committee <i>The Community Advisory Committee serves as the formal mechanism for the active participation of citizens in the planning, promotion, and evaluation of activities of the Pikes Peak Area Council of Governments, and assists the PPACG staff in keeping the general public informed relative to regional plans and programs. The CAC is a nontechnical body comprised of volunteers who offer a citizen's perspective on issues such as transportation, the environment, economic development and military impact planning in the Pikes Peak region. The Town Board of Trustees nominates a citizen representative who has a sincere interest in serving the community. The PPACG Board of Directors approves all nominations. Representatives may serve up to two (2) consecutive three (3) year terms.</i> <i>PPACG CAC Bylaws</i>		
Ann Esch	May 1, 2018	November 30, 2020
Jane Newberry/Tyler Stevens (alternates)	May 1, 2018	November 30, 2020
PPACG Water Quality Management Committee <i>The purpose of this committee is to advise the Pikes Pak Area Council of Governments and PPACG staff on current and emerging issues, goals, plans, and programs affecting the water quality of the Pikes Peak Region, to aid in the review of site applications, and to aid in the development of the water quality management plan updates and amendments.</i>		
Nathan Scott	December 18, 2018	December 31, 2021
PPRTA Board of Directors <i>The Pikes Peak Rural Transportation Authority Board of Directors has primary responsibility for the management and disbursement of funds generated by the Authority, and the activities that support those functions. As a participating member government, the Town Board of Trustees appoints a single Director from among the elected Board of Trustees to represent the Town, for a calendar year term of office.</i> <i>Intergovernmental Agreement Regarding the Pikes Peak Rural Transportation Authority</i>		

Member Name	Term Beginning*	Term Ending**
Tyler Stevens, Trustee	January 1, 2018	December 31, 2018
Insert alternate if appropriate		
PPRTA Citizen Advisory Committee <i>The 17-member Pikes Peak Rural Transportation Authority Citizen Advisory Committee's primary objective is to ensure the capital, maintenance, and public transportation projects and programs approved by voters during the November 2, 2004 election and the November 6, 2012 election are accomplished with PPRTA funds. The committee reports directly to the PPRTA Board of Directors, and is charged with reviewing the budgets of the five local member governments to monitor the expenditure of PPRTA funds on capital, maintenance, and public transportation projects and programs. The Town Board of Trustees appoints two members from among the residents of the PPRTA geographic boundaries to three-year staggered terms. Representatives from member governments do not have term limits.</i> PPRTA CAC Bylaws		
Ann Esch	January 1, 2017	December 31, 2020
Richard "Reb" Williams	January 1, 2019	December 31, 2021
Jane Newberry/Tyler Stevens (alternates)	May 1, 2018	April 21, 2020
PPRBD Advisory Board <i>The Pikes Peak Regional Building Department Advisory Board renders advice in the administration operation of the department in matters related to administration and financing and budget of the department. The Town Board of Trustees appoints one representative to the Advisory Board.</i> By-laws of the Regional Building Commission		
Chris Quinn, Trustee	March 2014	
El Paso County Community Development Advisory Board (CDAB) <i>On April 1, 2009, El Paso County became an "entitlement community" and was awarded a Community Development Block Grant (CDBG) from the U.S. Department of Housing and Urban Development (HUD) to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services.</i>		

Member Name		Term Beginning*	Term Ending**
<p><i>The Community Development Advisory Board (CDAB) reviews matters of importance regarding the CDBG program and makes recommendations to the El Paso County Board of Commissioners concerning community development issues and use of CDBG funds.</i></p> <p><i>The CDAB is comprised of 12 voting members, including a representative from each of the municipalities participating in the El Paso County CDBG Program and a representative from each of the commissioner districts. Participating municipalities advise the Board of County Commissioners who they have designated as their representative. Members are appointed for five-year terms, with terms initially staggered, and are limited to serving two consecutive five-year terms.</i></p>			
Tyler Stevens	(2)	May 2017	April 2022 X
<p>CML Policy Committee</p> <p><i>The Colorado Municipal League represents the shared interests of 269 of Colorado's 272 incorporated municipalities. The CML Policy Committee has significant policy development responsibilities. The committee is responsible for reviewing of requests from member municipalities for CML-initiated legislation and recommending specific positions to the CML Board, reviewing of requests for policy positions from member municipalities and recommending specific positions to the CML Board, review of known or potential legislative issues or bills, consideration of staff recommendations, and recommending specific positions to the CML Board, and review of the League's Annual Policy Statement that guides League positions on policy issues affecting municipalities and proposing revisions, if necessary, culminating in the ballot questions presented to CML members at the Annual Business Meeting that takes place as part of CML's Annual Conference. Each member municipality of CML is entitled to designate one representative to the League's Policy Committee. One alternate may also be designated, and that alternate should attend only if the appointed member is unable to attend.</i></p>			
Tyler Stevens, Trustee		July 2018	June 2019
Vacancy (Alternate)		July 2018	June 2019

* (N) indicates that the specified term is the member's Nth consecutive term.

** "X" indicates that the member is term-limited at the conclusion of the specified term.

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 ordinance hereby repealed prior to the effective date of this resolution.

Introduced, Read, Passed, and Adopted at a regular meeting of the Board of Trustees of the Town of Green Mountain Falls on this 4th day of December, 2018.

**TOWN OF GREEN MOUNTAIN FALLS,
COLORADO**

Jane Newberry, Mayor

ATTEST:

Laura J. Kotewa, Town Clerk

BOARD OF TRUSTEES AGENDA MEMO – Information Only

DATE: 1.6.2020	AGENDA NO 4.e	SUBJECT:
Presented by: Laura Kotewa, Town Clerk/Treasurer		Ordinance 2020-01, An Ordinance Amending Article I Of Chapter 2 Of The Green Mountain Falls Municipal Code Regarding Elections

Background:

With regards to our upcoming Election, which Judy Egbert has been contracted to help with, she and our Attorney Jeff Parker discussed the following:

“31-10-507 says "in an ordinance adopted by the governing body...requiring an affidavit of intent for write-in candidates... the governing body **may also provide** that if the only matter before the voters is the election of persons to office....the clerk... shall cancel..." GMF code was updated in 2017 with a provision that addresses write-in candidates, but does not go on to specify the authority to cancel....From a practical perspective, we'd simply wait until the 65th day passes to cancel [after the deadline for write-in candidates has passed]and it wouldn't be an issue. I just like to keep local code as simple as possible and avoid the future and yet unknown changes at the state level.”

Our Attorney and his staff prepared the Ordinance you find in your packet which addresses both concerns mentioned above.

TOWN OF GREEN MOUNTAIN FALLS

ORDINANCE NO. 2020-01

AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 2 OF THE GREEN MOUNTAIN FALLS MUNICIPAL CODE REGARDING ELECTIONS

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

WHEREAS, the Town must by ordinance expressly permit the cancellation of elections if there are not more candidates than seats to be filled; and

WHEREAS, the Board of Trustees desires to amend the Green Mountain Falls Municipal Code to comport with state election law and to authorize cancellation of elections when appropriate.

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

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 whose name is written in verifying that he or she 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 in compliance with the deadline established in the Colorado Municipal Election Code, as amended.

Section 2. A new Section 2-3 of the Green Mountain Falls Municipal Code is hereby adopted and reads as follows:

Sec. 2-3. Cancellation of election.

If the only matter before the voters is the election of persons to office and if, at the close of business on the last day for filing a write-in candidate affidavit, as established herein, there are not more candidates than offices to be filled at such election, including candidates filing write-in candidate affidavits, the Board of Trustees may, by resolution adopted before or after such date, instruct the Town Clerk to cancel the election and may declare the candidates elected. Notice of such cancellation shall be posted at each polling place, in not less than one other public place, and published, if possible.

Section 3. Safety Clause. The Board of Trustees hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Green Mountain Falls, that it is promulgated for the health, safety and welfare of the public and that this Ordinance

is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that this Ordinance bears a rational relation to the proper legislative object sought to be attained.

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

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

INTRODUCED AND ORDERED PUBLISHED the ____ day of _____, 2019, at the Green Mountain Falls Town Hall, 10615 Green Mountain Falls Road, Green Mountain Falls, Colorado.

ADOPTED AND ORDERED PUBLISHED the ____ day of _____, 2019.

Jane Newberry, Mayor

ATTEST:

Laura Kotewa, Town Clerk/Treasurer

Published in the Pike Peaks Courier, _____ 2019.

BOARD OF TRUSTEES AGENDA MEMO

DATE: 11.5.19	AGENDA NO 4.c	SUBJECT:
Presented by: Laura Kotewa, Town Clerk/Treasurer		Ordinance 2019-09 An Ordinance Repealing And Reenacting Article XV Of Chapter 10 Of The Green Mountain Falls Municipal Code Regarding Fire Restrictions

Recommend action: Consider this update to Ordinance 2018-12, as an updated table was introduced.

Background: The table in Ordinance 2019-09 has been updated to match the El Paso County's version of the Stage 1 Fire Restrictions.

Conclusion: In order to match the county's recommendations for Stage 1 Fire Restrictions, we will need to again Repeal and Reenact Article XV of Chapter 10 of the Green Mountain Falls Code.

TOWN OF GREEN MOUNTAIN FALLS

ORDINANCE NO. 2019-09

AN ORDINANCE REPEALING AND REENACTING ARTICLE XV OF CHAPTER 10 OF THE GREEN MOUNTAIN FALLS MUNICIPAL CODE REGARDING FIRE RESTRICTIONS

WHEREAS, under C.R.S. § 31-15-401(q), the Town has the general police power to "control and limit fires, including but not limited to the prohibition, banning, restriction, or other regulation of fires and the designation of places where fires are permitted, restricted, or prohibited";

WHEREAS, the Town wishes to establish the various stages of Town fire restrictions depending on the level of fire danger and provide for the authority and method of declaring such restrictions;

WHEREAS, the Town wishes to clarify the activities that are prohibited and allowed under each Town fire restriction stage; and

WHEREAS, for these purposes, the Green Mountain Falls Municipal Code is amended as follows.

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

Section 1. Article XV, Chapter 10, of the Green Mountain Falls Municipal Code is repealed in its entirety and reenacted to read as follows:

ARTICLE XV - Fire Restrictions

Sec. 10-325. Purpose.

The purpose of this Article is to preserve and protect the public health, safety, and welfare of the citizens of the Town of Green Mountain Falls, Colorado, and surrounding areas by restricting open fires and open burning within the Town of Green Mountain Falls in order to prevent forest and grass fires, which, as a result of atmospheric conditions including lack of moisture and other local conditions, pose a significant danger to the Town and its citizens.

Sec. 10-326. Interpretation.

This Article shall be so interpreted and construed as to effectuate its general purpose to preserve and protect the public health, safety, and welfare of the citizens of the Town of Green Mountain Falls, Colorado, by restricting open fires and open burning to prevent forest and grass fires.

Sec. 10-327. Authority.

The restrictions imposed by this Article shall take effect upon the issuance of an administrative order executed by the Town Manager or his or her designee, in consultation with the Fire Chief and the Fire Restriction Evaluation Guidelines, and shall remain in effect until rescinded by similar order. The authority granted by this Article is ongoing, and administrative orders may be issued from time to time as conditions warrant.

Sec. 10-328. Definitions.

As used in this Article, unless the context otherwise requires:

- (a) *Bonfire* means an outdoor fire burning material other than rubbish or debris in which the fuel area exceeds the dimensions of a recreational fire, but which are no greater than eight (8) feet in diameter and four (4) feet in height, and which is located fifty (50) feet or more from any structure or combustible material.
- (b) *Burning in the performance of an official duty* means engaging in any activity prohibited under this chapter by any 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 where engaging in such activity is required for the performance of such duties.
- (c) *Fire Restriction Evaluation Guidelines* means that set of evaluation criteria currently in use by Federal, State and local fire suppression/management agencies for monitoring fuel moistures, fire danger class, current impacts on suppression resources, current fire cause types, fire weather forecasts, and other indicators of predicted fire danger.
- (d) *Illegal fireworks* means any composition or device, regardless of the mass of the explosive composition, designed to produce audible or visual effects by combustion that is illegal under State of Colorado law and includes without limitation: firecrackers, rockets, bottle rockets, roman candles, cherry bombs, mortars, and other similar items such as M-80s.
- (e) *Open fire or open burning* means any outdoor fire that does not meet the requirements of a recreational fire or bonfire where any material is burned on the ground or in an open receptacle other than a furnace, incinerator, or other equipment connected to a stack or chimney, and includes without limitation the burning of agricultural land, silvicultural lands, rangeland, wildland, ditches, trash, or debris for any purpose including without limitation wildfire risk reduction, pest control or prevention, crop management, or wildlife management.
- (f) *Permissible fireworks* means small firework devices containing not more than fifty (50) milligrams of explosive composition that are

designed to produce audible or visual effects by combustion and which are non-explosive and not intended to leave the ground and includes fountains, ground spinners, illuminating torches, dipped sticks and sparklers, and other similar items.

- (g) *Recreational fire* means an outdoor fire burning material other than rubbish or debris with a total fuel area of three (3) feet or less in diameter and two (2) feet or less in height, which is located twenty-five (25) feet or more from any structure or combustible material.

Sec. 10-329. Unlawful acts.

During a Stage I, Stage II, or Stage III restriction, it shall be unlawful for any person to engage in acts prohibited by this Article within the municipal limits of the Town, including public, private, state and federal lands, while the restriction is in effect. The following table summarizes the prohibitions in place set forth by Sections 10-330 to 10-332 of this Article:

	None	Stage I	Stage II	Stage III
Burning of trash	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Emergency flares	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Illegal Fireworks	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Permissible Fireworks	Allowed	Not Allowed	Not Allowed	Not Allowed
Commercial pyrotechnics	Permit	Permit	Permit	Not Allowed
Bonfires	Permit	Not Allowed	Not Allowed	Not Allowed
Open Burning	Permit	Not Allowed	Not Allowed	Not Allowed
Recreational Fires	Allowed	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 outdoors	Allowed	Allowed	Not Allowed	Not Allowed
Outdoor welding, gas torches, burning rods	Allowed	Allowed	Not Allowed	Not Allowed
Fires contained in liquid-fueled or gas-fueled stoves and grills	Allowed	Allowed	Allowed	Not Allowed
Indoor open fireplaces and wood-burning stoves	Allowed	Allowed	Allowed	Not Allowed
Gasoline operated power tools equipped with a spark arrestor	Allowed	Allowed	Allowed	Not Allowed
Smoking indoors or in enclosed vehicles	Allowed	Allowed	Allowed	Allowed
Burning in the performance of an official duty	Allowed	Allowed	Allowed	Allowed

Sec. 10-330. Stage I restrictions.

- (1) Whether or not such activity is permitted or prohibited elsewhere in this Code, the declaration of a Stage I fire restriction shall prohibit:
 - (a) Burning of garbage and waste material.
 - (b) Use of emergency flares or roadside fusees.
 - (c) Use of illegal fireworks.
 - (d) Use of Permissible fireworks.
 - (e) Burning of bonfires.
 - (f) Open burning.
 - (g) Launching of model rockets.
- (2) The declaration of a Stage I fire restriction shall allow commercial pyrotechnics by permit only, such permit to be issued in accordance with Section 10-296 of this Code.
- (3) Unless prohibited elsewhere in this Code, the declaration of a Stage I fire restriction shall allow:
 - (a) Use of permissible fireworks.
 - (b) Burning of recreational fires.
 - (c) Use of outdoor charcoal grills.
 - (d) Smoking indoors, outdoors, or within an enclosed vehicle.
 - (e) Outdoor welding, use of gas torches, or use of burning rods.
 - (f) Use of liquid or gas-fueled stoves and grills.
 - (g) Use of indoor open fireplaces and indoor wood-burning stoves, provided that chimneys are equipped with a functioning spark arrestor in compliance with applicable fire regulations.
 - (h) Use of gasoline operated power tools equipped with a spark arrestor
 - (i) Burning in the performance of an official duty.

Sec. 10-331. Stage II restrictions.

- (1) Whether or not such activity is permitted or prohibited elsewhere in this Code, the declaration of a Stage II fire restriction shall prohibit:
 - (a) Burning of garbage and waste material.
 - (b) Use of emergency flares or roadside fusees.
 - (c) Use of illegal fireworks.
 - (d) Use of permissible fireworks.
 - (e) Burning of bonfires.
 - (f) Open burning.
 - (g) Burning of recreational fires.
 - (h) Launching of model rockets.
 - (i) Use of outdoor charcoal grills.
 - (j) Smoking outdoors except upon an improved nonflammable surface that is barren or cleared of all flammable materials.
 - (k) Outdoor welding, use of gas torches, or use of burning rods.
- (2) The declaration of a Stage II fire restriction shall allow commercial

pyrotechnics by permit only, such permit to be issued in accordance with Section 10-296 of this Code.

- (3) Unless prohibited elsewhere in this Code, the declaration of a Stage II fire restriction shall allow:
- (a) Use of liquid or gas-fueled stoves and grills.
 - (b) Use of indoor open fireplaces and indoor wood-burning stoves, provided that chimneys are equipped with a functioning spark arrestor in compliance with applicable fire regulations.
 - (c) Use of gasoline operated power tools equipped with a spark arrestor
 - (d) Smoking indoors or within enclosed vehicles.
 - (e) Smoking outdoors upon an improved nonflammable surface that is barren or cleared of all flammable materials.
 - (f) Burning in the performance of an official duty.

Sec. 10-332. Stage III restrictions.

- (1) Whether or not such activity is permitted or prohibited elsewhere in this Code, the declaration of a Stage III fire restriction shall prohibit:
- (a) Burning of garbage and waste material.
 - (b) Use of emergency flares or roadside fusees.
 - (c) Use of illegal fireworks.
 - (d) Use of permissible fireworks.
 - (e) Commercial pyrotechnics.
 - (f) Burning of bonfires.
 - (g) Open burning.
 - (h) Burning of recreational fires.
 - (i) Launching of model rockets.
 - (j) Use of outdoor charcoal grills.
 - (k) Smoking outdoors except upon an improved nonflammable surface that is barren or cleared of all flammable materials.
 - (l) Outdoor welding, use of gas torches, or use of burning rods.
 - (m) Use of liquid or gas-fueled stoves and grills.
 - (n) Use of indoor open fireplaces and indoor wood-burning stoves, provided that chimneys are equipped with a functioning spark arrestor in compliance with applicable fire regulations.
 - (o) Use of gasoline operated power tools, even if accompanied by a spark arrestor.
- (2) Unless prohibited elsewhere in this Code, the declaration of a Stage III fire restriction shall allow:
- (a) Smoking indoors or within enclosed vehicles.
 - (b) Smoking outdoors upon an improved nonflammable surface that is barren or cleared of all flammable materials.
 - (c) Burning in the performance of an official duty.

Sec. 10-333. Prohibition on use of emergency flares and roadside fusees.

The use of emergency flares or roadside fusees is prohibited at all times.

Sec. 10-334. Requirements when and where outdoor fires are permitted.

When and where bonfires, recreational fires, or open burning are permitted, the following requirements shall be in place:

- (1) A person 18 years of age or older must be physically present and continuously monitoring and attending to the outdoor fire at all times to ensure it remains safe and in control.
- (2) Attendees of an outdoor fire must have a functioning and suitable extinguisher nearby such as a garden hose or dry chemical extinguisher.
- (3) The outdoor fire must be the requisite distance away from structures or combustible materials and must not at any point move any closer to the structure than the stated distance. Such requisite distance shall be:
 - (a) Twenty-five (25) feet for recreational fires.
 - (b) Fifty (50) feet for bonfires and open fires.

Sec. 10-335. Outdoor Smoking in the Business Zone District.

Smoking outdoors in the Business Zone District is only permitted within ten (10) feet of a receptacle or ashtray designed for disposing of cigarette butts or similar discarded smoking items.

Sec. 10-336. Enforcement.

This Article shall be enforced by the Green Mountain Falls Town Marshal or his or her deputies, including thereby the administering agencies of the State and Federal lands located therein, and they shall have authority to order any person to immediately cease any violation of this Ordinance. This authority shall include, but not be limited to, the right to issue a penalty assessment notice and the right to take such person or persons into temporary custody. Any exception to the meaning, terms, or enforcement of this Article shall be granted only by the administering agency, and only if the proposed action is deemed by the Green Mountain Falls Town Marshal to be safe or mitigatable.

Sec. 10-337. Penalties.

Violation of this Article shall be a misdemeanor under Green Mountain Falls Municipal Code. The penalties for violation of this adopted Code are as set forth in a resolution or subsequent modifications thereof.

Sec. 10-338-340. Reserved.

Section 2. Section 97, Article IV, Chapter 11, of the Green Mountain Falls Municipal Code is amended to read as follows:

Sec. 11-97. Fires prohibited.

...

- (b) It shall be unlawful to build fires in any place in or on park land during periods that the U.S. Forest Service rates the fire danger as very high or extreme for the Ute Pass area or when fire restrictions have been declared by the Fire District or County Fire Marshal, or when fire restrictions have been implemented by the town pursuant to Article XV, Chapter 10 of this Code.

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

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

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

INTRODUCED AND ORDERED PUBLISHED the 19th day of November, 2019, at the Green Mountain Falls Town Hall, 10615 Green Mountain Falls Road, Green Mountain Falls, Colorado.

ADOPTED AND ORDERED PUBLISHED the 7 day of January, 2020.

Jane Newberry, Mayor

ATTEST:

Laura Kotewa, Town Clerk/Treasurer

Published in the Pike Peaks Courier, _____.



2350 Airport Road | Colorado Springs, CO | 80910
719.785.1900 | elpasoteller911.org | [f](#) [@](#) [t](#) [s](#) [in](#) [v](#)

Notice of Vacancy

The El Paso – Teller County 9-1-1 Authority (Authority) has a vacancy on the Board of Directors (Board) and is seeking a member who will serve a three-year term and be responsible for representing Cities, Towns, United States Military and Special Districts. This position will be appointed by the Board of Directors by majority vote. Interested individuals must submit a letter of interest clearly stating his or her qualifications and a resume to:

Carl Simpson, CEO
El Paso – Teller County 9-1-1 Authority
2350 Airport Road
Colorado Springs, Colorado 80910

or

csimpson@elpasoteller911.org

These documents must be received at the above address no later than 4:00 PM on January 11, 2020, and interested individuals must appear before the Board at the January meeting on January 22, 2020, at 1:00 PM.

The Authority Bylaws clarify the selection process and residency requirements of Board members.

Section 2, Paragraph b. Selection and Appointment.

"In accordance with the provisions of the Intergovernmental Agreement (IGA), the Board of County Commissioners of El Paso County shall appoint two

members of the Board; the Board of County Commissioners of Teller County shall appoint one member of the Board, and the City Council of the City of Colorado Springs shall appoint three members of the Board.”

“The Board of Directors of the Authority shall appoint three members to the Board from a list of nominees submitted by the Parties to the IGA (other than the three appointing authorities listed above). If the Parties to the IGA (other than the three appointing authorities) determine, by a majority vote, their choice for appointment to the Board, the Board of Directors will make such an appointment at the next regular meeting of the Board following receipt of the notice of the selection. Residency requirements for Board Members, if any, shall be as set forth in the IGA and any amendments thereto.”

The Authority Board Bylaws may be viewed at www.elpasoteller911.org

For further information, contact Carl Simpson 719.785.1900.