



## Town of Green Mountain Falls

### Board of Trustees Regular Meeting Agenda

10615 Green Mountain Falls Road

Green Mountain Falls, CO 80819

Tuesday, October 4, 2022, at 7:00pm

### Public Work Session prior to meeting at 5:00pm

In-person\* or via Zoom\*\*:

<https://us02web.zoom.us/j/88556456154?pwd=VVZQMGO2MXdQWG1wSXFjZ2w2Tm1YUT09>

Meeting ID: 885 5645 6154; Passcode: 211468; Dial-in: 346-248-7799

#### REGULAR MEETING:

TIME:		ITEM	DESIRED OUTCOME
5:00pm		PUBLIC WORK SESSION	
7:00pm	1.	CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE	
	2.	ADDITIONS, DELETIONS, OR CORRECTION TO THE AGENDA	<b>BOT Action Desired</b>
	3.	PERSONS PRESENT NOT ON THE AGENDA: 3 MINUTES PER SPEAKER	Public Comment
	4.	CONSENT AGENDA: a. Minutes from September 20, 2022, Board of Trustees Meeting	<b>BOT Action Desired</b>
	5.	Proclamation: Indigenous Peoples' Day – Kenny Frost	<b>BOT Action Desired</b>
	6.	Employee Handbook Updates: Indigenous Peoples' Day, Juneteenth, and change to Use of Town Vehicles and Property	<b>BOT Action Desired</b>
	7.	2023 Budget Considerations & First Draft 2023 Budget a. Per (C.R.S 29-1-05) Budget officer must submit a first draft proposed budget to the governing body by October 15. b. Per (C.R.S. 29-1-106(1)) Governing body must publish "Notice of Budget" upon receiving proposed budget.	<b>BOT Action Desired</b>
	8.	REPORTS a. Trustee Reports b. Committee Reports c. Staff Reports	Information Only
	9.	CORRESPONDENCE a. Packet of public comment and info re: Short-term Rentals	Information Only
	10.	ADJOURN	

\*The Town shall provide reasonable accommodation for those with disabilities on a case-by-case basis. Please send accommodation requests to [clerk@gmfco.us](mailto:clerk@gmfco.us) by 4pm on the date of the meeting.

\*\*Zoom meeting will start when the regular meeting is called to order. Public Comment for Zoom participants is restricted to live comment during Item #3 only. Commenters should be prepared to use the "raise hand" function to be called upon. Chat comments will not be managed or responded to.

## Proclamation Recognizing Indigenous Peoples Day in Green Mountain Falls

### Recognizing the Rededication of the Ute Trail

**WHEREAS**, in 1912, Ute warriors rode horseback over their traditional migration route into Manitou Springs to formally dedicate the Ute Indian Trail and to commemorate its importance as the passageway between the mountains and the plains, and

**WHEREAS**, this valley was a place of pilgrimage for the Utes and other Native peoples who venerated the mineral springs as places of spiritual power and peace, and

**WHEREAS**, the Ute Indian Trail remains an important recreational, cultural, and historic asset that enhances the quality of life for our community, and

**WHEREAS**, the people of Green Mountain Falls cherish these amenities and take great pleasure in recognizing the importance of the Native cultures as part of our history and identity, and

**WHEREAS**, we highly value and appreciate the good will of the Ute people, the Host Nation, in rededicating the Ute Indian Trail, and

**WHEREAS**, we wish to honor all the Indigenous Peoples and extend our friendship to them, and to have them share with us the great beauty of this valley;

**NOW, THEREFORE**, BE IT RESOLVED, that the Town of Green Mountain Falls Board of Trustees hereby proclaims Monday, October 10, 2022, as Indigenous Peoples Day. We call upon our citizens to recognize and celebrate the culture and contributions of the Indigenous Peoples to our community.

**Dated** this 4<sup>th</sup> day of October 2022, in the Town of Green Mountain Falls, Colorado.

Mayor Todd Dixon \_\_\_\_\_

Mayor Pro Tem Sunde King \_\_\_\_\_

Trustee Katharine Guthrie \_\_\_\_\_

Trustee Nick Donzello \_\_\_\_\_

Trustee Sean Ives \_\_\_\_\_

Nathan Scott, Town Clerk \_\_\_\_\_

**RESOLUTION NO. 2022-09**

**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 section of the Employee Handbook; and

WHEREAS, the revision replaces “Columbus Day” on page 10 with the following: *“Indigenous Peoples Day.”*

WHEREAS, the revision includes “Juneteenth” on page 10 and recognizes the day as a federal and state holiday.

WHEREAS, the revision replaces a portion of the first paragraph under **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.” on page 15 to include the following: *“While conducting Town business within Town-owned or personally-owned vehicles, employees must comply with State of Colorado seat belt laws. While vehicles are in operation, employees must comply with hands-free utilization of technology and demonstrate distraction free driving practices. Failure to comply with safety practices will result in disciplinary action set forth in CHAPTER IX of this 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 4<sup>th</sup> day of October 2022.

TOWN OF GREEN MOUNTAIN FALLS,  
COLORADO

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Todd Dixon, Mayor

(SEAL)

ATTEST:

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Nathan Scott, Town Clerk



# Employee Handbook

Adopted through Resolution No. 2019-05

Adopted February 5, 2019

Amended March 15<sup>th</sup>, 2022, through Resolution No. 2022-05

Second Amendment, October 4, 2022 through Resolution No.  
2022-09

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. 2018-19, October 16, 2018

Amended March 15, 2022 & October 4, 2022

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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. The Board of Trustees has sole authority to hire and fire the Town Manager, subject to any terms in a written agreement.

### **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.

### **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.

In addition, job applicants in a familial relationship with a current employee may be denied employment. This includes, without limitation: spouse, father, mother, son, daughter, sibling, grandparent, grandchild, uncle, aunt, nephew, niece, father-in-law, mother-in-law, son-in-law-daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepsister, half-brother, half-sister, and first cousin, or any member of the employee's household.

### **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 PTO 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 PTO 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 approved in advance by the employee's supervisor.
- 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. If an employee works in excess of forty hours in a work week and has reached the maximum accumulation, the employee will receive overtime pay for those hours. 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 PTO benefits, military leave, 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 14 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. Juneteenth
6. Independence Day
7. Labor Day
8. Indigenous Peoples Day
9. Veterans' Day
10. Thanksgiving Day
11. Day after Thanksgiving
12. Christmas Eve
13. Christmas Day
14. 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, except when the Town Manager determines that an employee must work for reasons of public health, safety or welfare. If the Town Manager determines that an employee is required to work on a designated holiday::

- Full-time and part-time regular employees will receive time-and-a-half pay for hours actually worked on the holiday, regardless of the number of hours worked the rest of the week.
- Full-time employees will receive one full replacement shift to be taken on another day. The number of hours allotted is equal to the number of hours that employee is typically scheduled to work on the day the holiday falls. This replacement shift must be used within two months of the earned holiday. Scheduling the use of the replacement holiday shift is subject to Town Manager approval.

- All work conducted on an observed holiday must be approved by the Town Manager prior to the employee beginning work. Failure to request and receive prior approval is grounds for disciplinary action.

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 PTO benefits, compensatory time off, or leave without pay for such purposes.

### **Paid Time Off (PTO) Benefits**

#### **Accrual**

Paid Time Off is a benefit that may be used for any purpose. To the extent possible, the employee is expected to request time off through their supervisor using the process implemented by the Town Manager. For unanticipated time off needs, the employee is to notify the supervisor as soon as possible. The Town Manager has full discretion to approve or disapprove requested leave, whether it is anticipated or unanticipated.

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

First pay period up to 1 year:	88 hours per year
1 year through 5 years:	176 hours per year
5 years through 10 years:	200 hours per year
10 years through 15 years:	256 hours per year
15+ years	280 hours per year

PTO 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 PTO 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' PTO benefit accruals are capped at a maximum accrual of one years' worth of the employee's normal annual rate of accrual . Once a balance reaches the cap, the employee will cease to accrue additional PTO balance beyond the cap until reducing the accrued balance by taking time off. Accruals under the cap are on a rolling basis and do not expire.

### **Payment of upon Separation**

Upon separation of employment, employees will be paid for unused PTO earned through the last day of work not to exceed the maximum accrual, paid out hour-for-hour at the employee's pay rate.

### **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.

### **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.

### **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, PTO 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. While conducting Town business within Town-owned or personally-owned vehicles, employees must comply with State of Colorado seat belt laws. While vehicles are in operation, employees must comply with hands-free utilization of technology and demonstrate distraction free driving practices. Failure to comply with safety practices will result in disciplinary action set forth in CHAPTER IX of this handbook.

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.

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 examples of acceptable use of electronic media, the Internet and e-mail. This list is not all-inclusive:

- 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, when not necessary for conduct of the job.

- 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, except that incidental personal use may be permitted during non-work hours.
- 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.
- Any matters for which the employee has an expectation of personal privacy.

## **Use of software**

The Town of Green Mountain Falls will only allow software that is obtained and licensed by the Town 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 Fall's 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 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 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 FEBRUARY 5, 2019 (AMENDED OCTOBER 4<sup>TH</sup>, 2022). 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.

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**Employee Signature**

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**Date**

**Print name:**

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## BOARD OF TRUSTEES AGENDA MEMO

<b>DATE: 10.04.2022</b>	<b>AGENDA NO 7</b>	<b>SUBJECT:</b> First Draft 2023 Budget
<b>Prepared by:</b> Becky Frank, Town Manager		

### Background:

Pursuant to Colorado Revised Statutes (C.R.S. 29-1-106(1)) Governing body must publish "Notice of Budget" upon receiving proposed budget. The attached notice of budget will be published in the Pikes Peak Courier on October 12<sup>th</sup>, 2022.

Pursuant to Colorado Revised Statutes (C.R.S 29-1-05) Budget officer must submit proposed budget to the governing body by October 15. Attached you will find the first draft of our municipal budget for fiscal year 2023.

### Discussion:

Staff will be presenting a 2022 supplemental budget for the Board's consideration at the November meeting. We anticipate having the 2021 audit report presentation at the October 18<sup>th</sup>, 2022, regular Board of Trustees Meeting.

The Board will discuss budget considerations that may change over the coming months as we work together to prioritize projects, community needs, and drive our community vision forward.

The attached budget provides *preliminary projections* for fiscal year 2023 and a proposed *first draft* budget. A first draft budget is a working document that will change before the final iteration is accepted. For example, property tax projections are *preliminary* numbers based on County assessed valuations received in September 2022, and the Town will receive final assessed valuations for property tax revenues later in the year prior to final budget adoption. There are many considerations such as this in municipal budgeting.

Additionally, the Parks, Recreation, & Trails Advisory Board and the Fire Mitigation Advisory Board are working diligently on proposed annual work plans and are set on the Board of Trustees agenda for collaborative work sessions on October 18, 2022. At that time, they will present a brief 2022 project progress report, and include goals/work plans for 2023, so that the Board can consider them during our priority-based budgeting process. These annual collaborative work sessions ensure we are all working to achieve our goals and drive our collective vision forward together, as a community.

Considerations from this evening's discussion and the October 18, 2022, collaborative sessions will be included in the second iteration of the 2023 draft budget, which will be presented to the Board of Trustees on November 1, 2022, at their regular 7:00 p.m. meeting. There will be a public hearing at the meeting on November 1, 2022.

Considerations from all of these collaborative efforts will be included in the final budget, which is set to be adopted on December 13, 2022, at the regular Board of Trustees meeting.

### Recommended Action:

Staff requests that the Board discuss financial considerations and approve a draft budget for 2023 this evening.

### Recommended Motion:

Move to approve the 2023 draft budget as presented/with discussed modifications.

Respectfully Submitted,  
Becky Frank



## NOTICE OF BUDGET

(Pursuant to CRS 29-1-106)

Notice is hereby given that a proposed budget has been submitted to the Town of Green Mountain Falls for the ensuing year of 2023; a copy of such proposed budget has been filed in the Finance Department Office of the Town of Green Mountain Falls, where the same is open for public inspection; such proposed budget will be considered on first reading at a meeting of the Green Mountain Falls Town Council on October 4, 2022 at 7:00 p.m., and a public hearing held on December 13, 2022, at 7:00 p.m. with final adoption anticipated that same meeting. Additionally, a Board of Trustees Budget Retreat will be held October 18<sup>th</sup>, 2022, at 9:00 a.m. Town Hall.

Any interested elector of the Town of Green Mountain Falls may inspect the proposed budget and file or register any objections thereto at any time prior to the final adoption of the budget.

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

**2023 Town of Green Mountain Falls**

<b>Time</b>	<b>2022 DATES</b>	<b>EVENT/ACTIVITY</b>
All Day	15-Sep	Preliminary Budget Meeting with PW, Admin, Fire & /Preliminary Capital Project Requests Due from Department Heads
	30-Aug	Performance Appraisals Completed
	12-Oct	Notice of Budget Published (send publication to paper by 10-5)
<b>9:00 AM</b>	<b>18-Oct</b>	<b>All Day Budget Worksession - Review Operating and Develop Capital/Equipment Budget</b>
	TBD	Proposed Salary Plan with Department Heads- Employee Compensation/Benefits Meeting
<b>6:00 PM</b>	<b>1-Nov</b>	<b>Budget Worksession: Review &amp; Amendments</b>
	<b>15-Nov</b>	<b>Budget Worksession: (If Needed)</b>
<b>7:00 PM</b>	<b>13-Dec</b>	<b>BoT Adopts Final Budget, Appropriates Funds and sets Mill Levy</b>
	14-Dec	Certify Mill Levy to County Commissioners
	31-Dec	Submit Budget and Resolutions to DOLA
<b>BOLD=Council Sessions</b>		

# Town of Green Mountain Falls

## GENERAL FUND

### Budget Status Report - GAAP Basis

#### Proposed 2023 Budget

Unaudited

	2020 Actual Audited	2021 Estimated	2021 Actual Unaudited	2022 Budget Adopted	2022 Year-end Projected	2023 Budget Proposed
<b>REVENUE</b>						
<u><b>Intergovernmental Revenue</b></u>						
Grants- State	\$ 157,493	\$ 25,000	\$ 25,000	\$ 25,000	\$ 77,150	\$ 53,000
HUTF	\$ 26,683	\$ 30,000	\$ 29,515	\$ 31,110	\$ 31,110	\$ 31,110
Motor Vehicle Fees- El Paso County	\$ 2,487	\$ 2,500	\$ 2,487	\$ 2,600	\$ 2,600	\$ 2,500
Motor Vehicle Fees- Teller County	\$ 105	\$ 200	\$ 162	\$ 210	\$ 210	\$ 150
CDOT Transportation Stimulus - PW Ops (ARPA)	\$ -	\$ -	\$ 92,491	\$ -	\$ -	\$ -
Managed Parking	\$ -	\$ -	\$ 6,377	\$ 19,000	\$ -	\$ -
Reimbursements- PPRTA	\$ 23,903	\$ 40,689	\$ 45,185	\$ 99,806	\$ 99,806	\$ 48,528
Road and Bridge- El Paso County	\$ 1,439	\$ 1,300	\$ 1,350	\$ 1,350	\$ 1,350	\$ 1,350
Road and Bridge- Teller County	\$ 264	\$ 150	\$ 139	\$ 155	\$ 155	\$ 155
Severance/Mineral Lease	\$ 941	\$ 1,400	\$ 448	\$ 1,820	\$ 1,820	\$ 500
Planning Code Rewrite (DOLA and Kirkpatrick)	\$ -	\$ 45,000	\$ 45,000	\$ 45,000	\$ 45,000	
Parking and Signage Plan	\$ -	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	
<b>Total Intergovernmental Revenue</b>	<b>\$ 213,315</b>	<b>\$ 176,239</b>	<b>\$ 278,154</b>	<b>\$ 256,051</b>	<b>\$ 289,201</b>	<b>\$ 137,293</b>
<u><b>Taxes</b></u>						
Auto Use Tax- El Paso County	\$ 33,238	\$ 32,000	\$ 27,855	\$ 33,185	\$ 33,185	\$ 28,000
Auto Use Tax- Teller County	\$ 3,520	\$ 2,500	\$ 29	\$ 2,600	\$ 2,600	\$ 30
Franchise- Cable	\$ 7,926	\$ 10,900	\$ 10,580	\$ 11,303	\$ 11,303	\$ 10,500
Franchise- Electric	\$ 20,713	\$ 21,000	\$ 21,922	\$ 21,777	\$ 21,777	\$ 21,777
Franchise- Gas	\$ 12,945	\$ 11,000	\$ 12,858	\$ 11,400	\$ 11,400	\$ 11,400
Franchise- Telephone	\$ 5,756	\$ 4,200	\$ 4,200	\$ 4,305	\$ 4,305	\$ 4,305
GMF Sales Tax (3%) (from State DOR)	\$ 213,660	\$ 150,000	\$ 269,537	\$ 175,000	\$ 175,000	\$ 215,000
PPRBD Construction Use Tax	\$ 8,495	\$ 17,000	\$ 14,294	\$ 17,700	\$ 17,700	\$ 14,000
Property Tax- El Paso County	\$ 171,978	\$ 169,684	\$ 190,047	\$ 200,135	\$ 200,135	\$ 190,000
Property Tax- Teller County	\$ 10,715	\$ 10,725	\$ 11,874	\$ 12,357	\$ 12,357	\$ 12,300
Short Term Rental Occupancy Tax (and Hotel Lodging Tax)	\$ 26,478	\$ 20,000	\$ 67,153	\$ 28,000	\$ 28,000	\$ 70,000
Specific Ownership- El Paso County	\$ 18,444	\$ 17,600	\$ 19,923	\$ 18,250	\$ 18,250	\$ 18,250
Specific Ownership- Teller County	\$ 1,144	\$ 850	\$ 1,176	\$ 850	\$ 850	\$ 850
Tobacco Tax	\$ 504	\$ 400	\$ 768	\$ 400	\$ 400	\$ 400
<b>Total Taxes Revenue</b>	<b>\$ 535,516</b>	<b>\$ 467,859</b>	<b>\$ 652,215</b>	<b>\$ 537,262</b>	<b>\$ 537,262</b>	<b>\$ 596,812</b>
<u><b>Fee Revenue</b></u>						
Court- Traffic	\$ 415	\$ 350	\$ 350	\$ 350	\$ 350	\$ 350
Court- Non Traffic Offenses	\$ 18	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200
Animal Licenses	\$ 600	\$ 1,000	\$ 320	\$ 1,000	\$ 1,000	\$ 350
Business Licenses	\$ 7,026	\$ 5,000	\$ 8,652	\$ 5,000	\$ 5,000	\$ 8,000
Land Use- Administrative Review	\$ 5,078	\$ 5,000	\$ 4,479	\$ 5,000	\$ 5,000	\$ 5,000
Land Use- Subdivisions	\$ 100	\$ 2,450	\$ -	\$ 2,450	\$ 2,450	\$ -
Land Use- Zoning and Architectural Review	\$ 4,107	\$ 8,075	\$ 1,550	\$ 8,075	\$ 8,075	\$ 1,500
Liquor Licenses	\$ -	\$ 500	\$ 500	\$ 1,200	\$ 1,200	\$ 500
Short Term Rental Licenses	\$ 7,360	\$ 11,500	\$ 16,116	\$ 11,500	\$ 11,500	\$ 15,000
Special Event Permits	\$ 2,422	\$ 3,000	\$ -	\$ 3,000	\$ 3,000	
Special Use Permits	\$ 6,025	\$ 6,000	\$ 3,695	\$ 6,000	\$ 6,000	\$ 3,500
Road Cut Permit	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Gazebo- Rentals	\$ 3,900	\$ 7,000	\$ 6,050	\$ 2,000	\$ 2,000	\$ 4,000
Pool- Admissions & Passes	\$ -	\$ 5,000	\$ -	\$ 5,000	\$ 3,087	\$ 3,087
Special Events- Traffic Control Fees	\$ 200	\$ 400	\$ -	\$ 400	\$ 400	\$ 400
VIN Checks	\$ -	\$ 75	\$ -	\$ 75	\$ 75	
Interest	\$ 1,292	\$ 1,000	\$ 778	\$ 1,000	\$ 1,000	\$ 750
Marshal's Department	\$ -	\$ -	\$ -			
Miscellaneous Revenue	\$ 2,402	\$ -	\$ -			
<b>Total Fee Revenue</b>	<b>\$ 40,945</b>	<b>\$ 56,550</b>	<b>\$ 42,690</b>	<b>\$ 52,250</b>	<b>\$ 50,337</b>	<b>\$ 42,637</b>
<u><b>Other Revenue</b></u>						
GMF Promotional Merchandise	\$ -	\$ 30	\$ 30	\$ 20	\$ 20	\$ -
<b>Total Other Revenue</b>	<b>\$ -</b>	<b>\$ 30</b>	<b>\$ 30</b>	<b>\$ 20</b>	<b>\$ 20</b>	<b>\$ -</b>
<b>Total General Fund Revenue</b>	<b>\$ 789,776</b>	<b>\$ 700,678</b>	<b>\$ 973,090</b>	<b>\$ 845,583</b>	<b>\$ 876,820</b>	<b>\$ 776,742</b>

# Town of Green Mountain Falls

## GENERAL FUND

### Budget Status Report - GAAP Basis

#### Proposed 2023 Budget

Unaudited

	2020 Actual Audited	2021 Estimated	2021 Actual Unaudited	2022 Budget Adopted	2022 Year-end Projected	2023 Budget Proposed
<b>EXPENDITURES</b>						
<u><b>Administration Department</b></u>						
<u>Salaries and Benefits</u>						
Labor- Full Time	\$ 105,853	\$ 123,023	\$ 123,023	\$ 150,000	\$ 150,000	\$ 150,000
Labor- Part Time	\$ 36,823	\$ 41,801	\$ 44,893	\$ 29,491	\$ 29,491	\$ 29,491
Labor- Health Insurance	\$ 15,787	\$ 25,667	\$ 25,667	\$ 22,584	\$ 22,584	\$ 26,000
Labor- Employee Share Health Insurance	\$ 45	\$ 100	\$ 100	\$ 100	\$ 100	
Labor- FICA	\$ 10,965	\$ 12,846	\$ 12,846	\$ 12,846	\$ 12,846	\$ 13,000
Labor- State Unemployment Insurance	\$ 176	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300
Labor- Workman's Comp	\$ 479	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
Labor- Retirement	\$ -	\$ 1,803	\$ 1,803	\$ 1,803	\$ 1,803	\$ 9,000
Labor- Cell Phone Stipend	\$ -	\$ 720	\$ 720	\$ 720	\$ 720	\$ 300
<b>Total Salaries and Benefits</b>	<b>\$ 170,128</b>	<b>\$ 206,760</b>	<b>\$ 209,852</b>	<b>\$ 218,344</b>	<b>\$ 218,344</b>	<b>\$ 228,591</b>
<u>Operations</u>						
Insurance- Surety Bond	\$ 200	\$ 200	\$ 200	\$ 415	\$ 415	\$ 600
Maintenance- Building	\$ 1,187	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Publications- Code	\$ 300	\$ 3,000	\$ 3,000	\$ 400	\$ 400	\$ 400
Publications- Legal Notices	\$ 1,200	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600
Supplies- Office	\$ 5,426	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Training- Professional Development, Per Diem	\$ 3,791	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
CARES Act Expenses	\$ 39,634	\$ -	\$ -	\$ -	\$ -	\$ -
Utilities- Electric	\$ 1,631	\$ 1,400	\$ 1,400	\$ 1,400	\$ 1,400	\$ 1,400
Utilities- Natural Gas	\$ 311	\$ 1,400	\$ 1,400	\$ 1,400	\$ 1,400	\$ 1,400
Utilities- Telephone/ Internet	\$ 3,001	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
<b>Total Operations</b>	<b>\$ 56,681</b>	<b>\$ 17,600</b>	<b>\$ 17,600</b>	<b>\$ 15,215</b>	<b>\$ 15,215</b>	<b>\$ 15,400</b>
<b>Total Administration Department Expenditures</b>	<b>\$ 226,809</b>	<b>\$ 224,360</b>	<b>\$ 227,452</b>	<b>\$ 233,559</b>	<b>\$ 233,559</b>	<b>\$ 243,991</b>
<u><b>Elected Officials</b></u>						
Training-Professional Development-CML						\$ 2,000
Donations to Other Organizations						\$ 5,000
<b>Total Elected Officials Expenditures</b>						<b>\$ 7,000</b>
<u><b>Interdepartmental Expenditures</b></u>						
<u>Professional Services</u>						
Services- Audit	\$ 5,500	\$ 6,250	\$ 6,250	\$ 6,250	\$ 6,250	\$ 7,000
Services- IT	\$ 3,208	\$ 3,500	\$ 3,500	\$ 3,500	\$ 3,500	\$ 3,500
Services- Marketing	\$ 794	\$ 2,500	\$ -	\$ 1,000	\$ 1,000	\$ 1,000
Services- Professional	\$ 14,112	\$ 10,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000
Services- Town Attorney	\$ 28,673	\$ 43,109	\$ 43,109	\$ 20,000	\$ 25,000	\$ 20,000
<b>Total Professional Services</b>	<b>\$ 52,287</b>	<b>\$ 65,359</b>	<b>\$ 72,859</b>	<b>\$ 50,750</b>	<b>\$ 55,750</b>	<b>\$ 51,500</b>
<u>Operations</u>						
Election	\$ 27	\$ -	\$ -	\$ 6,000	\$ 6,000	
Fees- Annual Dues, Licenses, Memberships	\$ 2,438	\$ 1,500	\$ 1,700	\$ 1,700	\$ 1,700	\$ 2,500
Fees- Banking Charges	\$ 401	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
Fees- Payroll Processing	\$ 608	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Fees- Software	\$ 11,992	\$ 10,500	\$ 10,500	\$ 10,500	\$ 10,500	\$ 12,000
Fees- Tax Collection	\$ 2,836	\$ 2,800	\$ 2,800	\$ 2,800	\$ 2,800	\$ 2,000
Insurance- Property/ Casualty Liability Premiums	\$ 30,292	\$ 21,233	\$ 21,233	\$ 22,495	\$ 22,495	\$ 25,000
Insurance- Workman's Comp- Board Members	\$ 21	\$ 150	\$ 150	\$ 150	\$ 150	\$ 150
Miscellaneous Expense	\$ -	\$ 13,830	\$ -	\$ 15,000	\$ 15,000	\$ 15,000
Transfers- Capital Improvement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Operations</b>	<b>\$ 48,615</b>	<b>\$ 51,513</b>	<b>\$ 37,883</b>	<b>\$ 60,145</b>	<b>\$ 60,145</b>	<b>\$ 58,150</b>
<b>Total Interdepartmental Expenditures</b>	<b>\$ 100,902</b>	<b>\$ 116,872</b>	<b>\$ 110,742</b>	<b>\$ 110,895</b>	<b>\$ 115,895</b>	<b>\$ 109,650</b>

# Town of Green Mountain Falls

## GENERAL FUND

### Budget Status Report - GAAP Basis

#### Proposed 2023 Budget

Unaudited

	2020 Actual Audited	2021 Estimated	2021 Actual Unaudited	2022 Budget Adopted	2022 Year-end Projected	2023 Budget Proposed
<b>Judicial Department</b>						
<u>Professional Services</u>						
Services- Professional	\$ -	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Services- Prosecutor	\$ -	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,600
<b>Total Professional Services</b>	<b>\$ -</b>	<b>\$ 2,500</b>	<b>\$ 2,500</b>	<b>\$ 2,500</b>	<b>\$ 2,500</b>	<b>\$ 2,600</b>
<b>Total Judicial Department Expenditures</b>	<b>\$ -</b>	<b>\$ 2,500</b>	<b>\$ 2,500</b>	<b>\$ 2,500</b>	<b>\$ 2,500</b>	<b>\$ 2,600</b>
<b>Public Safety Department</b>						
<u>Salaries and Benefits</u>						
Labor- Full Time	\$ 50,300	\$ 62,825	\$ 62,825	\$ 62,825	\$ 62,825	\$ 62,825
Labor - Part Time	\$ -	\$ 21,760	\$ 21,760	\$ 21,760	\$ 21,760	\$ 30,000
Labor- Health Insurance	\$ 11,110	\$ 12,789	\$ 11,122	\$ 11,292	\$ 11,292	\$ 11,292
Labor- Employee Share Health Insurance	\$ 718	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ -
Labor- FICA	\$ 3,848	\$ 4,806	\$ 4,806	\$ 4,806	\$ 4,806	\$ 4,806
Labor- State Unemployment Insurance	\$ 74	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100
Labor- Workman's Comp	\$ 1,367	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,700
Labor-Retirement					\$ 3,000	\$ 5,000
Labor- Cell Phone Stipend	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 700
<b>Total Salaries and Benefits</b>	<b>\$ 67,417</b>	<b>\$ 104,780</b>	<b>\$ 103,113</b>	<b>\$ 103,283</b>	<b>\$ 106,283</b>	<b>\$ 116,423</b>
<u>Operations</u>						
Fees- Annual Dues, Licenses, Memberships	\$ 105	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
Insurance- Surety Bond	\$ 100	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200
Maintenance- Vehicle	\$ 1,553	\$ 4,250	\$ 4,250	\$ 4,250	\$ 4,250	\$ 20,000
Supplies- Ammunition	\$ 255	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
Supplies- Clothing	\$ -	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Supplies- Fuel	\$ -	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 3,000
Supplies- Office	\$ -	\$ 700	\$ 700	\$ 700	\$ 700	\$ 700
Supplies- Operational	\$ 15	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 7,000
Training- Certifications	\$ -	\$ 400	\$ 400	\$ 400	\$ 400	\$ 400
Training- Professional Development, Per Diem	\$ -	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
Utilities- Electric	\$ 420	\$ 400	\$ 400	\$ 400	\$ 400	\$ 400
Utilities- Natural Gas	\$ 259	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900
Utilities- Telephone/Internet	\$ 959	\$ 360	\$ 360	\$ 360	\$ 360	\$ 360
<b>Total Operations</b>	<b>\$ 3,666</b>	<b>\$ 18,710</b>	<b>\$ 18,710</b>	<b>\$ 18,710</b>	<b>\$ 18,710</b>	<b>\$ 38,460</b>
<b>Total Public Safety Department Expenditures</b>	<b>\$ 71,083</b>	<b>\$ 123,490</b>	<b>\$ 121,823</b>	<b>\$ 121,993</b>	<b>\$ 124,993</b>	<b>\$ 154,883</b>
<b>Parks and Recreation Department</b>						
<u>Parks Operations</u>						
Part time employee/Contractor for Grounds Maintenance	\$ -	\$ 9,768	\$ -	\$ 13,350	\$ 13,350	\$ 13,350
Services - Non-Professional (Labor)	\$ -	\$ -	\$ 1,440			
Maintenance- Grounds	\$ 11	\$ 1,000	\$ 1,414	\$ -	\$ -	\$ -
Services- Wildlife Mitigation	\$ 111	\$ 1,000	\$ -	\$ -	\$ 15,000	\$ 15,000
Supplies Operational	\$ 201	\$ 700	\$ 50	\$ -	\$ -	\$ 1,000
Utilities- Electric- Fountain	\$ 4,142	\$ 2,000	\$ 1,605	\$ 2,000	\$ 2,000	\$ 2,000
Utilities- Electric- Gazebo	\$ 1,166	\$ 1,000	\$ 479	\$ 1,000	\$ 1,000	\$ 1,000
<b>Total Parks Operations</b>	<b>\$ 5,631</b>	<b>\$ 15,468</b>	<b>\$ 4,988</b>	<b>\$ 16,350</b>	<b>\$ 31,350</b>	<b>\$ 32,350</b>
<u>Pool</u>						
Pool Contractor	\$ -	\$ -	\$ -	\$ 20,532	\$ 20,532	
Labor- Part Time	\$ -	\$ 12,000	\$ -	\$ -	\$ -	\$ 19,000
Labor- FICA	\$ -	\$ 850	\$ -	\$ -	\$ -	\$ 1,000
Labor- State Unemployment Insurance	\$ -	\$ 100	\$ -	\$ -	\$ -	\$ 100
Labor- Hiring/New Employee Expenses	\$ -	\$ 280	\$ -	\$ -	\$ -	\$ 2,500
Maintenance- Building	\$ -	\$ -	\$ 552	\$ -	\$ -	\$ 2,000
Services- Inspections	\$ -	\$ 130	\$ -	\$ 130	\$ 130	\$ 130
Food	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Supplies- Office	\$ -	\$ 50	\$ -	\$ 600	\$ 600	\$ 200

# Town of Green Mountain Falls

## GENERAL FUND

### Budget Status Report - GAAP Basis

#### Proposed 2023 Budget

Unaudited

	2020 Actual Audited	2021 Estimated	2021 Actual Unaudited	2022 Budget Adopted	2022 Year-end Projected	2023 Budget Proposed
Supplies- Operational	\$ -	\$ 300	\$ 334	\$ -	\$ -	\$ 500
Supplies- Pool Start Up Funds	\$ -	\$ 120	\$ 788	\$ 120	\$ 120	
Utilities- Electric	\$ 305	\$ 900	\$ 128	\$ 900	\$ 900	\$ 900
Utilities- Natural Gas	\$ -	\$ 630	\$ -	\$ 630	\$ 630	\$ 630
Utilities- Telephone/Internet	\$ -	\$ 210	\$ 300	\$ 1,290	\$ 1,290	\$ 1,290
Utilities- Water	\$ -	\$ 900	\$ 573	\$ 900	\$ 900	\$ 900
<b>Total Pool</b>	<b>\$ 305</b>	<b>\$ 16,470</b>	<b>\$ 2,675</b>	<b>\$ 25,102</b>	<b>\$ 25,102</b>	<b>\$ 29,150</b>
 <b>Total Parks and Recreation Department Expenditures</b>	 <b>\$ 5,936</b>	 <b>\$ 31,938</b>	 <b>\$ 2,675</b>	 <b>\$ 41,452</b>	 <b>\$ 56,452</b>	 <b>\$ 61,500</b>
 <b><u>Public Works Department</u></b>						
<b><u>Salaries and Benefits</u></b>						
Labor- Full Time	\$ 37,865	\$ 96,316	\$ 86,940	\$ 116,022	\$ 116,022	\$ 135,000
Labor- Part Time	\$ 27,186	\$ 1,310	\$ 1,310	\$ -	\$ -	\$ -
Labor- Health Insurance	\$ 11,875	\$ 15,435	\$ 23,808	\$ 32,880	\$ 32,880	\$ 32,880
Labor- FICA	\$ 5,104	\$ 7,468	\$ 7,468	\$ 7,468	\$ 7,468	\$ 7,468
Labor- Overtime	\$ 1,668	\$ 5,000	\$ 5,000	\$ 2,500	\$ 2,500	\$ 2,500
Labor- State Unemployment Insurance	\$ 160	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200
Labor- Workman's Comp	\$ 2,875	\$ 3,650	\$ 3,650	\$ 200	\$ 200	\$ 3,600
Labor-Retirement						\$ 8,100
Labor- Cell Phone Stipend	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Salaries and Benefits</b>	<b>\$ 86,733</b>	<b>\$ 129,379</b>	<b>\$ 128,376</b>	<b>\$ 159,270</b>	<b>\$ 159,270</b>	<b>\$ 189,748</b>
 <b><u>Operations</u></b>						
Equipment- Rental	\$ 100	\$ -	\$ -	\$ -	\$ -	\$ 1,600
Equipment- Repair and Service	\$ 2,248	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500
Maintenance- Building	\$ 12,363	\$ -	\$ -	\$ -	\$ -	\$ -
Maintenance- Roads	\$ 27,901	\$ 40,689	\$ 78,682	\$ 99,806	\$ 99,806	\$ 48,528
Maintenance- Vehicle	\$ 1,990	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000
Supplies- Fuel	\$ 6,031	\$ 6,300	\$ 6,300	\$ 6,300	\$ 6,300	\$ 7,000
Supplies- Office	\$ 267	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300
Supplies- Operational	\$ 1,942	\$ 1,600	\$ 1,600	\$ 1,600	\$ 1,600	\$ 1,600
Supplies- Clothing	\$ 57	\$ -	\$ -	\$ -	\$ -	\$ -
Tools	\$ 316	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250
Training- Certifications	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Training- Professional Development, Per Diem	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,000
Recovery	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Utilities- Electric	\$ 2,160	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
Utilities- Natural Gas	\$ 555	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900
Utilities- Telephone/Internet	\$ 234	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500
Utilities- Trash	\$ 1,207	\$ 1,100	\$ 1,100	\$ 1,100	\$ 1,100	\$ 1,100
Utilities- Electric- Street Lights	\$ 7,526	\$ -	\$ 4,144	\$ 4,144	\$ 4,144	\$ 4,144
<b>Total Operations</b>	<b>\$ 64,897</b>	<b>\$ 72,139</b>	<b>\$ 114,276</b>	<b>\$ 135,400</b>	<b>\$ 135,400</b>	<b>\$ 88,422</b>
 <b>Total Public Works Department Expenditures</b>	 <b>\$ 151,630</b>	 <b>\$ 201,518</b>	 <b>\$ 242,652</b>	 <b>\$ 294,670</b>	 <b>\$ 294,670</b>	 <b>\$ 278,170</b>
 <b>Total Expenditures</b>	 <b>\$ 556,360</b>	 <b>\$ 700,678</b>	 <b>\$ 707,844</b>	 <b>\$ 805,069</b>	 <b>\$ 828,069</b>	 <b>\$ 857,794</b>
 <b>EXCESS OF REVENUE OVER (UNDER) EXPENDITURES</b>	 <b>\$ 233,416</b>	 <b>\$ -</b>	 <b>\$ 265,246</b>	 <b>\$ 40,514</b>	 <b>\$ 48,751</b>	 <b>\$ (81,052)</b>
 <b>OTHER FINANCING SOURCES (USES)</b>						
Transfer to Capital Improvement Fund	\$ (96,000)	\$ (96,000)	\$ (96,000)	\$ (15,000)	\$ (15,000)	\$ (15,000)
<b>Total Other Financing Sources (Uses)</b>	<b>\$ (96,000)</b>	<b>\$ (96,000)</b>	<b>\$ (96,000)</b>	<b>\$ (15,000)</b>	<b>\$ (15,000)</b>	<b>\$ (15,000)</b>
 <b>EXCESS OF REVENUE OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>	 <b>\$ 137,416</b>	 <b>\$ (96,000)</b>	 <b>\$ 169,246</b>	 <b>\$ 25,514</b>	 <b>\$ 33,751</b>	 <b>\$ (96,052)</b>
 <b>FUND BALANCE - BEGINNING</b>	 <b>\$ 423,572</b>	 <b>\$ 423,572</b>	 <b>\$ 423,572</b>	 <b>\$ 592,818</b>	 <b>\$ 618,331</b>	 <b>\$ 652,082</b>
 <b>FUND BALANCE - ENDING</b>	 <b>\$ 560,988</b>	 <b>\$ 327,572</b>	 <b>\$ 592,818</b>	 <b>\$ 618,331</b>	 <b>\$ 652,082</b>	 <b>\$ 556,030</b>

**Town of Green Mountain Falls**  
**CAPITAL IMPROVEMENT FUND DETAIL**  
**Budget Status Report - GAAP Basis**  
**Proposed 2023 Budget**  
**Unaudited**

	2020 Actual Audited	2021 Estimated <u>Unaudited</u>	2021 Supplemental Budget	Proposed 2022 Budget	Proposed 2023 Budget
<b>REVENUE</b>					
<b><u>Intergovernmental Revenue</u></b>					
Capital- ARPA Stimulus	\$ -	\$ -	\$ 90,737	\$ 181,474	\$ 181,474
Capital- Trail Donation Fund	\$ -	\$ -	\$ -	\$ 500	\$ 500
Capital- Block Grants- El Paso County	\$ -	\$ -	\$ -	\$ 150,000	
Capital- Pikes Peak Rural Transportation Authority	\$ -	\$ 151,737	\$ 243,290	\$ 326,046	\$ 448,126
Capital- State Grants- Dept of Natural Resources	\$ -	\$ -	\$ -	\$ -	\$ -
Capital- State Grants- DOLA 2 (Flood Recovery)	\$ 41,772	\$ 84,392	\$ 84,392	\$ -	\$ -
Capital- State Grants- DOLA 3 (Planning Code Re-Write)	\$ -	\$ 25,000	\$ 25,000	\$ 25,000	
Capital-State Grants-DOLA 4 (Comprehensive Roads Plan)	\$ -	\$ -	\$ -	\$ 104,300	
Capital-Kirkpatrick Family Fund (Planning Code Re-Write)	\$ -	\$ 45,000	\$ 45,000	\$ 45,000	
Capital-Kirkpatrick Family Fund (Comprehensive Signage & Parking)	\$ -	\$ 30,000	\$ 30,000	\$ 30,000	
Capital-Kirkpatrick Family Fund (Fitness Court)	\$ -	\$ -	\$ 220,000	\$ 33,175	\$ 33,175
Total Intergovernmental Revenue	\$ 41,772	\$ 336,129	\$ 738,419	\$ 895,495	\$ 663,275
<b><u>Other Revenue</u></b>					
Capital- Bank Interest	\$ -	\$ 2,100	\$ 2,100	\$ 2,100	\$ 2,100
*Capital- Donations- Monies	\$ -	\$ -	\$ -	\$ -	\$ -
Total Other Revenue	\$ -	\$ 2,100	\$ 2,100	\$ 2,100	\$ 2,100
<b>Total Revenue</b>	<b>\$ 41,772</b>	<b>\$ 338,229</b>	<b>\$ 740,519</b>	<b>\$ 897,595</b>	<b>\$ 665,375</b>
<b>EXPENDITURES</b>					
<b><u>Capital Outlay (from General Fund)</u></b>					
<b><u>Capital Outlay</u></b>					
Capital- Administrative Infrastructure (Planning Code Re-write)	\$ 25,515	\$ 70,000	\$ 70,000	\$ 75,000	
Capital- Fire Mitigation	\$ -	\$ 22,254	\$ 22,254	\$ 15,000	\$ 15,000
Capital- Repairs/Improvements- Parks	\$ 12,370	\$ 8,500	\$ 228,500	\$ 43,800	\$ 43,800
Capital-CDBG Grant "Access for All" Lake Park Improvements	\$ -	\$ -	\$ -	\$ 150,000	
Capital-DOLA Comprehensive Roads Plan				\$ 104,300	
Capital- Repairs- Roads and Infrastructure	\$ 124,297	\$ -	\$ -	\$ -	\$ -
Belvidere Widening/ Overlay	\$ -	\$ -	\$ -	\$ -	\$ -
Maple St Bridge	\$ -	\$ 42,196	\$ 42,196	\$ -	\$ -
Midland Culvert	\$ -	\$ 42,196	\$ 42,196	\$ -	\$ -
Stilling Basins	\$ -	\$ 151,306	\$ 243,290	\$ 326,046	\$ 448,126
Comprehensive Signage and Parking Project	\$ -	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000
ARPA Infrastructure Improvements - TBD	\$ -	\$ -	\$ -	\$ 90,737	\$ 90,737
ARPA Infrastructure Improvements - Lake Park & Pool Park Restrooms	\$ -	\$ -	\$ -	\$ 90,737	\$ 90,737
<b>Total Expenditures</b>	<b>\$ 162,182</b>	<b>\$ 366,452</b>	<b>\$ 678,436</b>	<b>\$ 925,620</b>	<b>\$ 718,400</b>
<b>EXCESS OF REVENUE OVER (UNDER) EXPENDITURES</b>	<b>\$ (120,410)</b>	<b>\$ (28,223)</b>	<b>\$ 62,083</b>	<b>\$ (28,025)</b>	<b>\$ (53,025)</b>
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Capital- Transfer from Conservation Trust Fund	\$ 8,500	\$ 8,500	\$ 8,500	\$ 10,625	\$ 10,625
Capital- Transfer from General Fund	\$ 96,000	\$ 96,000	\$ 96,000	\$ -	\$ -
<b>Total Other Financing Sources (Uses)</b>	<b>\$ 104,500</b>	<b>\$ 104,500</b>	<b>\$ 104,500</b>	<b>\$ 10,625</b>	<b>\$ 10,625</b>
<b>EXCESS OF REVENUE OVER (UNDER) EXPENDITURES AND OTHER FINANCING SOURCES (USES)</b>	<b>\$ (15,910)</b>	<b>\$ 76,277</b>	<b>\$ 166,583</b>	<b>\$ (28,025)</b>	<b>\$ (53,025)</b>
<b>FUND BALANCE - BEGINNING</b>	<b>\$ 69,833</b>	<b>\$ 69,833</b>	<b>\$ 69,833</b>	<b>\$ 53,923</b>	<b>\$ 178,815</b>
<b>FUND BALANCE - ENDING</b>	<b>\$ 53,923</b>	<b>\$ 146,110</b>	<b>\$ 236,416</b>	<b>\$ 25,898</b>	<b>\$ 125,790</b>

# Town of Green Mountain Falls

## CONSERVATION TRUST FUND DETAIL

Budget Status Report - GAAP Basis

Proposed 2022 Budget

Unaudited

	2020 Actual Audited	2021 Estimate	2021 Supplemental Budget	2022 Budget	2023 Budget
<b>REVENUE</b>					
<b><u>Intergovernmental Revenue</u></b>					
CTF- Lottery Proceeds	\$ 8,500	\$ 8,500	\$ 8,500	\$ 10,600	\$ 10,600
Total Intergovernmental Revenue	\$ 8,500	\$ 8,500	\$ 8,500	\$ 10,600	\$ 10,600
<b><u>Other Revenue</u></b>					
CTF- Bank Interest	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25
Total Other Revenue	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25
<b>Total Conservation Trust Fund Revenue</b>	<b>\$ 8,525</b>	<b>\$ 8,525</b>	<b>\$ 8,525</b>	<b>\$ 10,625</b>	<b>\$ 10,625</b>
<b>EXPENDITURES</b>					
<b><u>Parks and Recreation</u></b>					
<u>Parks and Recreation</u>					
CTF- Parks and Recreation Projects Labor	\$ 8,500	\$ 8,500	\$ 8,500	\$ 10,600	\$ 10,600
<b>Total Parks and Recreation Expenditures</b>	<b>\$ 8,500</b>	<b>\$ 8,500</b>	<b>\$ 8,500</b>	<b>\$ 10,600</b>	<b>\$ 10,600</b>
<b>Total Expenditures</b>	<b>\$ 8,500</b>	<b>\$ 8,500</b>	<b>\$ 8,500</b>	<b>\$ 10,625</b>	<b>\$ 10,625</b>
<b>EXCESS OF REVENUE OVER (UNDER) EXPENDITURES</b>	<b>\$ 25</b>	<b>\$ 25</b>	<b>\$ 25</b>	<b>\$ 25</b>	<b>\$ 25</b>
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
CTF- Transfer to Capital Improvement Fund	\$ (8,500)	\$ (8,500)	\$ (8,500)	\$ (10,600)	\$ (10,600)
<b>Total Other Financing Sources (Uses)</b>	<b>\$ (8,500)</b>	<b>\$ (8,500)</b>	<b>\$ (8,500)</b>	<b>\$ (10,600)</b>	<b>\$ (10,600)</b>
<b>EXCESS OF REVENUE OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>	<b>\$ 25</b>	<b>\$ 25</b>	<b>\$ 25</b>	<b>\$ 25</b>	<b>\$ 25</b>
<b>FUND BALANCE - BEGINNING</b>	<b>\$ 2,515</b>	<b>\$ 2,515</b>	<b>\$ 2,515</b>	<b>\$ 2,540</b>	<b>\$ 2,565</b>
<b>FUND BALANCE - ENDING</b>	<b>\$ 2,540</b>	<b>\$ 2,540</b>	<b>\$ 2,540</b>	<b>\$ 2,565</b>	<b>\$ 2,590</b>



## **Short Term Rental Notes: Public Meeting 7/27/2022**

### **Policy Issues Identified:**

- Lack of policy that allows for enforcement
- Density of STR's changing the feel of neighborhoods
- Lack of ability to place limits/qualifications on Owners
- Perceived Impact on Real Estate Market
- People are renting too small of spaces for their needs (large parties)
- STR's not easily identifiable from the street
- Policy fairness
- Exterior Lighting a nuisance

### **Policy Solutions Identified:**

- Provide STR Owner and Manager's phone numbers to neighbors
- Create an info packet for licensees
- Require a pre-license inspection
- Reduce the # of licenses
- Limit rental days
- Nuisance policy
- Yearly reviews
- Create a standard complaint procedure

### **Administrative Issues Identified:**

- Density of STR's changing the feel of neighborhoods
- Lodging Tax difficult to calculate
- Late Check-in times disturb neighbors
- No standardized house rules
- No way to identify visitor vehicles

### **Administrative Solutions Identified:**

- Restrict adjacent licenses
- Restrict Check-in times
- Require septic inspections
- Require standard house rules/info packet
- Require pre-licensing inspection
- Create a public map of all STRs
- Provide owner contact info on notice letter

**Code Enforcement Issues Identified:**

- Visitor vehicles block roads
- Visitors are noisy
- Visitors aren't aware of fire danger/restrictions
- Visitors don't know how to dispose of refuse in bear country
- Neighbors don't feel as safe having short term visitors as they would with long term neighbors

**Code Enforcement Solutions Identified:**

- Require off-street parking
- Require burn stage restriction information be posted or restrict outdoor burning
- Require refuse disposal instructions be posted

**Relationship Issues Identified:**

- Property managers not always responsive
- Neighbors conflict with STR guests
- Losing community feel
- Visitors are transient, not knowing your neighbors
- Renters not accountable or considerate

**Relationship Solutions Identified:**

- Share property owner/manager contact info with neighbors

**From:** [REDACTED]  
**To:** [Town Clerk](#); [Becky Frank](#); [gmdixon@gmail.com](mailto:gmdixon@gmail.com)  
**Subject:** VRBO thoughts  
**Date:** Monday, June 6, 2022 9:47:26 AM

---

Good day,

Here are some complaints and suggestions I wish to note on the topic of VRBOs.

First the complaints.

- \*Renters arriving in the dark at all hours of the night. (11:00pm, 12:00am, 2:30am) which is dangerous with ditches and winding drop offs on our roads.
- \*During night arrivals, vehicles have backed in towards the lower vrbo door, perpendicular on my drive, unpacking the car with their headlights on, facing my home (bedroom window), maybe 20 feet from my window at 11:00pm. Or parking in my drive to load and unload their cars.
- \*Renters continuously using my driveway disregarding the vrbo signs and my signage. It was agreed that VRBO renters would not use my driveway.
- \*Maids getting stuck and creating holes because they try to go up my driveway and end up parking partly on my drive where they get stuck.  
Cleaning companies were told by the management company to use the drive off of Iona.
- \*Renters hike up and down my driveway ignoring signage.
- \*Renters have gone sledding down my driveway into Cottage St., which has a metal culvert halfway down making it even more dangerous.
- \*Renters smoking pot in front of the house, and in the dark hiding around the side of the house popping out of the darkness, scaring me.
- \*The motion sensor light on the garage lights up the neighborhood. It needs to be focused downward and not be so sensitive that it is often turned on by the wind.
- \*Chasing and feeding the deer from hands.
- \*Septic odor. There may be one septic system (main tank) that both homes use.
- \*Maid's dog running off leash free onto other properties relieving itself.
- \*Drones flying over my property scaring my dog making difficult to get my dog into the fenced yard.
- \*Renters playing catch in my driveway and hitting my home with the ball.
- \* People on vrbo patio talking loudly till 10:00pm plus. Makes it hard for me to sleep. My bedroom is on that side of the house and I work weekends.
- \*My quality of life, mental and physical, has been affected by the constant traffic and annoyances of this vrbo.

Suggested rules for VRBO owners and renters

- \*Arrival times between 7:00am -8:00pm during daylight hours.
- \*Prohibit sledding in residential areas on other property owners property.
- \*Prohibit standing on roofs of homes or garages.
- \*No four wheelers or unlicensed motor vehicles (dirt bikes)
- \*No drones in residential areas
- \*Only a certain number of vrbos should be allowed within an area as to not concentrate a certain area with them. And they would be a preset number of feet apart.
- \*Septic tanks should be evaluated once a year by a company licensed to do so and reported to GMF vrbo licensing.
- \*Allow rentals to be rented once a month. Or allow to be rented up to 60 days a year. But only 1 renter a week.
- \* Raise the licensing fees and raise the percentage of tax profit the town receives from rental owners.

**From:** [REDACTED]  
**To:** [Town Clerk](#)  
**Subject:** STR regulations  
**Date:** Wednesday, September 7, 2022 10:00:53 PM

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Yes: inspections need to be made prior to license issued & prior to license renewal  
Original copy of insurance coverage needs to be reviewed by GMF attorney prior to license & renewal

CO Sales Tax license required prior to GMF lic issued

Depending on fire code requirements & other codes, what size of property does the house limit how much can be included in 1, 2 or \_\_\_\_ for a specified STR. If more than 1 unit in a property, that is the number of GMF licenses paid for/ required

That number of STR licenses also specify how many parking spaces are available at that single address

\$250 is not high enough penalty fee for violation

CO Sales Tax license & GMF license needs to be displayed on house for law enforcement, 1<sup>st</sup> responders, etc to see before entering the property. Possibly on glass inside the entry door

I didn't see any indication of the owner's check clearing the bank prior to GMF license issued  
didn't see any restrictions on dogs, cats, etc being on property. on leash outside the house.  
GMF used to have ordinance on dogs need to be on leash but that is truly not monitored or enforced. Also PU/ bag your own dog poop. This is a safety & health concern.  
There needs to be a fee for personal thrash bring outside thrash dumpster. You said "bear proof can" but did not say penalty for violation & dollar of fine.

[REDACTED]

From: [REDACTED]  
To: [Town Clerk](#)  
Subject: STR Ordinance Comments  
Date: Wednesday, September 14, 2022 8:13:50 PM

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Hi Nate!

I just read through the STR Draft of Ordinance ... Please express my thanks to all who have inputted and commented! It's a major piece of work, and seems will go far towards making sure that STR's follow guidelines and pay fees they are subject to!

While I am aware of some of the grievances people hold toward STR's, there's just really one comment that I am writing here. I hope the grievances can be minimized, and neighbors can act neighborly towards LTRs as well as STRs, if those STRs are aware, respectful, and grateful to be allowed into town, and the property owners are the same. Has there been consideration of limiting times of arrival, given we are in the darker mountains, with hard to find places, and wildlife active at night?? (Even here on Belvidere there have been people looking for the right place they've rented. When at night, this causes noise as well as light as people are trying to sleep)

This point about how licenses are renewed before new applicants is a bit disturbing. If GMF reaches the cap, I feel that new applicants should be given fair chance of establishing an STR rather than renewing residences that maybe have been in existence for many years, capitalizing their income, and pushing out new possibilities. I have seen the clause that states that if an STR is not active for certain length of time, non-renewal may happen, and this can help, but maybe there's a way to ensure that new STR's can be somehow woven into the mix, meaning that it's possible that a longer-existing STR may need to rotate out of the mix for some period of time? Just a thought. I think it's unfair if GMF reaches the cap. Not sure where we are at in that regards.

(b) Licenses are valid until December 31st of each year. The application fee shall be prorated on a monthly basis for any application filed for a license period commencing after January 1st. Subject to the requirements of this article, licenses may be revoked or renewed. **Waiting list-process renewals before new applications.**

#### **ADD WORD HERE**

Sec. 5-143. Enforcement (a) It is unlawful to violate any provision **OF** this Article.

Thanks for all ...

--  
[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**To:** [tgdixon1961@gmail.com](mailto:tgdixon1961@gmail.com); [Town Clerk](#)  
**Subject:** Fwd: Agenda - WP Workshop - Short Term Rentals (STR), 1830- 22 Sep  
**Date:** Wednesday, September 21, 2022 12:35:04 PM  
**Attachments:** [3e08ffee-5b7d-412c-b311-46fa1fc94c76.pdf](#)

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Attached are the regulations that Woodland Park is looking at regarding short term rentals. I hope this helps.

[REDACTED]  
Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED]  
**Date:** September 20, 2022 at 6:47:24 PM MDT

[REDACTED]  
**Subject:** Agenda - WP Workshop - Short [REDACTED]

[REDACTED] Tom Farrell <tdfarel@aol.com>

[REDACTED] Thanks for stepping up. See you on Thursday. Enjoy the evening...

[REDACTED]



**PUBLIC NOTICE**  
**WOODLAND PARK PLANNING COMMISSION**  
**Thursday, September 22, 2022, 6:30 P.M.**  
**Council Chambers – 220 W. South Avenue**

*Zoom link from the calendar at the bottom of the front page of the City website ([www.city-woodlandpark.org](http://www.city-woodlandpark.org)).*

- 1. CALL TO ORDER & ROLL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVE MINUTES: June 9, 2022 & August 25, 2022**
- 4. PUBLIC HEARINGS**
  - A. Consider an Ordinance amending Titles 5 and 18 of the Woodland Park Municipal Code, concerning business regulations and zoning, to license and regulate short-term rentals. (L)**
- 5. REPORTS**
- 6. ADJOURN**

For more information, please contact the Planning Department 719.687.5202

# WOODLAND PARK PLANNING COMMISSION

## MEETING MINUTES for June 9, 2022

### Council Chambers, 220 W South Avenue, Woodland Park

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*This meeting was a hybrid meeting with in-person and virtual attendance. The Zoom meeting link is in the calendar on the City website front page. Public input is very important to the Planning Commission. Comments were encouraged in writing in advance of the meeting to be submitted by mail to the Planning Department at PO Box 9007, Woodland Park, CO, 80866 or email to [kschminke@city-woodlandpark.org](mailto:kschminke@city-woodlandpark.org).*

#### 1. CALL TO ORDER & ROLL:

Chair Ken Hartsfield called the meeting to order at 6:30 pm.

Present	Commissioner Hartsfield
Absent	Commissioner Lee Brown
Present	Commissioner Carrol Harvey
Present	Commissioner Kenneth Kennedy
Present	Commissioner Larry Larsen
Present	Commissioner Shawn Nielsen

Staff Present: Planning Director Karen Schminke and Planner 1 David Burgess

#### 2. PLEDGE OF ALLEGIANCE

#### 3. APPROVE MINUTES: The May 26, 2022 minutes were approved with the modification to clarify that Article 5 Section 6 notes the need for a quorum.

The minutes were approved with the revisions by a 5-0 vote.

#### 4. PUBLIC HEARINGS

**A. Continued from May 26, 2022:** CUP/SPR2022-03 Extension of Ute Pass (formerly Woodland Park) Self Storage Conditional Use Permit and Site Plan Review: A request by M3XP2, LLC (Applicant) and 19350 Group, LLC (Property Owner) for a 2-year extension of the CUP and SPR approval for the 72,400 SF storage and rental facility proposed on the 4.75-acre tract on Lot 1, W.P. Saddle Club Filing No. 1 (19350 E US Hwy 24) in the Service Commercial (SC) zone. (QJ)

Chair Hartsfield opened the public hearing explaining that while he was an architect on the original Woodland Park Storage project years ago, he is no longer involved and feels he does not have a conflict of interest and can be part of an unbiased review. The Commissioners accepted Chair Hartsfield's position.

Director Schminke presented the staff report with the location, site plan, architectural renderings, and project history. She noted that City Council approved the original CUP/SPR in July 2018, which expired in July 2020. An application asking to extend the CUP/SPR was submitted in January 2021, which was granted with a new expiration date of July 2022. Another CUP/SPR extension application was submitted in April 2022 to extend to July 2024. There are no current Zoning Development Permits, the grading and waterline infrastructure ZDPs have expired. The proposal is consistent with the current Comprehensive Plan. City Staff had the following concerns: Kip Wiley, Deputy CM/Operations Director would disapprove the request because no progress has been made in five years. Ben Schmitt, City Engineer, would like to perform a detailed review when updated trip generation and storm water calculations meet updated criteria. Since the zoning regulations do not have criteria concerning extensions, staff recommends "Should Planning Commission find that an extension is warranted and recommend that City Council grant the two-year extension to July 19, 2024, then the approving resolution should clearly state that the development is still subject to all of the conditions of approval specified with the original approval CUP18-001/SPR18-001 from July 2018."



Director Schminke took questions from the Planning Commissioners. Chair Hartsfield asked about the City Engineer comments, Ms. Schminke clarified that traffic volumes on US Highway 24 had changed, so that could alter what is required of site improvements (access and stormwater criteria). The applicant would like to proceed with an extension and not go through the public hearing process again. Commissioner Harvey asked the applicant to address the staff concerns.

Chair Hartsfield invited the Applicant to the podium. Michael Harper, 1493 CR 782, Woodland Park, introduced himself, thanked the Planning Commission for hearing this extension, and explained why the extensions were needed. The project was approved in late 2018, and applied for financing in mid-2019, which is a 3-10 month-long process. In March of 2020, all lending applications were put on hold because of the pandemic. Since then it has been another two years of lending and supply chain uncertainty. Finally, at this time, the feasibility study has been finalized, and pricing and supply are predictable enough to move forward in the next building cycle. Then Eric Smith of 2435 Research Parkway Suite 300, Colorado Springs, a principal engineer with Matrix Design Group, representing the Applicant, introduced himself. To show that all types of construction projects' financing was affected across the board, he noted that the Air Force Academy visitor center financing was also delayed two years, from February 2020 to January 2022. Matrix will complete the final engineering drawings. A final drainage report will address any changes to drainage criteria code or standards. The site plan will also be updated. These types of facilities generate low traffic volumes, especially compared to other uses allowed in this zone. The traffic study predicts 100 vehicles a day for this facility. Left turn lanes currently meet the CDOT requirements, and a right shoulder exists for a future right turn lane. A traffic study would be updated as the project moves forward. Carrol Harvey confirmed that original traffic analysis of 100 vehicles/day still stands and that the Applicant expects financing to be approved and construction to commence in spring 2023.

Hartsfield called for comments from the public; with on one wishing to speak he closed the public hearing. There was no further discussion.

Commissioner Larsen moved, and Commissioner Nielsen seconded, that the Planning Commission **recommend City Council** approve the Extension of Ute Pass (formerly Woodland Park) Self Storage Conditional Use Permit and Site Plan Review: A request by M3XP2, LLC (Applicant) and 19350 Group, LLC (Property Owner) for a 2-year extension of the CUP and SPR approval for the 72,400 SF storage and rental facility proposed on the 4.75-acre tract on Lot 1, W.P. Saddle Club Filing No. 1 (19350 E US Hwy 24) in the Service Commercial (SC) zone.

**YES: Larsen, Nielsen, Hartsfield, Harvey, and Kennedy.**  
**Motion PASSES 5-0.**

**B. PUD/SPR2022-01:** a request by N.E.S. Inc. (Applicant) on behalf of New Life Holding Corporation (Owner) and its affiliated operating nonprofit corporate entities, Andrew Wommack Ministries, Inc. (AWMI) and Charis Bible Colleges, Inc., to consider a PUD Amendment to 1) revise the dimensional standards to allow a height increase from 35-feet to 45-feet maximum for the student housing and 2) remove a past Condition of Approval that the temporary student housing be privatized through either a lease agreement or some other arrangement so that it can be separately taxed. The subject property is located at 800 Gospel Truth Way with a legal description of Lot 1, The Sanctuary, Woodland Park, Colorado and is zoned Planned Unit Development (PUD) for the purpose of developing a Planned Business Development (PBD). (**QJ**)

Director Schminke explained to the Planning Commission that the public notice for this application was not complete for this scheduled date, and requested the Commission continue this item to June 21, 2022. The applicant representative, Jon Romero of NES, confirmed the applicant is ready to proceed on June 21, 2022.

Commissioner Kennedy moved, and Commissioner Larsen seconded, that the Planning Commission to continue this hearing to June 21, 2022 at 6:30 p.m.

**YES: Nielsen, Hartsfield, Harvey, Kennedy and Larsen.**

**Motion PASSES 5-0.**

5. **REPORTS:** Director Schminke informed the Planning Commission that the City has embarked on updating the Parks, Trails & Open Space Plan which will include community engagement opportunities. The City is also planning on hosting several listening sessions concerning Short Term Rentals on July 6, 2022.

Director Schminke then noted that Senior Planner Chelsea Stromberg has left the City. The Planning Department has joined the City Engineer's RFP, by adding a component for Planning Development Review Services which is the primary review role a Senior Planner would typically provide. It will be paid by an hourly basis until a Senior Planner is hired. Senior Planners are in high demand in Colorado and nation-wide.

Commissioner Harvey asked if the Comprehensive Plan consultant would be able to provide an update of Municipal Code Sections 16, 17 & 18 to the Planning Commission soon. She thought they would review and recommend some consolidation of matrices. Director Schminke has received a document from them, but has not reviewed it. She would like to present it to the Planning Commission with context. The consultant has completed their conditions of the contract, but a presentation was not one of them.

Mr. Larsen suggested the Planning Commission start discussion of modifying the Planning Commission quorum definition from a set minimum of five commissioners to a simple majority. Any changes to the operating procedures would be recommended by Planning Commission for approval by City Council. Director Schminke added that she told the DDA at their meeting about vacancies on the Planning Commission. Applications for Boards and Committees are on the City's website.

The next meeting of the Commission is a Special Meeting scheduled for Tuesday, June 21, 2022 at 6:30 PM.

6. **ADJOURN:** The meeting was adjourned at 7:15 pm.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by \_\_\_\_\_  
Ken Hartsfield, Chair

**WOODLAND PARK PLANNING COMMISSION**  
**MEETING MINUTES for August 25, 2022**  
**Council Chambers, 220 W South Avenue, Woodland Park**

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*This meeting was a hybrid meeting with in-person and virtual attendance. The Zoom meeting link is in the calendar on the City website front page. Public input is very important to the Planning Commission. Comments were encouraged in writing in advance of the meeting to be submitted by mail to the Planning Department at PO Box 9007, Woodland Park, CO, 80866 or email to [kschminke@city-woodlandpark.org](mailto:kschminke@city-woodlandpark.org).*

**1. CALL TO ORDER & ROLL:**

Chair Ken Hartsfield called the meeting to order at 6:30 pm.

Present	Commissioner Hartsfield
Absent	Commissioner Lee Brown
Present	Commissioner Carrol Harvey
Present	Commissioner Kenneth Kennedy
Present	Commissioner Larry Larsen
Present	Commissioner Shawn Nielsen
Staff Present:	Planning Director Karen Schminke, Planner 1 David Burgess, and Senior Planner Will Charles.

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVE MINUTES:** The August 11, 2022 minutes were approved unanimously.

**4. PUBLIC HEARINGS**

**A. SUB2022-04 Pines at Tamarac Preliminary Plat Extension:** A request by David Garretson (Applicant & Property Owner) for a 1-year extension of the previously approved Pines at Tamarac Preliminary Plat for residential development on 20.61 acres on Lot 2, Block 1, Dayspring Christian Fellowship (205 Sourdough Road) in the Pines at Tamarac PUD zone district. **(QJ)**

Chair Hartsfield opened the public hearing and asked for the staff report. Senior Planner Will Charles presented the staff report providing an overview of the location, the approved plan layout, and the history of past approvals. He also noted that per City Code, PUD plans can be extended for two years, but one year extensions are allowed for preliminary plats. Staff found the request for the extension was made in a timely manner, the application is still valid, the requested extension makes sense, and staff is recommending a one year extension of this preliminary plat.

Chair Hartsfield questioned the applicant's reason for the extension. Director Schminke suggested it is for reasons similar to other extensions, i.e. securing financing, materials, and resources for the construction of the infrastructure.

The applicant was not present. Chair Hartsfield then called for public comments. With no one wishing to speak, the public hearing was closed.

During discussion, Commissioner Harvey asked if the proposed development is for single family homes. Director Schminke confirmed the approval is for 26 single

family detached homes. She also confirmed for Commissioner Larson that the Planning Commission has the final decision on this request.

Chair Hartsfield called for a motion. Commissioner Larsen then moved, and Commissioner Kennedy seconded, to approve the one year extension of the Pines At Tamarac preliminary plat to July 18, 2023.

**YES: Larsen, Nielsen, Hartsfield, Harvey, and Kennedy.**  
**Motion PASSES 5-0.**

5. **REPORTS:** Director Schminke informed the Planning Commission of a change to their meeting schedule. A work session regarding a proposed short-term rental ordinance that has been scheduled for September 8<sup>th</sup> at 6:30 PM. Due to the aggressive schedule for this item notice of a September 22<sup>nd</sup> public hearing on this item will go to the newspaper prior to the work session occurring. Currently estimate City Council will have first reading on the ordinance October 6<sup>th</sup> and a public hearing October 20<sup>th</sup>, but these dates may change. Director Schminke also noted while this is a legislative item, Commission members should encourage anyone who wants to talk about this item to come to the public hearing and address the entire Commission.

Commissioner Larson suggested nominating Sally Riley for the Les Mellon, Jr. Civic Achievement Award.

Commission members then had a short discussion regarding how to best utilize the twice a month meetings to meet developer needs and continue work on Code updates. There was also discussion related to scheduling site visits and the public notice requirements for them.

The final general discussion item related to developer requests for extensions. Director Schminke explained there is more than one section of the Code that addresses the various types of applications with the timing and Code language varying from section to section. It was noted that this will likely be a more concerning issue as the City gets closer to its maximum capacity for water taps.

**ADJOURN:** The meeting was adjourned at 6:59 pm.

Approved this \_\_\_\_ day of \_\_\_\_\_, 2022 by

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Ken Hartsfield, Chair





# City of Woodland Park Memo for Planning Commission

Hearing Date: September 22, 2022

Agenda Item

Department

Presenter

4. A.

Planning

Karen Schminke, AICP  
Planning Director

## **AGENDA ITEM**

PUBLIC HEARING regarding a proposed Ordinance amending Titles 5 and 18 of the Woodland Park Municipal Code, concerning business regulations and zoning, to license and regulate short-term rentals. A copy of the proposed Ordinance is attached to this memo.

## **HISTORY**

Over a year ago the Planning Commission identified short term rentals (STR) as an issue that should be reviewed and possibly addressed with a Code change. Short term rentals can best be explained as the renting of either a part of a residence or the whole residence for less than 30 consecutive days.

The City's current zoning regulations do not explicitly address this type of rental in any zoning district. Within Title 3 – Revenue and Finance, lodging tax and its applicability is clearly outlined:

### **3.38.010 - Lodging tax levied; use of revenues.**

A. There is levied a tax of five and seven-tenths per cent on the purchase price paid for the short-term (less than thirty consecutive days) leasing or rental of any hotel room, motel room, apartment, lodging or inn room, motor hotel, guest house, mobile home, trailer court, bed and breakfast, or any other place that furnishes sleeping accommodations under any concession, permit, right of access, license to use or other agreement or otherwise within the city.

B. The revenues from said tax shall be used for the payment of activities associated with economic enhancement and sustainability of the city, to include without limitation capital projects and annual operating and maintenance expenses for beautification and streetscape purposes throughout the city and for advertising, marketing, and promotion of the city.

As with any other business in the City, business licenses (as detailed in Title 5) have been required for those who are operating an STR.

Over the past year this topic gained considerable traction and a variety of meetings and community input/engagement activities have taken place:

November 2021 – Staff started one-on-one interviews with stakeholders.  
May 5<sup>th</sup> – City Council and Planning Commission joint work session.  
June – Online community questionnaire.  
July 6<sup>th</sup> – Two community conversation events at Ute Pass Cultural Center.  
July 7<sup>th</sup> – City Council adopted a 90-day moratorium (Ordinance 1426) on the issuance of business licenses for short term rentals.  
July 21<sup>st</sup> – City Council and Planning Commission joint work session.  
August 18<sup>th</sup> – City Council and Planning Commission joint work session.  
September 8<sup>th</sup> – Planning Commission work session.

All these activities have been chronicled on the City’s community engagement website What’s Up Woodland Park. This website can be accessed through this link:

[Short-term Rentals | What's Up Woodland Park \(whatsupwoodlandpark.com\)](https://whatsupwoodlandpark.com)

The purpose of these various community engagement activities and joint work sessions was to develop a thorough understanding of the benefits and impacts of short term rentals, and to build consensus on addressing the use in City Code.

## **PROPOSED ORDINANCE**

The attached proposed ordinance is a direct result of the community engagement activities and joint work sessions. Also, it includes the modifications identified at the September 8<sup>th</sup> Planning Commission work session.

The WHEREAS statements on the first page describe the objectives and the need for the ordinance:

- protect residential integrity and community character within the City
- adopt licensing regulations and restrictions on the renting or leasing of real property for occupancy of less than 30 days
- ensure clarity, increased enforcement, fairness and consistency with the goals of the City, for its residents, businesses and customers
- the subject regulations concerning short-term rentals are necessary to the health, safety and welfare of the public and to prevent adverse impacts to adjacent properties, neighborhoods and quality long-term rental housing units within the City

The body of the ordinance contains the specific language that would be added into the City Code book. The proposed language includes:

- definitions necessary to clarify what a short term rental is (Titles 5 & 18);
- standards for who can obtain a license for a short term rental businesses (Title 5);
- provisions for renewing or revoking a license (Title 5);
- clearly identify the use in the zoning regulations (Title 18);
- the locations where an STR may be permitted; and
- standards for the use (Title 18).

As a result of the September 8<sup>th</sup> Planning Commission work session a number of modifications have been made to the proposed Ordinance. Some of the modifications were minor in nature. More substantive modifications include:

**Section 2**

- Revisions to 5.22.020 (g) regarding caps on the number of STR units differentiated by zoning district.
- Clarification to a waiting list for licenses in section 5.22.020 (h).
- The criteria for issuing a license in section 5.22.030 (c) has been amended with regard to no violations in the prior 12 months, keeping license information current, and non-transferability of licenses.

**Section 5**

- The Table of Uses in Section 18.09.090 has been revised to Permit Conditionally STR's in the MFS, MFU, and MHP zone districts.

**Section 8**

- New Section 8 *2022 Application and Fees* has been added.

**Section 9 and Section 10**

- These sections were renumbered due to the addition of a new Section 8.

**COMMENTS RECEIVED**

Attached are two comments received in the Planning Department after the September 8, 2022 work session.

**STAFF RECOMMENDATION**

Should the Planning Commission find the provisions in the proposed Ordinance satisfactory, the Planning Commission should recommend that Council approve the code amendments as presented.

**NEXT STEPS**

As of the date of this memo, it is anticipated City Council will have first reading of this proposed Ordinance at their October 6<sup>th</sup> meeting and a public hearing at their October 20<sup>th</sup> meeting.

**Attachments**

- A. Proposed Ordinance
- B. Comments Received

**CITY OF WOODLAND PARK, COLORADO  
ORDINANCE NO. \_\_\_\_\_, SERIES 2022**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WOODLAND  
PARK, COLORADO AMENDING TITLES 5 AND 18 OF THE WOODLAND PARK  
MUNICIPAL CODE, CONCERNING BUSINESS REGULATIONS AND ZONING,  
TO LICENSE AND REGULATE SHORT-TERM RENTALS**

**WHEREAS**, the City of Woodland Park, Colorado (the “City”) has been duly organized and is validly existing as a home rule city under Article XX, Section 6 of the Colorado Constitution and the City Charter; and

**WHEREAS**, pursuant to C.R.S. § 31-15-401, the City by and through its City Council (“Council”), possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety and welfare; and

**WHEREAS**, pursuant to C.R.S. § 31-23-301 the City also possesses the authority to adopt and enforce zoning regulations; and

**WHEREAS**, pursuant to C.R.S. § 31-15-501, the City also possesses the authority to regulate the operation and licensing of businesses generally within its jurisdiction; and

**WHEREAS**, pursuant to such authority, the City has previously adopted certain regulations within Title 5, concerning business licenses and regulations, and Title 18, concerning the zoning, of the Woodland Park Municipal Code (“Code”); and

**WHEREAS**, in order to protect residential integrity and community character within the City, the Council finds and determines it is necessary to amend certain provisions of Title 5 and Title 18 to adopt licensing regulations and restrictions on the renting or leasing of real property for occupancy of less than 30 days; and

**WHEREAS**, the Council finds such regulations will also ensure clarity, increased enforcement, fairness and consistency with the goals of the City, for its residents, businesses and customers; and

**WHEREAS**, the Council also finds and determines that the establishment of a licensing program will accomplish these goals, and that the subject regulations concerning short-term rentals are necessary to the health, safety and welfare of the public and to prevent adverse impacts to adjacent properties, neighborhoods and quality long-term rental housing units within the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE  
CITY OF WOODLAND PARK, COLORADO as follows:**

**Section 1.** The foregoing recitals are incorporated herein as conclusions, facts, determinations and findings by the City Council.

**Section 2.** A new Chapter 5.22, concerning Short-Term Rentals, is hereby added to



Title 5, Business Regulations, of the Woodland Park Municipal Code to read as follows:

## **CHAPTER 5.22 – SHORT-TERM RENTALS**

### **5.22.010 - Definitions.**

For the purpose of this Chapter the following words and terms have the following meanings, unless the context clearly indicates otherwise. Definitions included in Titles 5 and 18 of this Code shall apply to this Chapter unless they are otherwise expressly defined herein.

*Applicant* means the natural person owning the property, or the natural person controlling the corporate ownership of the property, or the natural person who is the beneficiary of the trust owning the property, which property is used as a short-term rental business, as evidenced on the recorded deed for the property.

*Short-term rental business* means the occupation of leasing or renting one (1) or more short-term rental units.

*Short-term rental unit* means a residential dwelling unit that is rented or utilized for furnishing lodging accommodation and occupancy for any period less than thirty (30) consecutive days.

*Lodging tax* means the tax levied pursuant to Chapter 3.38.

### **5.22.020 - Licensing; limitations; requirements.**

- (a) It shall be unlawful for any person or entity to engage in the short-term rental business without first applying for and procuring a Short-Term Rental Business License (“License”) from the City with respect to each short-term rental unit. The initial license fee, renewal license fee and penalty for operating without a license shall be established by resolution of City Council, as may be amended from time to time, and payable annually in advance.
- (b) Short-Term Rental Business License may only be issued to owners of properties, as evidenced on the recorded deed for the property, who are also one of the following:
  - (1) A natural person;
  - (2) A trust, if the beneficiary of the trust is a natural person; or
  - (3) A business entity legally registered with the Colorado Secretary of State to conduct business in the State of Colorado.
- (c) Upon approval of a Short-Term Rental Business License pursuant to this Chapter, the City shall issue a Short-Term Rental Business License number specific to the subject property and the applicant/licensee.
- (d) Short-term rental businesses shall include their Short-Term Rental Business License number in the title of the listing for all public advertising, including but not limited to webhosting services.
- (e) Applications for a Short-Term Rental Business License shall be submitted on a form provided by the City, and the City shall accept no incomplete applications. Applications shall include all information required on the application form and related materials.

- (f) The name of the Short-Term Rental Business License applicant must match either the name of the owner on the deed for the property, the name beneficiary of the trust owning the property, or the name of the person controlling the corporate ownership of the property. The applicant shall submit to the City a copy of the recorded deed, showing the recording data with the Teller County Clerk and Recorder. The applicant must possess at least a fifty percent (50%) fee simple ownership interest in the property.
- (g) Established Cap: The maximum number of short-term rentals units within the SR, UR, MFS, MFU, MHP and PUD zoning districts shall not exceed the established cap, or applicable percentage, of the total number of residential dwelling units within in such zoning districts. The established cap in those districts shall be as follows: SR – 4%; UR – 8%; PUD – 4%; MFS – 2%; MFU – 4%; and MHP – 2%. The City of Woodland Park Short-Term Rental Unit Inventory is a running tally the number of licensed short-term rental units, which will be kept in the City Planning Department office, and open and available for public inspection during business hours. This number shall be based on the survey of all existing dwelling units located within each of the in the SR, UR, MFS, MFU, MHP and PUD zoning districts completed in the most recent calendar year, with the addition of new residential dwelling unit (with a certificate of occupancy) totals each year, added in December. No caps or maximum number of Short-Term Rental Business Licensees shall be applicable within the NC, CC, SC and CBD zoning districts. Short-term rentals are prohibited within the remaining AG, P/SPL and HSCLI zoning districts.
- (h) In the event the maximum number of licensed short-term rental units has been met, no new applications for short-term rentals will be accepted. A City of Woodland Park Short-Term Rental Business License Application Waiting List for short-term rental units in the SR, UR, MFS, MFU, MHP and PUD zoning districts shall be annually prepared and maintained by the City Planning Department. New Short-Term Rental Business Licenses, once available, will be processed and issued based on the ability of the applicant to comply with all applicable conditions and requirements in this Chapter 5.22 and within Title 18, as indicated within the Waiting List.
- (i) Short-term rental businesses must have a designated local contact person for each short-term rental unit who shall be responsible for ensuring compliance with provisions of this Code including, but not limited to, removal of snow and ice, trash and refuse removal, and other property maintenance requirements and Good Neighbor Guidelines established by the City Manager and/or their designee(s) and updated from time to time. The local contact person must be available twenty-four (24) hours per day, seven (7) days per week for the purpose of:
  - (1) responding within sixty (60) minutes to property code violations and/or complaints regarding the condition, operation, or conduct of occupants of the short-term rental unit and
  - (2) taking remedial action to resolve such violations and/or complaints.
- (j) Short-term rental businesses shall comply with all requirements and guidelines, as listed on the Short-Term Rental Business License and the application materials at all times.
- (k) The following units, structures or uses shall be prohibited from operating short-term rental businesses or from receiving Short-Term Rental Business Licenses: accessory dwelling units (ADUs), rental apartment units, apartment buildings, dormitories, bed and breakfast establishments, campgrounds, RV parks, hotels, motels, mobile homes, and recreational vehicles

(RVs) which include all vehicles that bear a vehicle identification number (VIN), tents, teepees, campers and other temporary structures.

(l) A maximum of one (1) short-term rental unit is permitted per five hundred (500) foot radius of another short-term rental unit in the SR, UR and PUD zoning districts.

(m) Each short-term rental unit shall provide, at the time of application and renewal, a delineated off-street or off-right-of-way parking plan for guests' cars, which provides for parking for all users of the rental space including owners.

#### **5.22.030 - Application, issuance and renewals.**

- (a) Any person desiring a license to engage in and operate a short-term rental business shall apply to the City, on application forms provided by the City. New Short-Term Rental Business License applications must be submitted at least thirty (30) days prior to the date of the intended use and no advertising of the property as a short-term rental unit prior to issuance of a Short-Term Rental Business License is permitted. Short-Term Rental Business Licenses shall be issued and valid for one calendar year, from January 1 through December 31, and shall expire within the calendar year for which it was issued. New Short-Term Rental Business License application fees shall not be pro-rated or reduced.
- (b) The City may issue a new Short-Term Rental Business License upon all the following conditions:
  - (1) The applicant has submitted a complete application form and provided all required information regarding both the short-term rental unit and business.
  - (2) The applicant has paid the appropriate fee(s) established by the City Council, and has paid all taxes and fees owed to the City, including those related to other properties and/or businesses and purposes within the City.
  - (3) All applicable requirements in Section 5.22.020 and Section 18.78.050 are met, and all applicable application documentation has been provided.
  - (4) There are no current or pending violations of the provisions of this Chapter, this Title, Title 18, this Code, or of any law, or regulation pertaining to the requirements of the application, or at the short-term rental unit property.
- (c) The City shall require the annual renewal of a Short-Term Rental Business License upon all the following conditions:
  - (1) The applicant has submitted a complete renewal application form and provided all required information regarding both the short-term rental business and the unit.
  - (2) The applicant has paid the appropriate renewal fee(s) established by the City Council, and all applicable taxes throughout the previous year, including sales and lodging tax, and has paid all taxes and fees owed to the City, including those related to other properties and purposes within the City.

- (3) There are no outstanding health and safety violations on the property that are related to the short-term rental unit, or any other application requirements set by the City, or any violations of Title 15 of this Code as it relates to habitability.
- (4) Within the last twelve (12) there has been no more than one violation of the provisions of this Chapter, this Title, Title 18, this Code, or of any law, or regulation pertaining to the requirements of the application, or at the short-term rental unit property, or of any of the terms pertaining to the Short-Term Rental Business License over the past year.
- (5) Within the last twelve (12) months, there have been no more than one violation of any of the Short-Term Rental Business License or application requirements or there have been no more than one violation of the Good Neighbor Guidelines listed on the Short-Term Rental Business License or application materials created by the City Manager and their designee(s) and updated from time to time.
- (6) All applicable requirements in Section 5.22.020 are met.
- (d) It is the duty of each short-term rental business licensee to ensure that all of the information provided in a Short-Term Rental Business License application is kept up to date at all times, and it shall be unlawful for a short-term rental business licensee to fail to provide updated information to the City within thirty (30) days after the date upon which any information provided is no longer accurate.
- (e) No Short-Term Rental Business License issued under this Chapter shall be transferable and no license is valid as to any person or entity other than the person or entity named thereon and only for the real property identified on the license.

#### **5.22.040 - Revocation and suspension.**

Any Short-Term Rental Business License issued pursuant to this Chapter may be suspended or revoked by the City Council, after conducting a public hearing, upon ten (10) days' written notice via United States Postal Service to the short-term rental business licensee, stating the contemplated action and, in general, the grounds therefor, and after a reasonable opportunity for the licensee to be heard, for any of the following reasons:

- (a) Failure to pay the lodging tax pursuant to this Chapter 3.38 of this Code, or any other tax, such as sales tax, or the annual license fee established by the City Council.
- (b) False statement of material fact contained in the application;
- (c) Failure to file any report or provide or furnish any other information that may be required by the provisions relating to this Chapter;
- (d) If any fact or condition exists which, if it had existed or had been known to exist at the time of the application for such Short-Term Rental Business License, would have warranted the refusal of the issuance of such Short-Term Rental Business License; or
- (e) Violation of any provisions of this Chapter, or of any law or regulation pertaining to the requirements of the application, or at the property, or of any of the terms pertaining to the Short-Term Rental Business License, including any of the requirements and Good Neighbor Guidelines listed on the Short-Term Rental

Business License or application materials created by the City Manager and their designee(s) and updated from time to time.

#### 5.22.050 - Penalties.

In addition to any other remedies available at law or equity, engaging in a short-term rental business or renting short-term rental unit within the City without a Short-Term Rental Business License shall subject the property owner to a fine in an amount to be established by resolution of the City Council, as may be amended from time to time, and with a graduated financial penalty with each subsequent violation, and as provided in Chapter 1.04 this Code, or a denial of a license altogether.

**Section 3.** A new section 18.06.480, regarding the definition of Short-term rental business, is hereby added to read as follows:

#### 18.06.480 – Short-term rental business.

“Short-term rental business” means the occupation of leasing or renting one (1) or more short-term rental units.

**Section 4.** A new section 18.06.481, regarding the definition of Short-term rental business, is hereby added to read as follows:

#### 18.06.481 – Short-term rental unit.

“Short-term rental unit” means a residential dwelling unit that is rented or used for furnishing lodging accommodation and occupancy for any period less than thirty (30) consecutive days.

**Section 5.** Section 18.09.090 of the Woodland Park Municipal Code, concerning the Table of permitted uses for business, industrial and residential districts is hereby amended to read as follows:

#### 18.09.090 - Table of uses.

Table of Permitted Uses													
USE KEY: P = Permitted Use, C = Conditional Use, PC = Permitted Conditionally													
Permitted Uses	SR	UR	MFS	MFU	MHP	AG	P/SPL	NC	CC	SC	CBD	HSC LI	PUD
...													
L. Lodgings.													
...													
<b><u>4. Short-term rental units in</u></b>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>			<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>		<u>PC</u>

<u>accordance</u> <u>with</u> <u>Chapter</u> <u>5.22 and</u> <u>Section</u> <u>18.78.050</u>													
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**Section 6.** A new section 18.78.050, concerning Short-Term Rentals, is hereby added to Chapter 18.78, Supplemental Regulations, of the Woodland Park Municipal Code to read as follows:

**Sec. 18.78.050 – Short-Term Rental Units.**

Short-term rental units shall be subject to the following regulations, provisions and standards:

(a) Licensing requirements

- (1) All short-term rental units shall comply with Chapter 5.22 of the Woodland Park Municipal Code, which establishes conditions under which a property owner may apply for a Short-Term Rental Business License.

(b) Short-Term Rental Unit Standards. The following standards shall apply to all short-term rental units within the City:

- (1) Short-term rental units are not permitted in a rental apartment unit or apartment building at any time in any zoning district.
- (2) Short-term rentals are not permitted in accessory dwelling units (ADUs), bed and breakfast establishments, dormitories, campgrounds, RV parks, hotels, motels, mobile homes, and recreational vehicles (RVs) which include all vehicles that bear a vehicle identification number (VIN), tents, teepees, campers and other temporary structures at any time in any zoning district.
- (3) No short-term rental shall be operated in such a way as to constitute a nuisance.
- (4) The maximum number of occupants permitted in a short-term rental shall be established at the time of initial licensing.
- (5) Large events, such as concerts, parties and weddings, are prohibited.
- (6) The designated parking for vehicles of short-term rental unit guests shall be addressed at the Short-Term Rental License application and licensing stage, and shall meet the off-street parking standards for that particular unit.

**Section 7.** *Current Business Licensees Operating Short-Term Rental Businesses.* For the first two months after the effective date of this Ordinance, if the number of Short-Term Rental Business License applications submitted exceed the cap imposed by the Ordinance, the City shall process short-term rental Short-Term Rental Business License first, before processing subsequent Short-Term Rental Business License applications.

**Section 8.** *2022 Application and Fees.* Notwithstanding the requirements of new Code section 5.22.030(a), Short-Term Rental Business License granted, and application fees paid, within the year 2022 shall be effective until and through December 31, 2023.

**Section 9.** *Severability.* The provisions of this ordinance are severable and the

invalidity of any section, phrase, clause, or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

**Section 10.** *Effective Date.* This Ordinance shall be in full force and effect from and after its publication as required.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING FOLLOWING PUBLIC HEARING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

City of Woodland Park

\_\_\_\_\_  
Hilary LaBarre, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk, Suzanne Leclercq

**From:** [REDACTED]  
**To:** [Town Clerk](#)  
**Subject:** Short Term Rental Draft Ordinance Review Comments  
**Date:** Friday, September 23, 2022 11:11:31 PM

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Hello Town of GMFs

Here's my comments on the Draft Short Term Rental Ordinance(below).

Thanks for everything that Town staff, elected officials and volunteers continue to do to make our Town a great overall place for homeowners, businesses and visitors. I especially appreciate the great progress that the fire mitigation team has made. I also appreciate the Town supporting the great things that Green Box and the Historic Green Mountain Falls Foundation does for the arts, along with the enhancement and preservation of our Town's unique qualities. Great job pursuing and getting grants for our community too. The new Fire Dept and Town Hall were essential and well done additions to our community.

[REDACTED] and I enjoy being able to continue sharing the Mariposa with guests who enjoy and respect all the awesome things about our Town and our cozy rustic cabin that what we do. The thoughtful words that our guests have written in our guest books over the past 23 years have provided us with a smiles, laughs, and joyful tears. Just like Green Mountain Fall's guests in its early years, this is the first Colorado mountain visit for many of our guests. Some of our other guests stayed in Green Mountain Falls when they were children. We have had two guests write books while staying at the cabin. Guests celebrate anniversaries, birthdays and life. Other guests arrive as newly married couples then return a few years later with a couple kids.

Sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

My general overall comments:

1. Any ordinances established related to trash, parking, property inspections, arrival hours/curfews, pets, safety requirements, referenced building code compliance requirements, septic requirements, smoking, legal marijuana use,... and noise should be the same for all homeowners (short term rental homeowners, full time resident homeowners, seasonal resident homeowners, and longer term rental homeowners). Fines for violating Town ordinances should be equal for all homeowners.
2. Consider the RISK versus the overall BENEFITS realized when implementing an ordinance. The RISK could be considered the probability of a property owner and Town issue occurring multiplied by the consequence of the issue. The overall BENEFITS realized could be considered the probability of an ordinance avoiding the issue multiplied by the how much avoiding the issue benefits our community minus resource impacts (administrative, legal and other costs along with lost revenue). Establishing an ordinance to help avoid a systemic recurring issue



that has major impacts on our entire community probably makes sense. Establishing an ordinance to address issues with special causes which have minimal impacts on our overall community may not be the best option. Looks like the Town continues to do a good job of eliminating any redundant or conflicting ordinances.

- Sec. 5-137. License application; procedure; appeals.

Paragraph

My Comment: Please consider referencing the ordinance and streamlined process for license renewals in Section 5-139.

- Para a. (4) Parking.

There's a comment on the draft "parking plan that allows for the minimum ROW width (verified with Chief Murphy) before on street parking would be allowed. Per Chief Murphy: "IFC requires 20' unobstructed roadways, excluding shoulders. We would prefer not to allow parking in the ROW since our roads are narrow as it is."

My Comment: Many of the towns original cabins, including our Mariposa Cabin at 6805 Colorado Street, do not have sufficient space or terrain for any off street parking. Adding off street parking on the side of mountain could create additional stormwater runoff challenges too. Please consider working with these property owners to identify street side parking options or other nearby parking options for at least one larger vehicle or two smaller vehicles. Any on street parking restrictions should be applicable to all property owners, not just short term property owners. If these proposed STR licenses are not approved because of parking, these home will often become full time owner occupied residents or long term rental properties, which will often have two vehicles in the street side parking. We close and winterize the Mariposa Cabin from about 15 Nov through 15 Apr every year; we do not have vehicles parked on the street during these months.

- Para a. (5) Evidence of property and liability insurance;

Comment included with draft "Should a "type" of insurance be specified? Ie. "Commercial general liability" vs. standard residential home insurance policy – or any level of insurance coverage?"

My Comment: Consider researching the Town's and neighboring property owner's risks associated with STRs having insufficient property and liability insurance to determine the necessity of this proof of insurance requirement. We worked with our Farmer's agent to assure that we sufficient insurance for our STR through Foremost. <https://www.investopedia.com/best-short-term-rental-insurance-5087294>

- Para d. Comment included with draft "Would it make sense for the Board to review applications for approval

so that the decision isn't all on one person (Manager)?"

My comment: At a minimum, consider allowing the Town Manager to review and approve/deny license renewals. Property owners could still file an appeal to the Board as specified in Para e.

- Sec. 5-138. Licensing requirements; operating standards.

My Comment: Please consider reduced inspection frequencies (every 3-5 years) for license renewals that have had no violations that would warrant an inspection during the past year's license dates. There should be field training and procedures/checklists for inspectors. If the Town decides to inspect STRs, then inspection criteria and frequencies should be established for all property owners; not just STRs.

Para b. (3) The licensed premises must use wildlife-proof or wildlife[1]resistant refuse containers as required by Section 6-33.

My comment. Change to specify that any "trash placed outside must be placed in a wildlife-proof or wildlife resistant refuse containers as required by Section 6-33". To avoid wildlife trash issues, we require our STR guests to keep their trash inside the cabin in a closed trash container. I haul off the inside trash after the guest checks out of the cabin. During longer stays I pick up the trash at least once a week or sooner if needed.

**From:** [REDACTED]  
**To:** [Town Clerk](#)  
**Subject:** Short term rental comment  
**Date:** Tuesday, September 27, 2022 8:31:13 PM

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To Mayor Dixon and Board,

I appreciated you posting the working draft online so we who have homes in GMF can comment. I listened to your discussion a while back on attempting to keep living costs for our community at a reasonable level to accommodate our town workers and staff having affordable housing. Thank you for continuing to consider our whole population.

A simple comment or question I have after reading the draft is how to mitigate certain enterprises or individuals from having a monopoly on these STR licenses. Is there a limit to the number a certain individual or business can hold at a given time?! I would hope so, as I can imagine some folks may turn to STR options in economic downturns and so not all 60 licenses should be held by only 10 people or businesses. Perhaps our town workers may want to use a portion of their home or property as an Airbnb to help make ends meet for a couple winter months or something - I just think we need to consider again the whole population and needs so there isn't monopolization as we hope to better regulate these concerns. FYI - we are happy not to rent our place and just interested in the best interests long term of our community!

Thank you for your time,

[REDACTED]

Sent from my iPhone



# CITY OF BIG BEAR LAKE *California*

If you are having your guests sign the Good Neighbor Policy electronically as part of your check-in process, you must include the following content verbatim. You also must be able to email or text a copy of this to a Compliance Officer when requested.

## **Do not exceed the occupancy limit**

Do not exceed the stated occupancy at any time during your stay. The maximum number of adult occupants may be less than the total maximum occupancy. **NO PARTIES ALLOWED.**

## **No parking in street or yard**

Parking is only permitted in the driveway, designated parking spaces, and garage. This includes trailers. The maximum number of vehicles permitted is on the exterior sign.

## **No amplified music 24/7**

Amplified music is not permitted to be heard beyond the property line 24/7. Close your windows to avoid music carrying beyond the property line.

## **Head inside at 10:00 p.m.**

Noisy outdoor activities and spa use are prohibited from 10:00 p.m. – 7:00 a.m.

## **Take your furry friend with you**

Take your dog with you so they do not disturb surrounding neighbors. You will find that Big Bear Lake is very dog-friendly!

**The Big Bear House offers to its guest a pet free environment and does not allow pets of any kind. Guests bringing a pet will be required to leave.**

## **Take trash to dumpster locations**

Trash needs to be taken to a local dumpsite. Clean Bear locations:  
41790 Garstin Drive & 39690 Big Bear Blvd.

**Trash removal at The Big Bear House is complementary and part of our personal services.**

## **Fines**

The minimum fine for violating the rules stated previously is **\$500 per violation**. A second offense is **\$1000 per violation**.

## **Eviction**

Unruly guests who blatantly disregard the rules and expectations will be evicted without a refund. In addition, costly citations may be issued to the undersigned.

**From:** [REDACTED]  
**To:** [Nate Scott](#)  
**Subject:** Vacation Rentals  
**Date:** Friday, July 15, 2022 8:34:11 AM  
**Attachments:** [Good Neighbor Policy.docx.pdf](#)

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Good Morning Nate

I have been following some of the short term rental issues. If possible I would like to get involved. I have been in the vacation rental world since 2005, almost the beginning of the industry and currently dealing with three different jurisdictions. I believe I could be helpful.

The California Beach house and two mountain houses I manage require initial inspections and annual re-inspections. A good idea but expensive to administer and I would guess beyond GMF capability.

The mountain houses I manage are at Big Bear Lake, a mountain town two hours from Los Angeles that is fully dependent on tourism and about the size of Woodland Park. With the recent growth in short term rentals they have had significant issues which they have created new city ordinances to manage. Stiff fines and the ability to instantly evict guests gives the ordinances teeth. They have a good neighbor policy that they require all guests to sign. I think it is a good idea and some version could work for GMF. See attached

There are two factors that I think are important when dealing with short term rentals in GMF. GMF is a vacation town, not a suburb of Colorado Springs. Its beauty and simplicity is a magnet for visitors and tourist's. Vacation rental guests want the same things as residents, mountain beauty and solitude with no traffic.

[REDACTED]

**From:** [REDACTED]  
**Subject:** Short term rentals  
**Date:** Tuesday, July 26, 2022 9:37:03 AM

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The issues with short term rentals are growing in many communities at an alarming rate. Investors are purchasing homes in desirable areas because the potential return on investment is so attractive. Green Mountain Falls needs to get out in front of this problem before it becomes unmanageable. The permanent residents of our town deserve to retain their quality of life.

A great start would be to determine how many properties are being used as short term rentals. I understand we have a limit of 60 and suspect the number already exceeds that. Those that are under the radar are denying the town of license revenue and probably violating some statute. We now have law enforcement and they should be able to assist with this.

It has been suggested that a list of rules be furnished to each VRBO owner. That list should include at least the following;

- A. The latest permissible arrival time so that vehicle lights aren't awaking residents at late hours. Appropriate parking should be in here as well.
- B. Noise and light restrictions that protect residents from irresponsible behavior. Late night parties, yelling and children on roofs are in this group. Yes, we have experienced all of these and have been threatened by some VRBO guests. This is not acceptable!
- C. Reasonable limits of how many occupants can be in the property.
- D. A notice that law enforcement will be called when needed.

There needs to be a mechanism in place to sanction properties that cause repeated problems. There should be a limit to how many problems on a VRBO are reported in a given period of time and all residents should know how to make such a report. An appropriate response could be suspension or revocation of the STR license.

Why should Green Mountain Falls be proactive with this issue? In some communities this problem has become so bad that permanent residents have taken legal action against the municipality. We certainly don't want that here, but the town does have a responsibility to protect the quality of life for those of us who live here. This appears to be an area that has been ignored by previous administrations but I am hopeful our new management team will start a process to deal with these problems. Thank you for your consideration.

[REDACTED]

Sent from my iPhone

from :

To Green Mountain Falls <clerk@gmfco.us>

re : my observations for short term rentals, town policies

<<https://greenmountainfalls.colorado.gov/sites/greenmountainfalls/files/documents/Short-Term%20Rental%20Amendment-090122%20KV%20NS%20BF%20Notes.pdf>>

I agree with the Board of Trustees' initiative to repeal the existing short-term rental requirements and regulations.

But I propose that the Board should **not** reenact any such rental licensing, however modified by any new policies. I voice my objections to the Town's licensing of any whole-residential private commercial short term rentals, as described in the above-referenced Town document. No SRTs should be permitted to operate in the Town.

I agree with the draft's red-typeface suggestion that the Town should not establish any policy requirements for property owners :

quote : "who are only renting a portion of their  
property (and) who (themselves) remain on site ..." : unquote.

It is not the Town's nor anybody else's business to know or consider, whomever else I might Invite (whether for monetary compensation or not) to reside together with me on my own property, for whatever term of time.

It is simplistic to even suggest that the Town has always functioned as a short-term touristic destination (ever since the Town's founding in the 1880-s purportedly as a "tourist town") and that the Town now similarly offers temporary lodging to the short-time visitors through the auspices of the short term rental (STR) system, and that the SRT system somehow lends continuity to some sort of longtime historical precedent here. Such a formula disregards the Town's original historical conditions which formerly used to support the old tourism practices.

Hordes of visiting Midwesterners used to arrive into town for summertime recreational pursuits by taking the historical mass transit mode of the Colorado Midland Railway (long-since discontinued and demolished.) The old-time tourists had not come in by driving their personal vehicles – passenger cars, SUV-s and trucks, not to mention their riding in via the occasional commercial bus. The old-time train passengers used to commute through the town streets by hiring rides on domesticated burros, not by driving their own vehicles. Historically a typical overnight accommodation used to comprise a flimsy canvas tent mounted upon a flattened platform, if not a room reserved in one of the few grand hotels. It was not customary for the Town’s home-owners, whether they themselves were full-time or only summertime residents, to rent out their residential sites to temporarily visiting strangers, with no constant on-site supervision.

Today’s visitors to Green Mountain Falls come by driving their own passenger cars, a problematic mode of conveyance for the town. Visitors’ cars require parking spaces, a need that competes with our residential towns-peoples’ requirements for ever more parking accommodations at our space-limited (grandfathered) land parcels (some platted as early as 1888 well before the widespread use of personal transport by car.) Typically the town’s residential parcels already do not provide sufficient vehicle access and parking spaces to accommodate all of the land owner’s full-time house residents’ personal vehicles, considering our modern way of life that demands free vehicle-assisted mobility for family members of all (legal-driving) ages. The driving habits of newcomers and temporary overnight lodgers often endangers the town’s local vehicle traffic, especially when running up and down the town’s steep mountain slopes. Visiting drivers often demonstrate a lack of understanding of the mandated traffic rules of the road that apply to sharing the town’s narrow steep public ways, many of which remain unpaved and have indistinct roadway widths. Out roads are further complicated by conflicts at intersections with the vehicle exit points from the town parcels’ private driveways (most of which are not professionally engineered to be considered safe, formally surveyed, mapped, and officially recorded for archiving at the county (El Paso or Teller) clerk and recorders’ office.)

For any on-street parking allowances, please note that the proposed policy’s provisional observation that :

quote “IFC requires 20' unobstructed roadways,  
excluding shoulders” : unquote



fails to consider that the public roads' Right of Way shoulders are not clearly evident on the ground, especially at the un-paved gravel roads, and that no required measurement for the "park-able" width has been determined for any such shoulder spaces.

Regarding the item :

quote : (c) Before issuing a short-term rental license, the applicant shall notify the Town Marshal and all owners of real property within 150 feet of the proposed short-term rental property ... : unquote,  
please state the length of time before the issuing of the rental license, when the nearby neighbors must be advised of any live SRT application.

Further to the item :

quote : Send out application form (shows # of beds, parking spaces, max. occupancy, contact info) along with this letter? : unquote  
please also request the property owner to provide data on the occupant capacity that may be allowable as based on their parcel's sanitary (septic) infrastructure, such as the numbers of full bathrooms (toilets) and also data on the sewerage system's capacity as based on the number of bedrooms in the residential structure's floorplans.

Thanks for the Board's kind consideration, to amend the proposed SRT policy.  
(signed electronically)

██████████ dated September 9, 2022.

**From:** [REDACTED]  
**Subject:** feedback to clerk@gmfco.us : short term rentals green mtn falls  
**Date:** Friday, September 9, 2022 2:12:06 PM  
**Attachments:** [GMF\\_shortTermRental\\_comments\\_PropertyOwnerDrBOUGHAN\\_2022Sept9\\_PDF.pdf](#)

---

subject "feedback to [clerk@gmfco.us](mailto:clerk@gmfco.us) : short term rentals green mtn falls"

22Sept9

Hi Town clerk -

For ease of reading my comments on the SRT policy proposals, you might find it easier to open and read the PDF version of the email letter, see the attached PDF file :

| GMF\_shortTermRental\_comments\_PropertyOwner [REDACTED]

My proposal (in Microsoft Word format) follows here-below.

Sincerely,

[REDACTED]  
see attached PDF, for easy reading

from :

To Green Mountain Falls <[clerk@gmfco.us](mailto:clerk@gmfco.us)>

re : my observations for short term rentals, Town policies

<<https://greenmountainfalls.colorado.gov/sites/greenmountainfalls/files/documents/Short-Term%20Rental%20Amendment-O90122%20KV%20NS%20BF%20Notes.pdf>>

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Further to the item :

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please also request the property owner to provide data on the occupant capacity that may be allowable as based on their parcel's sanitary (septic) infrastructure, such as the numbers of full bathrooms (toilets) and also data on the sewerage system's capacity as based on the number of bedrooms in the residential structure's floorplans.

Thanks for the Board's kind consideration, to amend the proposed SRT policy.

(signed electronically)

 dated September 9, 2022.

**From:** [REDACTED]  
**To:** [Town Clerk](#)  
**Subject:** Re: GMF - Short Term Rental Meeting  
**Date:** Wednesday, July 20, 2022 9:25:49 AM

---

I have traveled every year to this town since I was 5, maybe missing two or three years total. I took advantage of people letting us rent their cabin or use it for next to nothing. This is where I want to retire, but I need to be able to rent the cabin I buy to off-set some of the cost. This town provided so many memories for me, that it seems a shame to limit the amount of rentals in the town.

1- I don't think the applications for STR should be limited. I think it should be based on the individual not the location.

The application should be to the company or individual. IE the duplex should be one license for the company not 8 separate license. IE, I have a business license for STR, if I add a property it simply falls under that business license.

2- You should be able to get a license without a property, so a person can comfortably purchase a property knowing they have a license.

Thanks,

[REDACTED]

On Wednesday, July 20, 2022 at 10:20:09 AM CDT, Town Clerk <[clerk@gmfco.us](mailto:clerk@gmfco.us)> wrote:

No, due to challenges with audio down at the Sallie Bush meeting. Please submit any recommendations or concerns via email to me and I will log them in our notes.

Thanks,

Nate Scott

Clerk/Treasurer/Planner

Town of Green Mountain Falls

PO Box 524, Green Mountain Falls, CO 80819

719-684-9414 x1

<https://greenmountainfalls.colorado.gov/>

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## Staff suggestions:

“use it or lose it” – if no quarterly tax is filled out for X months, the license is revoked (with warning?)

- don't want people hanging on to licenses without using them. Way to revoke an “unused” license. Better for the town in theory to bring on another person from the waiting list who will generate revenue for the town.
- This prevents people from holding on to a license without generating revenue with it

Specs for house rules, DETAILED parking plan – supported by code - # of spots per bedroom or whatever

Other ways to prove sales tax being paid (AirBnb-only places have taxes paid for them). Per a recent applicant, Jordy Berson, when he called the state on 4/20/22 they said the license isn't necessary since AirBnB and VRBO both remit taxes to the state on the property's behalf. So perhaps this requirement could be modified?

Including contact info on initial neighbor letter, having it public in case of complaints (phone book of property managers)

Annual or bi-annual inspections (whatever the renewal interval is)

Mayor list, examples:

- density requirements (ex. two houses on one parcel is an issue here)
  - official signs which identify the property on the outside
  - packet of required info: wildfire information, other rule like town quiet hours, no parties, other rules that match town code
  - Tiers of properties – owner-occupied or in-town owner vs. non-resident owner; or seasonal rentals vs. year-round rentals; or tier 1 vs. tier 2, discerned by total number of days allowed for rent per year
- STR guidance:
    - More clarity on waiting list considerations – pay whole fee or a deposit that goes towards app fee?
    - If a property is not ready due to renovations, can they still apply and receive an active license?
    - Local agent – do agencies like Vacasa fit this description? They don't have local people...
    - Enforcement – no guidance for how long a fix is needed after warning (ie. building repairs/renovations, missing tax remittance, renewal documents, or local agent)
  - Septic systems – require adequate space as part of development. (from Comp plan, page 47)
  - limit how many any one person/company can own

Archuleta County

STR – 800 total – of those 500 are permitted

70% of owners live outside of county/state

2018 – started with minimal standards

Used complaints, manual searches to ID properties

GovOS implemented in April 2020

- Updated land use regulations with requirements (ex. Permit doesn't follow sale)
- Changed to permit/renew by application date – instead of prorating
- 2<sup>nd</sup> letter warned of a \$100/day fine after 1<sup>st</sup> letter was sent to get into compliance
- Created a "Stop Use" sign if they don't comply – posted at property
- Notification letter includes contact number for complaint/problem purposes
  - o Proof of notification – not certified mail – from post office
- Parking – one spot off the road for each bedroom
- Water treatment = septic inspection or utility bill (proof of sewer connection)
- Fee different for owner-occupied vs. not (no one lives onsite when guests are there) – latter is \$700/year
- If owner doesn't renew on time, there is no grace period – have to go by any new rules
  - o "after the fact" permit = double the permitting fees
  - o If operated without a permit for x amount of days

CO Supreme Court – ruled STRs as a residential use, not a commercial use

Her job and priority is to "consider the welfare of the residents of the county", they have neighborhoods that aren't neighborhoods any more – up to 70% STRs in certain areas.

**Welcome to Archuleta County's new online permitting system!**

***\*Due to the recent fee schedule change, everyone will be required to complete this application process. Unfortunately, this means that some of you will have to repeat some steps you have already completed. However, these steps are somewhat modified, so you must review each step carefully, because the steps have changed, and if you don't follow the instructions properly, you will be required to re-do that step which will delay your permit approval.***

You will be required to complete the following steps to receive your permit:

1. Enter Contact information
2. Upload the Ownership Deed for your home
3. Upload Proof of Ownership documents
4. Upload Proof of Notification
5. Upload Agent Authorization documents
6. Upload Sales Tax Documentation
7. Upload Proof of Property Taxes paid
8. Upload Parking Plan Site Map
9. Upload Water Treatment Documentation
10. Upload Rules for Renters for Review
11. Upload Copies of Advertisements for Review
12. Upload Completed Vacation Rental Property Disclosure Form
13. Pay the appropriate fee

Each step will appear in **blue text** in the **Action Center** under **OPEN TASKS** one at a time and must be completed in order. You will know you have completed all the tasks when you see a message in **red text** indicating the application is being reviewed by the Planning Department.

From Atty Katie Vera:

## **SHORT TERM RENTAL SUGGESTIONS:**

-Parking: one spot on the road for each bedroom

-Density: Can limit the number of licenses granted per zoning district. Cannot choose to restrict by neighborhood and existing approved licenses are allowed to continue operating.

-Applicable local and state taxes are collected and timely remitted for all short-term rentals. Fees for late payment, grounds for suspension or non-renewal based on not paying taxes.

-For ex. Telluride punishes licenses \$1,000 each day they fail to procure required tax or business licenses. Conviction of failing to procure the correct tax and business licenses may also result in a permanent ineligibility to be reissued a license.

-Violation scheme example:

\$250 for first violation

\$500 for second violation and suspension for x months

\$1000 for third violation and suspension for 12 months

-Can impose restrictions on rentals of primary dwellings vs rentals of secondary dwellings. For ex. Limit the amount of days secondary dwellings can be rented (60-90 days)(can also restrict rental based on season) and impose two-night stay minimum.

-Fees: discount given on renewals when no confirmed violations during the license period. Can also impose extra fees based on number of violations during license period.

-Only one licensee can be issued to each person, which includes any legal entities associated with that person, including corporations, estates, associations, etc.

-If a short-term rental unit business licenseholder, or a duly authorized agent of the licenseholder acting on behalf of the same, makes a false, misleading or fraudulent statement in any short-term rental unit business license applications, or has misrepresented a material fact in any short-term rental unit business license applications, can impose mandatory suspension and is grounds for nonrenewal or for not granting a license.

-Can impose mandatory forfeiture of revenues earned illegally from a violation of short term rental unit business license. For ex. If there's a limit on days unit can be rented, Town can collect \$\$ from revenue earned from renting out unit in excess of limit.

-Conviction of nuisance violation or guilty plea to one or more nuisance violations may be grounds for nonrenewal of license.

-There shall be a licensee or emergency contact who is available full time to manage the property during any period which the property is occupied as a short-term rental. The licensee or emergency contact shall be required to acknowledge a concern or complaint within two (2) hours by phone or in person.



From Atty Katie Vera:

May want to require that emergency contact person's number be conspicuously posted or provided to surrounding neighbors.

Posting Requirements:

In the licensed premise, the licensee shall post in a prominent place in the dwelling unit, a notice containing the following:

- Licensee's contact information;
- Emergency contact information if the licensee cannot be reached;
- Information on the Town's garbage and refuse regulation;
- Trash and recycling schedule, if applicable;
- Parking restrictions, if applicable;
- Water restrictions, if applicable;
- Fire restrictions, if applicable;
- Information on the Town's regulations against hunting and feeding wildlife;
- Evacuation directions in the event of fire or emergency;
- Location of the fire extinguisher;
- Town contact information for purposes of complaints concerning the licensed premises (24/7 Dedicated Hotline);
- Any other information deemed necessary by the Town Clerk or Town Manager to ensure the public's health and safety.

**From:** [Becky Frank](#)  
**To:** [Town Clerk](#)  
**Subject:** FW: RE STR amendment  
**Date:** Wednesday, September 28, 2022 12:25:21 PM  
**Attachments:** [\[Revised - Clean\] Rental Licensing-0042117.docx](#)  
[Short Term Rental Amendment-0082622.docx](#)

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**From:** Katharine J. Vera <kjv@hpwclaw.com>  
**Sent:** Friday, August 26, 2022 4:53 PM  
**To:** Town Clerk <clerk@gmfco.us>; Becky Frank <manager@gmfco.us>  
**Subject:** RE STR amendment

Nate and Becky,

Attached please find a draft ordinance amending the STR regulations. This mostly focuses on application and licensing requirements and also on enforcement. (This may need some additional editing and proofing, but wanted to send this over today).

Per the below email, we want to put the limit on license #, parking standards, distance standards (if any), and other standards into the land use code. I think this helps with administration and enforcement and lays out some things that staff will need to put together, which Nate previously laid out in his STR suggestions and notes from the July 26<sup>th</sup> meeting.

I will send you a word doc draft of those standards that we think we may want to consider for the LUC.

As for having a distance requirement, Austin and I discussed and actually if a distance requirement went into place, it would affect licenses upon renewal and limit the licenses that could be renewed. However, it looks like a limitation on licenses in each district was imposed in 2017 and the Town later decided against that scheme in 2018 when they passed the emergency ordinance. There was previously a % of STRs allowed in each district based on how many dwelling units there were in each district. I believe 60 licenses represents 10% of the residences in the Town but that may have changed. Austin mentioned that Manitou Springs at one time imposed the one rental unit per 500 or 1000 sq ft and then when the licenses were up for renewal it meant in practice that only 12 licenses would be allowed in the City.

This may have been a rambling email so please feel free to call or email with questions on Monday.

Best,  
Katie

Katharine J. Vera  
Hoffmann, Parker, Wilson & Carberry, P.C.  
511 16th Street, Suite 610

Denver, CO 80202  
(720) 376-6527

---

**From:** Town Clerk <[clerk@gmfco.us](mailto:clerk@gmfco.us)>  
**Sent:** Friday, August 26, 2022 11:13 AM  
**To:** Katharine J. Vera <[kjv@hpwclaw.com](mailto:kjv@hpwclaw.com)>; Becky Frank <[manager@gmfco.us](mailto:manager@gmfco.us)>  
**Subject:** RE: Re missed calls

I like Austin's suggestion on that – there has been confusion and question to where these standards should exist. I am available this afternoon, not sure Becky is...

As of now, there are 50 active licenses, with three more pending approval, all in residential zoning. And I suspect that eventually we will find more that are operating without license. But I haven't put energy into identifying those, pending the adoption of an enforceable penalty.

---

**From:** Katharine J. Vera <[kjv@hpwclaw.com](mailto:kjv@hpwclaw.com)>  
**Sent:** Friday, August 26, 2022 11:08 AM  
**To:** Town Clerk <[clerk@gmfco.us](mailto:clerk@gmfco.us)>; Becky Frank <[manager@gmfco.us](mailto:manager@gmfco.us)>  
**Subject:** RE: Re missed calls

Okay, and are all 60 currently in use? Are you both available later this afternoon to discuss? I mentioned some of the changes we want to make to Austin and he thinks to the extent that we want to have specific standards imposed on the short term rentals, they need to go into the land use code instead of the municipal code. For example, restricting the units to every 500 ft, imposing parking requirements, and then having a limit on the license number and imposing that limit based on district. He told me he thinks there will be 4 districts.

My thinking is that we can do a draft amendment that changes some of the municipal code terms as to penalties and application requirements and then we can outline proposed changes to the standards imposed on units that will eventually go into the land use code and gather public input on those standards on Tuesday. But ultimately Austin's recommendation is that those standards get adopted directly into the land use code so that there won't have to be confusing cross referencing.

Best,  
Katie

Katharine J. Vera  
Hoffmann, Parker, Wilson & Carberry, P.C.  
511 16th Street, Suite 610  
Denver, CO 80202  
(720) 376-6527

---

**From:** Town Clerk <[clerk@gmfco.us](mailto:clerk@gmfco.us)>  
**Sent:** Friday, August 26, 2022 11:01 AM  
**To:** Katharine J. Vera <[kjv@hpwclaw.com](mailto:kjv@hpwclaw.com)>; Becky Frank <[manager@gmfco.us](mailto:manager@gmfco.us)>  
**Subject:** RE: Re missed calls

The number is currently 60 total. There has been discussion about lowering that and/or not counting licenses in multifamily and/or business zones against the residential total. Regardless of what your draft ordinance looks like, I think there will be a lot of discussion and changes to it...for what it's worth.

Thanks for your work on this!

Nate Scott  
Clerk/Treasurer/Planner  
Town of Green Mountain Falls  
PO Box 524, Green Mountain Falls, CO 80819  
719-684-9414 x1  
<https://greenmountainfalls.colorado.gov/>

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**From:** Katharine J. Vera <[kjv@hpwclaw.com](mailto:kjv@hpwclaw.com)>  
**Sent:** Friday, August 26, 2022 10:58 AM  
**To:** Becky Frank <[manager@gmfco.us](mailto:manager@gmfco.us)>  
**Cc:** Town Clerk <[clerk@gmfco.us](mailto:clerk@gmfco.us)>  
**Subject:** RE: Re missed calls

Becky and Nate, is there a number limit on the number of licenses that we want to impose? I don't remember what the number was.

Best,  
Katie

Katharine J. Vera  
Hoffmann, Parker, Wilson & Carberry, P.C.  
511 16th Street, Suite 610  
Denver, CO 80202  
(720) 376-6527

---

**From:** Becky Frank <[manager@gmfco.us](mailto:manager@gmfco.us)>

adequately designed and engineered in such areas or that the general public will not be required to bear the added construction and operating cost of the extending necessary utilities and services into or through such areas to serve new development. (Ord. 97-01)

#### **Sec. 16-205. Drainage.**

It is the policy of the Town to preserve the integrity of existing and natural drainage patterns in order that the aggregate of future public and private development activities will not cause storm drainage and floodwater patterns to exceed the capacity of natural or constructed drainage ways, to subject other areas to increased potential for damage by flood erosion or sedimentation or to pollute natural streams. To this end, it is the policy of the Town to require future development to provide for structures and/or detention facilities necessary to ensure that the runoff characteristics of a site after development are no more disruptive to natural streams, land uses or drainage systems than are the runoff characteristics calculated for its natural site. (Ord. 97-01)

from fire. (Ord. 97-01)

#### **Sec. 16-208. Water resource impacts.**

It is the policy of the Town to preserve and protect its present water resources. To this end, it is the policy of the Town that no land use be initiated which would adversely affect the quantity, quality or accessibility of the Town's water resources. (Ord. 97-01)

Current code re: Septic

#### **Sec. 16-209. Sewage treatment and collection.**

It is the policy of the Town to ensure that land is not committed to any use and that no use is initiated without adequate evidence that facilities to collect, treat and dispose of anticipated types and quantities of waste water are available or can and will be provided with suitable capacity, quality of discharge, suitable point of discharge and dependability, and that any such proposed system is financially feasible considering a reasonable tax base and other legal criteria. (Ord. 97-01)

#### **Sec. 16-210. Logical extension of utilities.**