

TOWN OF GREEN MOUNTAIN FALLS
Regular Board of Trustee Meeting
January 5, 2020 – 7:00 P.M.
MEETING MINUTES

Board Members Present

Mayor Jane Newberry
Trustee Margaret Peterson
Trustee Katharine Guthrie
Trustee Dyani Loo
Trustee Chris Quinn

Board Members Absent

Town Attorney
Not present

Town Manager

Angie Sprang

Public Works

Not present

Town Clerk

Matt Gordon

Marshal's Dept.

Virgil Hodges

Administrative Assistant

Not present

Planning Director

Julia Simmons

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

Mayor Newberry called the meeting to order at 7:01 p.m. The Pledge of Allegiance was recited.

2. Additions, Deletions, or Corrections to the Agenda

Town Manager Sprang noted that accounts payable were not included in this Agenda packet and requested to continue those for the next meeting to be held on 1/19/2021. Mayor Newberry noted that the Agenda packet had two number 9 bullet points. Annexation to 10, correspondence to 11, and reports to 12, and adjournment to 13. Mayor Newberry moved to approve the agenda as amended. Seconded by Trustee Quinn. Motion passed unanimously.

3. Persons Not Present on the Agenda

(3 minutes given per speaker)

Mayor Newberry cited a 4th U.S. Circuit Court of Appeals decision on the case Steinberg vs Chesterfield County Planning in providing guidance to speakers before public comment regarding personal attacks.

Resident Blasi expressed concerns about government responsiveness, organization, and lack of communication with residents. Resident Matthews welcomed Matthew Gordon, the new Town Clerk, expressed concern with receiving the large BOT agenda packet so close to the BOT meeting, voiced concern with Resolution 2020-06 regarding checks and balances for signatories on the government bank accounts, and lastly voiced support for the proposed annexations. Resident Douglas echoed Resident Matthew's concerns regarding the late release of the BOT agenda packet and voiced support for the proposed annexation. Resident Frey voiced support for the proposed annexations and opposition to the idea of paid parking in GMF.

4. Consent Agenda

a. Bring into record Accounts Payable for 12/9/2020 to 01/04/2021

Stricken from the 1.5.2021 BOT agenda.

b. Land Use Code Re-write Project: Attorney Engagement Agreement, Attorney Nina Williams of Murray, Dahl, Berry & Renaud LLP

Town Manager Sprang expanded on the agreement signed between the Town and Attorney Nina Williams of Murray, Dahl, Berry, & Renaud LLP.

c. 2020 Audit Engagement Letter: Logan & Associates, LLC

Video cut out on the Zoom meeting. Trustee Guthrie made a motion to approve the consent agenda, seconded by Trustee Peterson. Motion passed unanimously.

5. Public Hearing: Joyland & Red Devil Mountain Annexations

Mayor Newberry opened the Public Hearing with an informational statement regarding the proposed annexations from Planning Director Simmons that included discussion of the process of annexation and addressed concerns of property owners adjacent to the proposed annexations.

Resident and Petitioner Stroope, representative from the Historic Green Mountain Falls Foundation and Green Mountain Road LLC, addressed concerns made by residents regarding the proposed annexations and outlined the value of annexation of the proposed parcels in completing his project.

Mayor Newberry opened the floor to public comment and questions. Resident Pitrone expressed that he felt many of the questions he has submitted to the Town have went unanswered and asked numerous questions related to the value, benefits, revenues, and dangers of the proposed annexations for the Town. Resident Blasi thanked Planning Director Simmons for her work on the proposed annexations and discussed various topics that included the safety of the water tower near the proposed annexations, highlighted the Historic Green Mountain Falls Foundation's work on soil and trail stability, and lastly expressed his support for the proposed annexations. Resident Matthews acknowledged the work done by Planning Director Simmons and the attorney's involved, the quality of work by Resident and Petitioner Stroope, and expressed support for the proposed annexations. Resident Douglas echoed Resident Matthews thoughts on the quality of work by the Historic Green Mountain Falls Foundation and Resident and Petitioner Stroope, and echoed other Resident's comments acknowledging the amount of work Planning Director Simmons put in for the proposed annexations, and lastly expressed his strong support for the proposed annexations. Resident Frey voiced his full support for the proposed annexations. Resident Ives expressed her full support for the project and stated that she sees the value of Greenbox and its contributions to the community. Resident Peterson expressed that the project will benefit the town. Resident Watson stated that she wrote a letter to the Town Manager and expressed that she is thrilled that the proposed annexations property was not being overdeveloped and voiced her strong support for the proposed annexations. Resident Dixon expressed his support for the proposed annexations with and provided supporting discussion items related to his support. Resident King expressed that her and her neighbors are impacted by the trail and believes that the Town's public works maintenance and upkeep will negatively impact the proposed annexations, and lastly expressed concerns with privacy issues near her property.

Resident and Petitioner Stroope responded to concerns provided by residents, specifically addressing concerns and questions made by Resident Pitrone and Resident King.

Mayor Newberry opened the floor for questions from the BOT. Trustee Guthrie asked Resident and Petitioner Stroope if there have been discussions with Colorado Springs Utilities due to the water treatment plant being close to the proposed annexations. Mayor Newberry answered directing Trustee Guthrie to a letter in the BOT packet that addressed her question. Trustee Guthrie went on to discuss issues related to taxation, parking, her displeasure with the solution to parking that the City of Manitou Springs implemented, the value of community events and places to gather, future business

development on Highway 24, and lastly the erosion issue and shoring related to the trail. Resident Frey outlined how revenue could still be generated for the Town despite the proposed annexations petitioners being a nonprofit organization. Trustee Quinn thanked everyone participating in the Public Hearing and expressed his support for the proposed annexations. Trustee Loo stated her concerns related to parking and traffic and requested that quality communication continue between the current parking and signage plan and consultants.

Mayor Newberry continued the public hearing to Item 10 of the BOT meeting agenda.

6. Consideration of Resolution No. 2021-04, A Resolution of the Town of Green Mountain Falls, Colorado Adopting the Pikes Peak Regional Multi-Hazard Mitigation Plan Update – Presented by Virgil Hodges, Town Marshal

Marshal Hodges presented on the Pikes Peak Regional Multi-Hazard Mitigation Plan 2020 Update. Topics included a short history of previous regional emergency/hazard mitigation plans that culminated in to the Pike Peak Regional Multi-Hazard Mitigation Plan Update in 2020, the geography covered by the plan, the agencies, offices, and organizations who created the plan, the purpose of the plan, an outline of sections specific to the Town of Green Mountain Falls, and lastly a brief discussion of the initiatives for the Town to focus on. Marshal Hodges ended his remarks with a recommendation to the BOT to adopt the plan.

Trustee Guthrie expressed concern with certain verbiage of the plan that left out the Office of the Town Manager. Marshal Hodges addressed these concerns by stating that the Town Manager is the point of contact for the plan. Mayor Newberry requested that Marshal Hodges reach out to the Pikes Peak Office of Emergency Management to correctly include the Town Manager in the plans next update.

Trustee Quinn moved to approve, seconded by Trustee Guthrie. Motion passed unanimously and plan adopted.

7. Consideration of Resolution No. 2021-05 A Resolution of the Town of Green Mountain Falls Colorado, Making Appointment of Town Officials

Mayor Newberry moved to approve; seconded by Trustee Guthrie. Motion passed unanimously.

8. Town Clerk – Treasurer Oath of Office, Matthew Gordon

Mayor Newberry conducted the Oath of Office for new Town Clerk/Treasurer, Matthew Gordon. Town Manager Sprang welcomed Town Clerk/Treasurer Matt Gordon to the community and highlighted that he was nominated for two awards from the Brush Area Chamber of Commerce in Brush, CO.

9. Resolution No. 2020-06 A Resolution of the Town of Green Mountain Falls, Colorado, Designating Authorized Signatories on Town Bank Accounts and Individuals Authorized to Conduct Online Banking on Behalf of Town

Mayor Newberry, after a short background discussion on separation of duties between the Town Manager and Town Clerk/Treasurer, moved to approve. Motion was seconded by Trustee Loo. Motion passed unanimously.

10. Consideration of Joyland & Red Devil Mountain Annexations – Presented by Julia Simmons, Planning Director

Mayor Newberry began the public hearing once again at 8:32 pm.

Planning Director Simmons highlighted memos in the BOT agenda packet that defined staff and Planning Commission recommendations for Resolutions 2021-01,02,03 and Ordinances 2021-01 and 02 and touched on the options available to the BOT in considering the proposed annexations.

Resident and Petitioner Stroope gave remarks on the community value of the proposed annexations.

Mayor Newberry opened the floor for public comment again. Resident Pitrone expressed that the Petitioners should be contractually obligated to complete two traffic studies and to pay for mitigation of traffic issues discovered by the traffic studies and the lack of monetary benefit to the Town. Resident Blasi provided caution about conducting additional studies related to the proposed annexations.

Trustee Guthrie expressed that she was leaning towards a continuance due to the Town receiving public input later than usual, asked questions related to future zoning changes, and stated that the project touches on multiple goals of the BOT. Planning Director Simmons, by request of Mayor Newberry, outlined the broad steps of the annexation process and addressed concerns made by Residents. Trustee Peterson echoed comments made by Trustee Guthrie regarding potential zoning issues related to the Town's zoning map and comprehensive plan. Trustee Quinn expressed that he was comfortable to moved forward with a vote on the proposed annexations. Trustee Loo expressed that the public has had time ask questions and review materials and stated that she would be comfortable to move forward with a vote.

Trustee Quinn moved to approve the five items below, seconded by Trustee Loo. Motion passed unanimously.

Mayor Newberry closed the Public Hearing at 8:53 pm.

- a. Consideration of Resolution No. 2021-01, A Resolution of the Town of Green Mountain Falls, Colorado Making Certain Findings of Fact Regarding the Proposed Annexation of the Real Property Known as a Part of the East 1/2, of Section 8, Township 13 South, Range 68 West of the 6th Parcel**
- b. Consideration of Resolution No. 2021-02, A Resolution of the Town of Green Mountain Falls, Colorado Making Certain Findings of Fact Regarding the Proposed Annexation of the Real Property Known as a Part of the East ½ of the Northeast ¼ Section 8, Township 13 South, Range 68 West of the 6th Principal Meridian, Known as the Red Devil Mountain Parcel**
- c. Consideration of Resolution No. 2021-03, A Resolution of the Town of Green Mountain Falls, Colorado Approving the Annexation Agreement for the Annexation of the Real Property at a Part of the East ½ of the Northeast ¼ of Section 8, Township 13 South, Range 68 West of the 6th Principal Meridian, Known as the Joyland Church Parcel, and the Annexation of the Real Property at a Part of the East ½ of the Northeast ¼ of Section 8, Township 13 South, Range 68 West of the 6th Parcel, and the Annexation of the Real Property at Part of the East ½ of the Northeast ¼ of Section 8, Township 13 South, Range 68 West of the 6th Principal Meridian, Known as the Red Devil Mountain Parcel**
- d. Consideration of Ordinance 2021-01, An Ordinance of the Board of Trustees of the Town of Green Mountain Falls Annexing to the Town Certain Real Property Known as a Part of the East ½ of the Northeast ¼ of Section 8, Township 13 South, Range 68 West of the 6th Principal Meridian, also Known as the Joyland Church Parcel**
- e. Consideration of Ordinance 2021-02, An Ordinance of the Board of Trustees of the Town of Green Mountain Falls Annexing to the Town Certain Real Property Known as a Part of**

the East ½ of the Northeast ¼ of Section 8, Township 13 South, Range 68 West of the 6th Principal Meridian, also known as the Red Devil Mountain Parcel

11. CORRESPONDENCE

a. DOLA Flood Recovery Project: (1) Change Order (2) Substantial Completion Letter from Project Engineer, Andre Bracken, Wilson & Co.

Town Manager Sprang gave a brief description about the project that included issues with location of water shut off valves, shutting off water to the town, additional engineering, substantial completion level, the status of the project, that the project is overbudget, and that the materials currently at the Olathe staging area will be moved when the project is complete.

b. GMF Signage & Parking Project Correspondence – Nancy Dixon Request

Mayor Newberry highlighted the parking survey hosted on the Green Mountain Falls website and its value in obtaining input from the community.

12. REPORTS

a. Trustee Reports

Mayor Newberry addressed her Facebook usage and her desire to avoid violating open meeting laws, directed residents to the kudos/concerns page on the Town of Green Mountain Falls website for effective communication, apologized about the Olathe public works staging area, and thanked Town Public Works, contractors, and Town Administration for their work.

b. Committee Reports

Mayor Newberry requested that Town Committees stagger their meetings for the month of January 2021 due to many Committee meetings scheduled for the first week of January.

c. Staff Reports

Town Manager expressed her thanks to Planning Director Simmons and the Town Attorney for their work on the recently approved annexations and expressed her gratitude for having a new Town Clerk. Marshal Hodges received a resignation from former Deputy Marshal Felipe Nardo and thanked him for his service to the community. Marshal Hodges also highlighted the addition of Deputy Marshal Sam Yannis and welcomed him to the community. Mayor Newberry requested that Marshal Hodges convey thanks from the BOT to former Deputy Marshal Felipe Nardo for his service.

13. ADJOURNMENT

Mayor Newberry adjourned the meeting at 9:06 PM.

Matthew Gordon
Matthew Gordon (Jan 21, 2021 15:29 MST)

Matt Gordon, Town Clerk/Treasurer

Jane Newberry
Jane Newberry (Jan 21, 2021 12:32 MST)

Jane Newberry, Town Mayor