



Town of Green Mountain Falls

Board of Trustees Regular Meeting Agenda

10615 Green Mountain Falls Road
Green Mountain Falls, CO 80819

Public Work Session prior to meeting at 5:30 pm

Tuesday, February 7, 2023, at 7:00pm

In-person* or via Zoom**

<https://us02web.zoom.us/j/89758781698?pwd=ZlZPb3oyYk50dDlnZkVjdXlKQjJJUT09>

Meeting ID: 897 5878 1698

Passcode: 864829

Dial-in: 17193594580

REGULAR MEETING:

| TIME: | | ITEM | DESIRED OUTCOME |
|--------|-----|---|---------------------------|
| 5:30pm | | Work Session: Financial Resiliency Workshop- Colorado Department of Local Affairs | Information Only |
| 7:00pm | 1. | CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE/Tech Check | |
| | 2. | ADDITIONS, DELETIONS, OR CORRECTION TO THE AGENDA | BOT Action Desired |
| | 3. | PUBLIC COMMENT: 3 MINUTES PER SPEAKER | Public Comment |
| | 4. | CONSENT AGENDA: a. Minutes from 01/17/2023, Board of Trustees Meeting | BOT Action Desired |
| | 5. | PUBLIC HEARING: Application 20230110 – Carport Construction with Variances – 10775 Belvidere Ave. | BOT Action Desired |
| | 6. | A. GovPro -Judy Egbert Training Contract B. GovPro Resume C. GovPro Cover Letter D. GovPro References | BOT Action Desired |
| | 7. | A. Memo of Understanding between CU Denver and GMF regarding pool study B. CU Denver Scope of Services Letter | BOT Action Desired |
| | 8. | Resolution 2023-03: Appointment to committees, commissions and outside agencies | BOT Action Desired |
| | 9. | REPORTS A. Trustees B. Committees C. Staff | Information Only |
| | 10. | CORRESPONDENCE A. Olathe Street Correspondence B. Legal Memo: HB 22-1362: Energy Code Updates | Information Only |
| | 11. | An executive session to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), concerning a service contract for Town facilities | Information Only |
| | 12. | ADJOURN | |

*The Town shall provide reasonable accommodation for those with disabilities on a case-by-case basis. Please send accommodation requests to clerk@gmfcu.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.



Colorado Department of Local Affairs

Financial Resiliency Workshop
Green Mountain Falls, Colorado
February 7, 2023



COLORADO
Department of Local Affairs

DOLA Regional Manager

Todd Leopold, Central Regional Manager

todd.leopold@state.co.us

303-916-1722



Division of Local Government (DLG)



Provides strategic expertise, advocacy, and funding to strengthen Colorado. The Division promotes local problem solving, informs decision making, and invests in communities.

What is Financial Sustainability?

Financial Analysis

Financial Strategies

Next Steps



Financial Sustainability

“the long-run capability of a government to consistently meet its financial responsibilities”

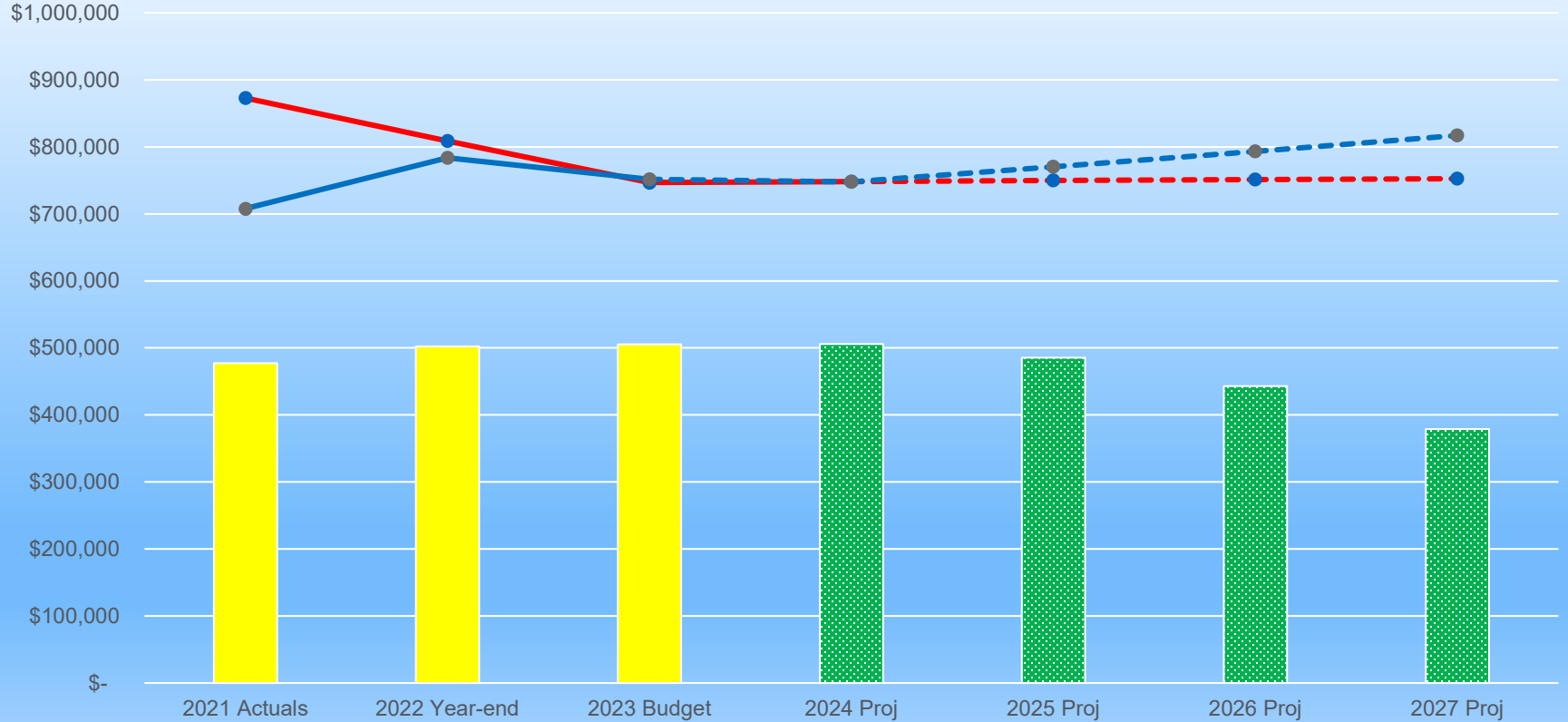


Organizational Financial Assessment

General Fund Capital Improvement Fund Financial Review



General Fund



General Fund Budget Highlights

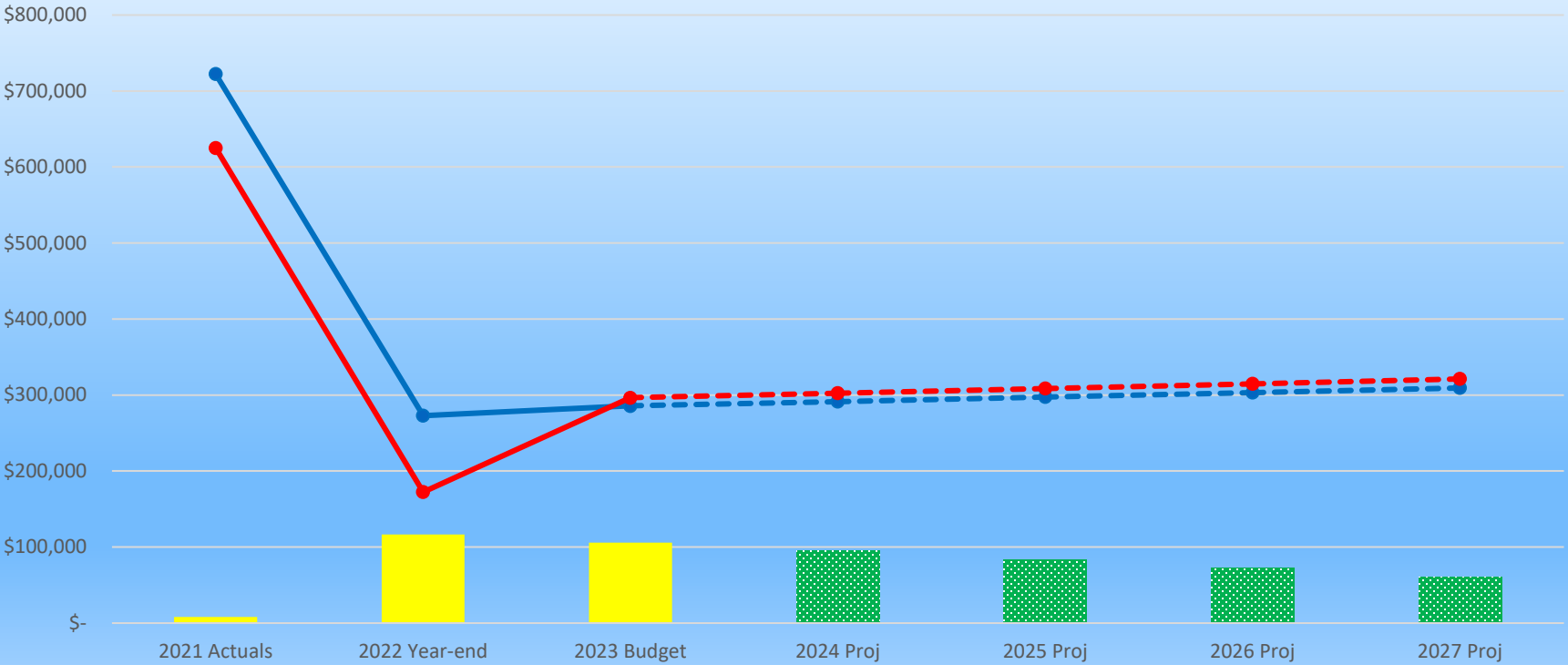
“Structurally Balanced”

- Stable, yet stagnating revenue stream
- Expenditure growth will continue to outpace revenue
- Minimal contingency included for unanticipated expenses
- Revenue/Expense variances attributed to delay in revenue reimbursement timeframes (State and/or County).
- Short-term Rental revenue higher than anticipated. Accurately reflected in current fiscal year.



Capital Improvement Fund

Source: 2023 Adopted Budget



Capital Improvement Fund Budget Highlights

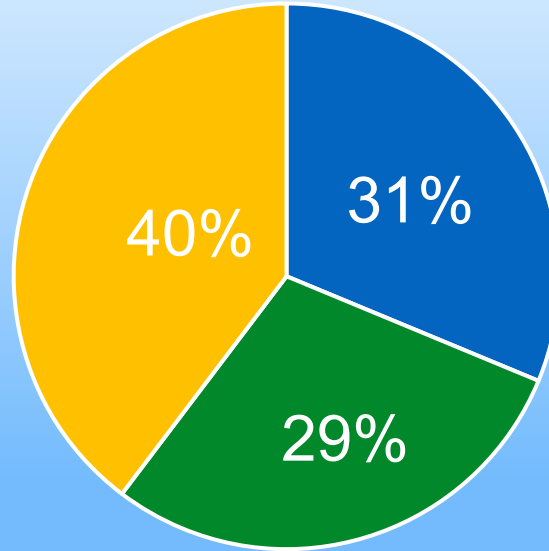
“Structurally Balanced”

- Stable, yet stagnated revenue stream
- Expenditure growth will continue to outpace
- Major Capital projects in out years unknown
- Reserve adequately funded over the past few years.



Revenues – Taxes

Source: 2023 Adopted Budget



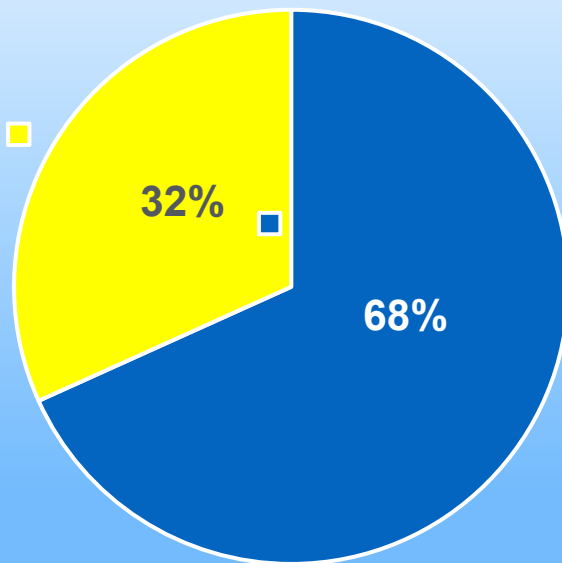
TOTAL REVENUE:

Taxes: 94.25%
Other Rev: 5.75%

■ Sales Tax ■ Property Tax ■ Other Taxes

Expense Categories

Source: 2023 Adopted Budget



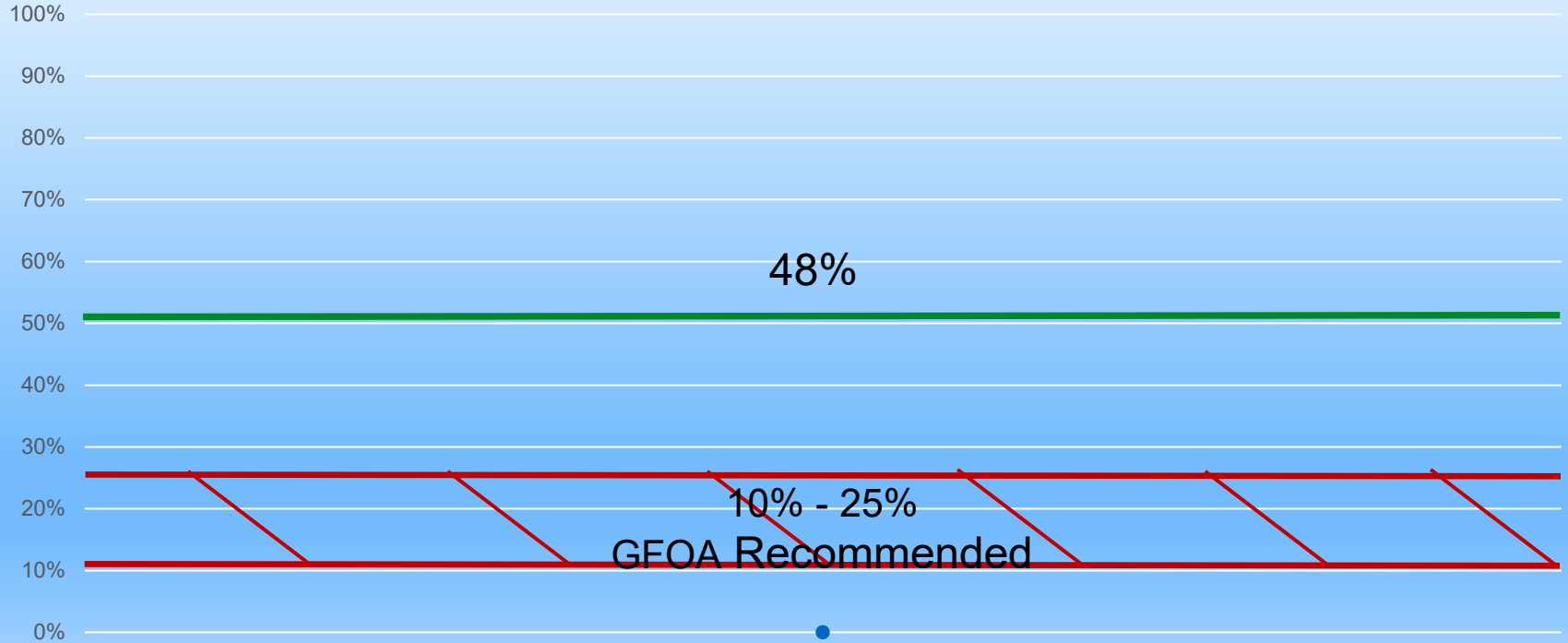
■ Salary and Benefits

■ Operational Expenses



Fund Balance Reserve

As of 12/31/2022



Overall Financial Assessment

- Cash Flows In/Out – Dependency on Grants / Reimbursement Basis
- Revenue Generation Capabilities Limited / Revenue Diversity Needed
- Continual Review of Revenue Collection and Expense Usage - Limited Contingency Included
- Fixed Financial Obligations with Inflationary pressures (labor / materials)
- Limited Long-term Capital Projects Identified
- Financial Reserve: Strong Cash Reserves Balances



Quarterly Financial Update

Budget Appropriation Process



Quarterly Financial Update

Focus Areas:

- Fund Overview and Variances from Budget
- Major Capital Project Status
- Internal / External Factors for upcoming Quarter
- Budget Supplemental Recommendations



Capital Improvement Planning



Why have a Capital Improvement Plan?

1. The CIP helps a community anticipate needs rather than just reacting to problems in the moment.
2. Planning ahead provides time for leaders to get the necessary resources in place gradually, as opposed to all at once.
3. A CIP provides the proper preparation necessary to determine the most economical means of financing a project.
4. When prepared collectively, the CIP helps increase “buy-in” among officials and employees, and helps voters understand its importance.
5. The CIP puts the community in position to quickly take advantage of federal or state grant programs and opportunities.



CIP Project Prioritization

What needs to be replaced?

Is the improvement Federal / State regulated or City initiated?

What level of Risk is the organization willing to take if not completed?

When does it need to be replaced?

Is it a public health or safety hazard?

PRIORITIZE



CIP Plan

| Town of Larkspur, Colorado | | | | | | | | | | | | | | |
|--------------------------------------|--------------|-----------------|------------------|---------------------|-------------------|------------------------|----------------|--------|--------|---------|--------|--------|--------|---------------|
| 2024 - 2033 CAPITAL IMPROVEMENT PLAN | | | | | | | | | | | | | | |
| Project # | Department | Project Title | New Construction | Facility Renovation | Capital Equipment | Project Classification | Funding Source | FY2024 | FY2025 | FY2026 | FY2027 | FY2028 | FY2029 | Project Total |
| | Public Works | Road Repavement | X | | | 1 | 1,5,3 | 35,000 | | 500,000 | 35,000 | | | \$ 70,000 |
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Capital Financing Strategies

“Pay-As-You-Go”

“Pay-As-You-Use”



Organizational Policies



Capital Improvement Plan Policy

Debt Service Policy

Revenue Policy



Recommendations



Recommendations

1) Quarterly Financial Update

2) Establish a 5-Year Capital Improvement Plan

3) Economic Development Plan /
Develop Revenue Diversity
Strategy

4) Review Policy Documents

Fund Balance Reserve Thresholds

Debt Policy

Revenue Policy





Thank you

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COLORADO
Department of Local Affairs

TOWN OF GREEN MOUNTAIN FALLS
Regular Board of Trustee Meeting
January 17, 2023 – 7:00 P.M.

MEETING MINUTES

Board Members Present

Mayor Todd Dixon
Trustee Sunde King
Trustee Sean Ives
Trustee Katharine Guthrie
Trustee Nick Donzello

Town Manager

Becky Frank

Town Clerk

Bo Ayad & Nate Scott

Board Members Absent

Town Attorney

Public Works

Marshal's Dept.

Sean Goings

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

Mayor Dixon called the meeting to order at 7:03 p.m. The Pledge of Allegiance was recited.

2. Additions, Deletions, or Corrections to the Agenda

Mayor Dixon made a motion, seconded by Trustee Guthrie, to accept the agenda.

Motion passed.

A public comment was heard from Zoom caller Peter Carter regarding an email. Clerk Scott found and forwarded the email to be included in the next meeting's agenda.

3. Consent Agenda

Approval of Board of Trustees Meeting Minutes from previous meeting. Approved unanimously.

4. New Business

A) Alli Schuch of Fountain Creek Watershed Flood District presented to the board.

A discussion about wildfire mitigation took place.

B) Friends of Ute Pass Trails presented the same work plan for 2023 as they had in 2022.

Mr. Blasi joined on Zoom to discuss changes. The Board had no questions.

A motion to approve was seconded and passed unanimously.

C) CDBG Application to address critical repairs at the Gazebo Lake Bridge. Discussion about adding a town match to optimize the chances of the application took place.

A motion to submit the grant to phase 2 was seconded and approved unanimously.

D) Marshall Goings presented regarding new security cameras. The Bex Security bid was reviewed and discussed.

A motion to approve the purchase of the security cameras was seconded and passed unanimously.

5. Oath of Office for new Town Clerk:

Boulos “Bo” Ayad was sworn in.

6. Resolution 2023-01 Town Officials:

A motion to appoint & approve town officers as Attorney, Marshall, Manager & Treasurer was seconded and passed unanimously.

7. Resolution 2023-02 Town Banking:

A motion updating the town banking signatories was seconded and approved unanimously.

8. Reporting:

The Trustees had no reports.

Mayor Dixon presented regarding the CML Annual Meeting in June and regarding an opening at the Pikes Peak Building Dept. Advisory Committee Position. Mayor Dixon also reported about updating the town codes, residency requirements & signage. Also, court fees, fire pits, noise ordinance and parking code. The need to update the policy around false alarms was discussed. No committee reports were presented.

The Town Manager presented regarding staffing, an update about the Gazebo Lake Park, Public Works seasonal update, 2022 Grant update, CSU Pool Proposal from preliminary meeting. A discussion about interviews with the Planning Commission for the sake of filling a position took place.

The Town Clerk presented about STR status in 2023. New Land Use Code becomes effective 01/20/2023.

9. Adjournment

Mayor Dixon adjourned the meeting at 8:19 p.m.

Todd Dixon, Mayor

Bo Ayad, Town Clerk / Treasurer



To: Planning Commission

From: GMF Staff

Date: January 20, 2023

Re: Application 20230110 - Architectural and Zoning Application and Variances for carport at 10775 Belvidere Ave.

Project Details

The applicant, owner Jandy Barentine, is requesting the Planning Commission's consideration for a new carport at the subject address. The applications for Zoning and Architectural Review and Variance was received and paid for on January 10, 2023. Staff considered this as one application for both variances (front and side setback), so only charged one application fee of \$500. The project does not need approval through Pikes Peak Regional Building, as the structure is under 200 square feet. The plan does require variances to the front and side setbacks. A notice of public hearing was published on January 18, 2023, in the Pikes Peak Courier, on the Town website, and the Town's Facebook page.

The applicant was made aware of the town zoning requirements shortly after starting the project. Because the project is replacing a dilapidated carport with another in the same footprint, they were unaware of the zoning requirements but were very responsive to town staff, immediately stopped work, and began the completion of everything required. They engaged with a surveyor, who came onsite and found three of four property pins. It was discovered that the old carport's front overhang encroached into the ROW by about three feet. They adjusted their plan so that there will be no future encroachment.

The variances to the front and side setbacks are necessary due to the limited available space on which to build. Immediately to the east of the carport area, towards the cabin, is the septic field. And the lot has significant slope behind the cabin to the south, thereby determining that this is the only viable location. The neighbors to the west were advised of the need for variances and wrote a letter of support for the project (included in packet).

Planning Commission Recommended Actions:

- Review proposed project for compliance with Green Mountain Falls Zoning and Land Use Code
- Approve, approve subject to conditions, or disapprove.

Zoning

According to the electronic file maintained by Town Hall, *2019 Official Town Zoning Map*, and the El Paso County Assessor's Office, parcel ID 8308217002 has an area of 20,972 sq. ft.; therefore, zoning is:

16-307 - R-1 20,000 Single-Family Residential District.

With setback requirements of:

- a. Front, fifteen (15) feet;*
- b. Side, ten (10) feet; and*
- c. Rear, ten (10) feet.*

Consideration of Approvals

1 - Sec. 16-705. - Building permits; architectural review

The Zoning Code §16-705(d)(2) – *at a minimum, the following specific criteria shall be considered by the Planning Commission:*

- a. Architectural compatibility;*
- b. Bulk of the proposed building or structure in relation to surrounding buildings and land;*
- c. Vehicular access and parking;*
- d. Pedestrian access; and*
- e. Relation to existing and future open space.*

The language for architectural review is couched as policy recommendation with vague standards: nevertheless, it does state the advisory body *shall restrict its consideration in each case to the effect of the proposed construction on the health, safety, morals, and general welfare of the Town.*

Per the Town Code, a complete development plan includes:

Sec. 16-712. - Development plan requirements

- (1) The location, height, and dimensions of each existing and proposed structure in the development area and the uses to be contained therein; **included in packet**
- (2) The proper building setbacks and building area with reference to property lines, highways, or street rights-of-way; **included in packet**
- (3) The location and surfaces of all parking areas and the exact number of parking spaces; **N/A**
- (4) The location of watercourses and other natural historic features; **N/A**
- (5) The location of all pedestrian walks, malls, recreation, and other open spaces; **N/A**
- (6) The location, number, height, and square footage of freestanding identification signs; **N/A**
- (7) The location, height, size, and orientation of any required light standards; **N/A**
- (8) The location of all permanent accesses from publicly dedicated streets, roads, or highways; **included in packet**

- (9) The location, overlain on contours for the area, of all roadways, walkways, bridges, culverts, drainage easements, existing or contemplated, and green belts;
- (10) The location of all footpaths, traffic islands, traffic devices and driveways, indicating the pedestrian and vehicular movement and control; **N/A**
- (11) The stages, if appropriate, in which the project will be developed; **N/A** and
- (12) A vicinity map to locate the development in relation to the community. **included in packet** (Ord. 97-01)

2 - Granting of Variance:

Sec. 16-709. Variances. (Staff comments in bold.)

(a) No variance in the strict application of the provisions of this Land Use Code, including building requirements, signs, and fences, shall be recommended by the Planning Commission or approved by the Board of Trustees unless it finds that the following requirements and standards are satisfied. It is the intent of this Article that the variance be used only to overcome some exceptional physical condition of a parcel of land located within the neighborhood which poses practical difficulty to its development and prevents its owner from using the property as intended by this Land Use Code. Any variation granted shall be the minimum adjustment necessary for the reasonable use of the land.

(b) The applicant must prove that the variance will not be contrary to the public interest and that practical difficulty and unnecessary hardship will result if it is not granted. In particular, the applicant shall establish and substantiate that the appeal for the variance conforms to the requirements and standards listed below:

(1) The granting of the variance shall be in harmony with the general purpose and intent of the regulations imposed by this Land Use Code on the district in which it is located and shall not be injurious to the neighborhood or otherwise detrimental to the public. **This project is beneficial to property value and neighborhood aesthetics.**

(2) The granting of the variance will not permit the establishment of any use which is not permitted in the district. **This requirement is met.**

(3) There must be proof of unique circumstances. There must exist special circumstances or conditions, fully described in the findings, applicable to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings in the neighborhood and which circumstances, or conditions are such that the strict application of the provisions of this Land Use Code would deprive the applicant of the reasonable use of such land or building. **The unique circumstance in this case is that this lot's developable space is constrained by the septic system location and severe slope.**

(4) There must be proof of unnecessary hardship. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must be suffered directly by the property in question; and evidence of variances granted under similar circumstances shall not be considered. **The**

unique circumstance listed above dictates a limited area to build, creating a hardship for improvement on this lot.

(5) The granting of the variance is necessary for the reasonable use of the land or building and the variance as granted by the Board of Trustees is the minimum variance that will accomplish this purpose. The report of the Planning Commission shall fully set forth the circumstances by which this Land Use Code would deprive the applicant of any reasonable use of his or her land. Mere reasonable loss in value shall not justify a variation; there must be a deprivation of beneficial use of land. **This proposed use is reasonable for the R-1 zoning district.**

(6) The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood. **This requirement is met.**

(7) The granting of the variance requested will not confer on the applicant any special privilege that is denied by this Land Use Code to other lands, structures, or buildings in the same district. **This requirement is met.**

(c) The Board of Trustees may prescribe any safeguard that it deems necessary to substantially secure the objectives of the regulations or provisions to which the variance applies.

(d) Upon application, the Planning Commission, after giving notice as required by law, shall schedule a public hearing of the proposed variance. The Planning Commission shall consider and decide all proposed variations, taking into account the standards enumerated above.

(e) Procedure. Procedures for variance hearings shall be the same as those for zoning and rezoning, with the exception of the publication requirement contained in Paragraph 16-711(f)(2) below, which shall not be required. (Ord. 97-01) **The public notice was published in the Pikes Peak Courier on January 18, posted at Town Hall on January 20, and posted on property on January 23, all fulfilling the 15-day posting requirement before the Feb. 7 Board of Trustees meeting.**

Conclusion and Recommendation

Staff recommends approval of this project with variances.



\$125

**Town of Green Mountain Falls
Land Use Approval Application
Architectural Plan Review**

General Information

- This checklist serves as a guideline for submitting a Zoning & Architectural Plan Review Land Use Approval application and is not a substitute for the provisions in GMF Municipal Code or any other rules that may apply.
- Applicants are responsible for reviewing and understanding the Code.
- Complete applications are subject to staff review time of **two weeks (14 days)**.

Applicant

| | |
|------------|---|
| Applicant: | JANDY BARENTINE |
| Address: | 10775 BELVIDERE AVE, GREEN MOUNTAIN FALLS, CO 80819 |
| E-Mail: | MJBARENTINE@COMCAST.NET |
| Phone: | 719-440-0604 |
| Owner: | JANDY BARENTINE |
| Address: | 8635 NAMPA ROAD, CASCADE, CO 80809 |
| E-mail: | MJBARENTINE@COMCAST.NET |
| Phone: | 719-440-0604 |

Property

| | |
|--|---|
| Physical Property Address: 10775 BELVIDERE AVE, GREEN MOUNTAIN FALLS | |
| Type of Plan Review: ARCHITECTURAL PLAN REVIEW | Lot Size/Zoning: 20,942 ^{sq} ' R-1 |
| Hillside Overlay zone? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Land Survey/ILC Included: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

SURVEYOR DRAWING OF MARKED CORNERS

Certification & Signature

APPLICANT'S STATEMENT: I understand the procedures and requirements (pages 1 and 2 of this application) that apply to my request and acknowledge an incomplete application will not be scheduled for public hearing. GMF Staff's acceptance of the application, payment of fees, and submittal of accompanying materials does not constitute completeness. I further agree to reimburse the city for technical and professional consulting expenses that may be incurred during the review of my request. Failure to reimburse the Town for invoiced expenses constitutes an incomplete application.

Certification: The undersigned applicant certifies under oath and under penalties of perjury that the information found in the application is true and accurate to the best of their knowledge.

By checking this box, I agree to the certification statement and am typing my full name as an electronic signature.

Applicant Signature Jandy Barentine Date 1-10-2023

Owner Signature Jandy Barentine Date 1-10-2023

Owner Signature _____ Date _____

This document can be signed electronically using [Adobe Reader DC for free](#).

Plan Review Checklist

This checklist serves as a guideline for submitting a Zoning & Architectural Plan Review (APR) Land Use Approval application and is not a substitute for the provisions in Green Mountain Falls Municipal Code or any other rules that may apply. Applicants are expected to review, at a minimum [§16, Zoning](#), [§17, Subdivision](#), [§18, Building Regulations](#).

APR is a general term for the review by the Planning Commission/Board of Trustees for zoning compliance and the evaluation of architectural compatibility, as outlined in §16-705.

1. Application & Petition

- a. Application, signed and dated by the applicant and property owner(s)
- b. [Application fee](#)
- c. Letter of explanation
 - i. Describe the purpose of the project (e.g., deck, SFH addition, exterior renovation, etc.) and describe project details, referring to site plans and drawings as necessary

2. Development Plan

- a. ~~Vicinity Map with streets and access points to the property~~
- b. Existing and proposed structures with zoning setbacks, property boundaries and dimensions
- c. ~~The location of all drainage to, from and across the site, the location of intermittent and permanent springs, culverts and other drainage structure~~

3. Procedure:

- a. Electronic submittal of signed application and checklist materials: planner@gmfc.us
- b. Payment of fees to Town Clerk for receipt
- c. Upon determining an application is complete, staff will schedule for PC and/or BoT public hearing

GMF Town Staff:

- ☐ Application
- ☐ Letter of Explanation
- ☐ Development Plan
- ☒ Application fee (Town Clerk)
Date 1/10/23 Amount \$125 ☒ Check # 5735 ☐ Credit Card

Carport for 10775 Belvidere Avenue, Green Mountain Falls

Land Use Approval Application Architectural Plan Review

Applicant: Jandy Barentine

Address: 10775 Belvidere Ave, Green Mountain Falls, CO 80819

Email: mjbarentine@comcast.net

Phone: 719-440-0604

Owner: Jandy Barentine

Address: 8635 Nampa Road, Cascade, CO 80809

Email: mjbarentine@comcast.net

Phone: 719-440-0604

Property physical address: 10775 Belvidere Ave, Green Mountain Falls, CO 80819

Type of Plan Review: Zone and Architectural Plan Review

Lot Size/Zoning: 20, 942 square feet Zone R-1

Hillside Overlay Zone? No

Land Survey/ILC included Yes **Surveyor's drawing of marked corners is included

Letter of explanation:

We need to replace our cabin's carport structure as it appears to have been built in 1938 and the posts needed to be replaced. The carport footprint will be totally within our property as shown by the surveyor's marked corners. Our next-door neighbors, Margaret Peterson and Martin Little, have no objection to the construction and placement of our carport. Our plan is to replace the previous wood logs with treated 6" x 6" timbers, and a green metal roof. The center crown of the roof will be 12' high. A drawing of the carport is included.



\$500

**Town of Green Mountain Falls
Land Use Approval Application
Zoning Variance**

General Information

- A zoning variance is a request to deviate from the requirements in the Green Mountain Falls Land Use and Zoning Code, as established in §16-709.
- This checklist is a guide to submitting a complete application and is not a substitute for all provisions in [GMF Municipal Code](#). Applicants are responsible for reviewing and understanding the Code.
- Complete applications are subject to **four weeks (28 days)** GMF Staff review before appearing on Planning Commission and Board of Trustees agendas.

Applicant

| | |
|------------|---|
| Applicant: | JANDY BARENTINE |
| Address: | 10775 BELVIDERE AVE, GREEN MOUNTAIN FALLS |
| E-Mail: | MJBARENTINE@COMCAST.NET |
| Phone: | 719-440-0604 |
| Owner: | JANDY BARENTINE |
| Address: | 8635 Nampa Road, CASCADE, CO 80809 |
| E-mail: | MJBARENTINE@COMCAST.NET |
| Phone: | 719-440-0604 |

Property

| | |
|--|---|
| Address: 10775 BELVIDERE AVE, GREEN MOUNTAIN FALLS | |
| Zoning Designation: R-1 | Lot Size: 20,942 ^{sq} ' |
| Hillside Overlay zone? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Land Survey Included: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

SURVEYOR DRAWING OF MARKED CORNERS

Certification & Signature

APPLICANT'S STATEMENT: I understand the procedures that apply to my request and acknowledge an incomplete application will not be processed or scheduled for public hearing until such time it is complete. GMF Town Staff's acceptance of the application, the payment of fees, and submittal of accompanying materials does not constitute completeness. I further agree to reimburse the city for technical and professional consulting expenses that may be incurred during the review of my request. Failure to reimburse the Town for invoiced expenses constitutes an incomplete application.

Certification: The undersigned applicant certifies under oath and under penalties of perjury that the information found in the application is true and accurate to the best of their knowledge.

| | | | |
|---------------------|------------------------|------|------------------|
| Applicant Signature | <u>Jandy Barentine</u> | Date | <u>1-10-2023</u> |
| Owner Signature | <u>Jandy Barentine</u> | Date | <u>1-10-2023</u> |
| Owner Signature | | Date | |

This document can be signed electronically using [Adobe Reader DC for free](#).

Variance Checklist

The following checklist is a guideline for submitting a complete Variance Land Use Approval Application. Failure to provide information that address the standards and requirements in GMF Zoning Code could result in staff review delays. GMF Staff may require additional information in accordance with Town Code and Town Attorney's recommendation.

1. Variance Application & Petition

- a. Application, signed and dated by the applicant and property owner(s)
- b. [Application fee](#)
- c. Letter of explanation
 - i. Describe the proposed project in detail, referring to site plans and drawings as necessary
 - i. Describe the reason for pursuing a variance; include benefits to yourself, the neighborhood, and the Town.
 - ii. Explain how the variance would not be contrary to the public interest.
 - iii. Provide proof of unique circumstances or conditions and how the strict application of the provisions of GMF Zoning and Land Use Code would deprive the applicant of the reasonable use of such land or building as described in the [Zoning Code §16-709](#)
 - iv. Provide proof of unnecessary hardship as described in the [Zoning Code §16-709](#)

2. Development Plan

- a. Vicinity Map
- b. Total development plan area in acres or square feet
- c. Zoning setbacks
- a. North arrow
- b. Property boundaries and dimensions
- c. Existing and proposed lots and tract lines, with dimensions
- d. Existing and proposed topography (contour lines or slope)
- e. Show and label all access points to the property from adjacent streets and alleys
- f. ~~Proposed~~ grading plan and separate GECP application

3. Procedure:

- a. Consultation meeting with GMF Staff and draft plans
- b. Submit completed application and checklist materials electronically: planner@gmfco.us
- c. Submit appropriate fees to Town Clerk for receipt
- d. Work with GMF Staff to schedule public hearings

GMF Town Staff:

- ☐ Application
- ☐ Variance Petition
- ☐ Development Plan
- ☒ Application fee
 - Date 1/11/23 Amount \$500 ☒ Check # 5735 ☐ Credit Card

Zoning Variance:

Applicant: Jandy Barentine

Address: 10775 Belvidere Ave, Green Mountain Falls, CO 80819

Email: mjbarentine@comcast.net

Phone: 719-440-0604

Owner: Jandy Barentine

Address: 8635 Nampa Road, Cascade, CO 80809

Email: mjbarentine@comcast.net

Phone: 719-440-0604

Property:

Address: 10775 Belvidere Ave, Green Mountain Falls, CO 80819

Zoning designation: R-1

Lot size: 20,942 square feet

Hillside Overlay Zone? No

Land Survey Yes **Surveyor's drawing of marked corners is included

Letter of explanation:

We need to replace our cabin's carport structure as it appears to have been built in 1938 and the posts needed to be replaced. The carport footprint will be totally on our property as shown by the surveyor's marked corners. We are going to use the stone wall outline of the original 1938 carport. The low stone wall along the north side of our property is entirely inside the corners of our property. The surveyor located the original corner pins, except the SE corner pin. The surveyor's document shows our site plan within our property line, in the NW corner of our property.

Our plan is to replace the previous wood logs with treated 6" x 6" timbers, and a green metal roof. The center crown of the roof will be 12' high. The total area of the carport would be 195 square feet. A drawing of the carport is included. Our next-door neighbors, Margaret Peterson and Martin Little, have no objection to the construction and placement of our carport, which is being placed in the 84 year-old footprint.

As I understand it, the purpose of requesting a variance is because the zoning codes about setback from property lines have changed since our cabin was built in 1927, and the carport in 1938. Since the outline of the carport footprint is defined by stone walls, it is challenging to move the placement of the carport. If we were to move it away from the property line we share with Margaret & Martin, it would impact our septic system which is about 6 or 8' east of the carport. The hardship is to avoid any impact on our septic system and leach field. Our property is also challenged by the steepness of the land. From the asphalt of Belvidere Avenue to our north property line is sloped upwards with a rise of about 2.5'. Then you ascend 3 flights of stairs in order to reach our front door which is a rise of nearly 13' in height over less than 40' of distance. Our property above the cabin gets even steeper!

The benefits would be: replacing an 84 year-old structure made of pine logs [that was starting to lean], with 6" x 6" treated timbers on cement piers. The old rolled roofing and asphalt shingles will be replaced with a green standing seam metal roof. A significant benefit would be walking down into the carport and not hitting my head on the side beam! [My grandmother was almost 5' tall and could walk into the carport without a headache, all the rest of us learned the hard way to duck our heads!]

I believe a newer carport structure of treated timbers and a metal roof will enhance both its appearance as well as improve its safety. The town will look a bit better with a newer, straighter and safer structure.

A variance would not be contrary to the public interest as we will be staying within the current footprint of the 84 year-old carport and is totally on our property. Our next-door neighbors, Margaret Peterson and Martin Little, have no objection to the construction and placement of our carport. Our property is steep and the carport is our only off-street parking. There isn't an option of moving the carport's location due to the nearness of the septic system and leach field.

Development Plan

Vicinity map: The surveyor's document shows our site plan.

Total development plan area: the replacement carport is estimated at 195 square feet

Zoning setbacks: we request a variance from the setbacks from the property line on the west and north side of the carport as this is replacing an 84 year-old carport within its footprint, keeping it totally on our property, and avoiding any impact on our septic system and leach field which is just east of the carport.

December 9, 2022

Town of Green Mountain Falls
Planning Commission
Board of Trustees

Re: carport replacement

To Whom it May Concern;

As the property owners of 10795 Belvidere Avenue, we wish to convey that we have no objection to the construction and placement of the carport at 10775 Belvidere Avenue as it replaces the existing structure in the same footprint.

Please feel free to contact us if you require anything further.

A handwritten signature in blue ink, appearing to read 'MP' followed by a stylized flourish.

Margaret Peterson

A handwritten signature in blue ink, appearing to read 'Martin Little' in a cursive script.

Martin Little

719-684-2130

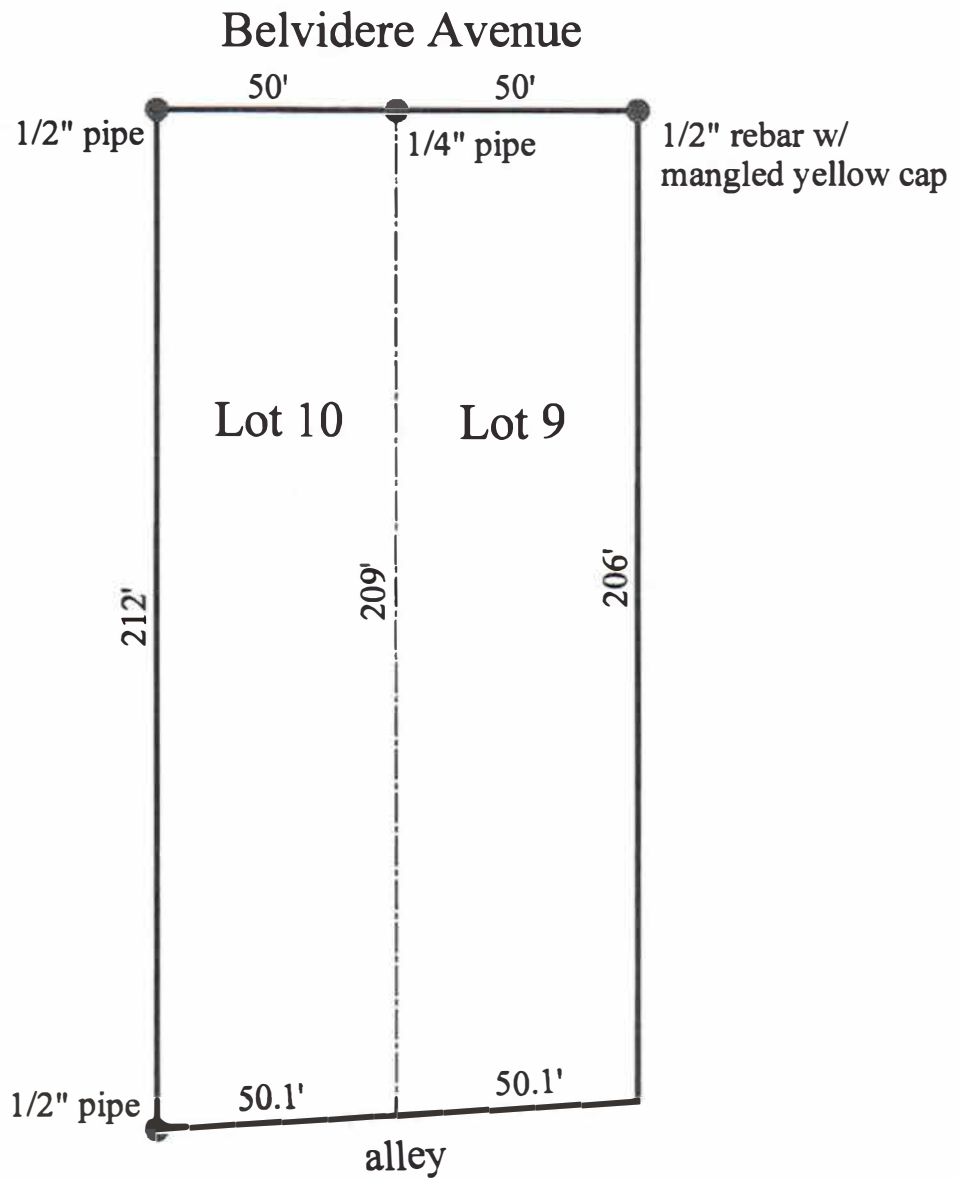
719-761-9326

LOCATE and MARK EXISTING PROPERTY CORNERS

(THIS IS NOT A PROPERTY SURVEY AND SHOULD NOT BE USED TO CONSTRUCT ANY IMPROVEMENTS)

LEGEND

- ⊕ = CHAIN LINK FENCE
- ✕ = WIRE FENCE
- ⊞ = WOOD FENCE
- ≡ = OVERHEAD UTILITY LN



Scale: 1" = 40'

Legal Description

Lots 9 and 10 in Block 19 in the Third Addition to Green Mountain Falls,
County of El Paso, State of Colorado.

PREPARED BY:



ALESSI and ASSOCIATES, Inc.

APPRAISERS • ENGINEERS • SURVEYORS

2989 Broadmoor Valley Road
Colorado Springs, CO 80906

Tele. 719/540-8832
Fax 719/540-2781

PURPORTED STREET ADDRESS:

10775 Belvidere Avenue

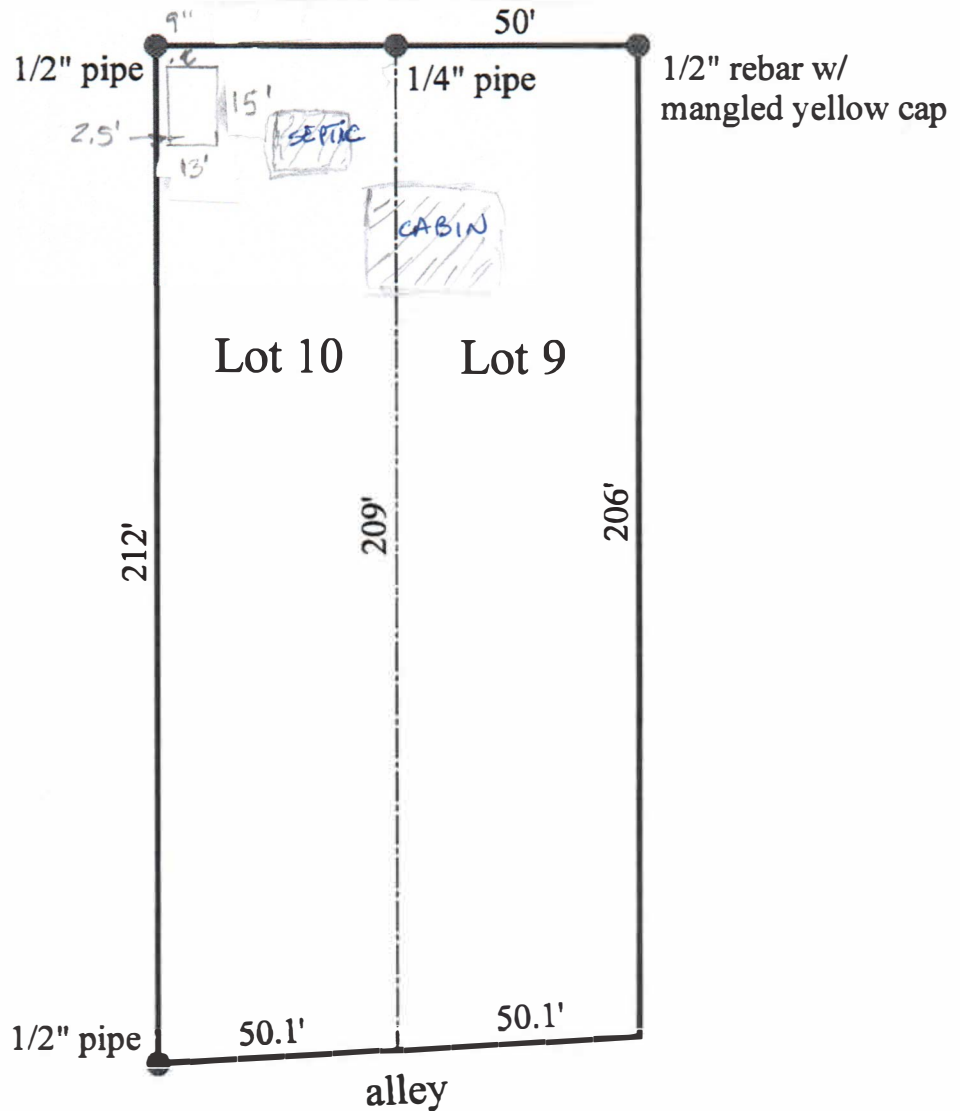
DATE: 12/27/2022
CLIENT: Barentine
JOB NUMBER: 221481

LOCATE and MARK EXISTING PROPERTY CORNERS

(THIS IS NOT A PROPERTY SURVEY AND SHOULD NOT BE USED TO CONSTRUCT ANY IMPROVEMENTS)

LEGEND

- ⊙ = CHAIN LINK FENCE
- ✕ = WIRE FENCE
- ⊞ = WOOD FENCE
- ⚡ = OVERHEAD UTILITY LN



Scale: 1" = 40'

Legal Description

Lots 9 and 10 in Block 19 in the Third Addition to Green Mountain Falls,
County of El Paso, State of Colorado.

PREPARED BY:



ALESSI and ASSOCIATES, Inc.

APPRAISERS • ENGINEERS • SURVEYORS

2989 Broadmoor Valley Road
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Tele. 719/540-8832
Fax 719/540-2781

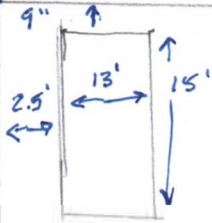
PURPORTED STREET ADDRESS:

10775 Belvidere Avenue

DATE: 12/27/2022
CLIENT: Barentine
JOB NUMBER: 221481



NW
CORNER



SEPTIC

Lot 9

Lot 10

Subject: Carport Model
Date: Tuesday, January 10, 2023 at 11:47:44 AM Mountain Standard Time
From: Jandy Barentine
To: Jandy Barentine
Attachments: image001.jpg

Here's an image of the model. The carport will be 13' wide, 15' long and area of 195 square feet.









Town of Green Mountain Falls

Notice of Public Hearing

RE: Variance Request 20230110: Variances to Front and Side Setbacks
@ 10775 Belvidere Ave.

LEGAL DESCRIPTIONS OF THE PROPERTIES:

10775 Belvidere Ave. = El Paso County Tax Schedule # 8308217002:
LOTS 9, 10 BLK 19 GREEN MOUNTAIN FALLS ADD 3

To Whom It May Concern:

The owners of the above property are requesting approval of a variance to the Town's 15-foot front setback and 10-foot side setback development requirements. The variances being requested are to allow for the reconstruction of a carport within the same footprint. The variances, if approved, will allow the project to satisfy the zoning requirements of the Town of Green Mountain Falls.

The Town of Green Mountain Falls requires all zoning variance requests be subject to a public hearing in both Planning Commission and Board of Trustees meetings. The first of these Public Hearings will be held at the January 24, 2023, Planning Commission meeting at 6:30 p.m. The second will be held at the February 7, 2023, Board of Trustees meeting at 7:00 p.m. Both meetings will be in Town Hall, located at 10615 Green Mountain Falls Road, Green Mountain Falls, CO 80819.

If you wish to make a comment regarding the application under review, and are unable to attend the Public Hearing, you may submit a written statement by the dates listed above to the Town Clerk at clerk@gmfc.us. A copy of the full application may be obtained from the Town Clerk, should you need more information than what has been included with this letter. Emailed comments are preferred; however, physical submissions will also be accepted at the front desk of Town Hall (10615 Green Mountain Falls Rd.). Public Comment will not be included as part of the Staff review of the request after 5pm on the day before the Public Hearing.

You may contact the Town Clerk or Town Manager if you have any questions or comments regarding this application at the email address above or by phone at 719-684-9414 x1 or x5.

Nate Scott
Town Clerk/Treasurer

SERVICES AGREEMENT TOWN CLERK CONSULTING SERVICES

THIS SERVICES AGREEMENT (Agreement) is made and entered into effective 2/8/2023 by and between the Town of Green Mountain Falls (Town) and GovPro Consulting, LLC (Consultant). The Town and the Consultant are sometimes referred to herein individually as a “Party” and collectively as the “Parties.”

WITNESSETH:

In consideration of the mutual covenants and obligations herein expressed, it is agreed by and between the Parties as follow:

- **Active Parties.**
 - (a) Becky Frank/Bo Ayad will represent the Town in working with Consultant. The Board may, at its discretion and by formal action, direct other party(ies) to act on behalf of the Town.
 - (b) Judy Egbert, Sole Member of GovPro Consulting, LLC will provide the entirety of the services. No other parties are authorized to act on behalf of GovPro Consulting.
- **Scope of Services.** The Consultant agrees to provide services as listed in Exhibit A, Scope of Services.
- **Compensation.**

Consultant will be compensated at the rate of:

- \$600 per day. This generally represents a day of six hours or more, and may be pro-rated for partial days of less than six hours.
- \$70 per hour for off-site work.

This rate includes all travel and incidentals.

Consultant will invoice for services at periods of mutual agreement and be due and payable 30 days after invoice.

- **Time of Commencement and Completion of Services.**
 - (a) The services to be performed pursuant to this Agreement shall be initiated upon written execution of this contract.

- (b) This Agreement will be considered complete at the discretion of the Town.
- (c) This agreement may be terminated by either party upon written notice.
- **Independent Consultant.** The services to be performed by the Consultant are those of an independent Consultant and not of an employee of the Town. The Consultant is obligated to pay federal and state income tax on any moneys earned pursuant to this Agreement. Consultant is not entitled to workers' compensation benefits from the Town for the performance of the services specified in this Agreement. Consultant is not entitled to any benefits offered to employees.
 - **Illegal Aliens.** The Consultant certifies that the Consultant shall comply with the provisions of Section 8-17.5-101 *et seq.*, C.R.S. The Consultant shall not knowingly employ or contract with an illegal alien to perform work under this Agreement or enter into an agreement with a subConsultant that knowingly employs or contracts with an illegal alien. The Consultant represents, warrants and agrees that it has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under this Agreement through participation in either the E-Verify Program or the Department Program described in Section 8-17.5-101, C.R.S. The Consultant shall not use either the E-Verify Program or the Department Program procedures to undertake pre-employment screening of job applicants while the public contract for services is being performed. If the Consultant obtains actual knowledge that a subConsultant performing work under this Agreement knowingly employs or contracts with an illegal alien, the Consultant shall: (i) notify the subConsultant and the Town within three (3) days that the Consultant has actual knowledge that the subConsultant is employing or contracting with an illegal alien; and (ii) terminate the subcontract with the subConsultant if within three (3) days of receiving such notice, the subConsultant does not stop employing or contracting with the illegal alien, unless the subConsultant provides information to establish that the subConsultant has not knowingly employed or contracted with an illegal alien. The Consultant shall comply with all reasonable requests made in the course of an investigation by the Colorado Department of Labor and Employment. If the Consultant fails to comply with any requirement of Section 8-17.5-102(2), C.R.S., the Town may terminate this Agreement for breach, and the Consultant shall be liable for actual and consequential damages to the Town. If the Consultant participates in the Department Program, the Consultant shall provide the affirmation required under Section 8-17.5-102(5)(c)(II), C.R.S., to the Town.

The Consultant, if operating as a sole proprietor, hereby swears or affirms under penalty of perjury that the Consultant (i) is a citizen of the United States or legal permanent resident or otherwise lawfully present in the United States pursuant to federal law, (ii) shall comply with the provisions of Section 24-76.5-101 *et seq.*, C.R.S., and (iii) shall produce one of the forms of identification required by Section 24-76.5-103, C.R.S., prior to the performance of any of its other obligations hereunder.

- **Compliance with Laws.** The Consultant is expected to be familiar with laws governing municipalities in Colorado, and to comply with these laws in performing work outlined in the Scope of Services. As a representative of the Town of Green Mountain Falls, the Town’s legal counsel will be available as a resource as needed.
- **Default.** Each and every term and condition hereof shall be deemed to be a material element of this Agreement. In the event either Party should fail or refuse to perform according to the terms of this Agreement, such Party may be declared in default.
- **Binding Effect.** This writing constitutes the entire agreement between the Parties and shall be binding upon the Parties, their officers, employees, agents and assigns and shall inure to the benefit of the respective survivors, heirs, personal representatives, successors and assigns of the Parties.
- **Applicable Law.** The laws of the State of Colorado shall govern the construction, interpretation, execution and enforcement of this Agreement.
- **PERA.** Judy Egbert is a PERA retiree. If the Town is a PERA employer, it will be required to comply with all requirements governing this relationship, including remitting employer contributions on payments made to Consultant.
- **Severability.** In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this Agreement.
- **Notices.** All which may be given under this Agreement shall be effective when emailed with a “read receipt” or mailed via registered or certified mail to the address shown below.
- **No Third Party Beneficiaries.** The Parties to this Agreement do not intend to benefit any person not a party to this Agreement. No person or entity, other than the Parties to this Agreement, shall have any right, legal or equitable, to enforce any provision of this Agreement.
- **Indemnification and Hold Harmless.** Town shall hold Contractor harmless from and against all actions, damages, costs, liability, claims, losses, penalties and expenses (including but not limited to reasonable attorney’s fees for legal counsel retained by Town, expert fees, litigation costs, and investigation costs) of every type and description to which any or all of them may be subjected by reason of, or resulting from, directly or indirectly, the Consultant’s actions while acting within the scope of services contained herein. As Designated Election Official, Judy Egbert is considered an official of the Town and therefore covered under the Town’s usual insurance policies. This obligation to defend, indemnify and hold harmless set forth applies to all claims and liability regardless of whether any insurance policies are applicable.

CONSULTANT:

Judy A. Egbert
GovPro Consulting, LLC
410 12th Street
Alamosa, CO 81101
719/580-9357
GovPro@outlook.com

TOWN:

(signature)

(printed name/title)

(contact information, including email)

EXHIBIT A
SCOPE OF SERVICES

The main purpose of this contract is to provide customized training to the Town Clerk and provide consulting advice as requested.

Examples of training topics include but are not limited to:

- The role of the Town Clerk
- Meeting Management (agenda preparation, support services, minutes, etc.)
- Records Management
- Open meetings
- Open records
- Legal publication requirements
- Ordinances/Resolutions/Codification
- Resources – where to find what you need
- Prepare a long-term professional development plan
- Liquor licensing
- Election preview
- Municipal Court
- HR role



JUDY EGBERT

Owner/Consultant
GovPro Consulting

PROFILE

After 27 years of experience as City Clerk, Judy embarked on the adventure that is GovPro Consulting. She offers services in the areas of elections, records, human resources, process assessment, and interim services.

She continues to train for the Colorado Municipal Clerks Association and was instrumental in development of its curriculum.

CONTACT

PHONE:
719-580-9357

EMAIL:
GovPro@outlook.com

ADDRESS:
410 12th Street
Alamosa, CO 81101

CAREER EXPERIENCE

City of Alamosa
1987 – 2014
City Clerk/Deputy City Clerk

GovPro Consulting
2014 – Current

Judy has provided services to 39 customer governments, representing 90 different projects. Most of these projects (57) are elections, ranging from serving as Designated Election Official, to general consulting, to Hearing Officer. Other services include Interim services, process assessment, policy development, organizational assessment, focused training, and records management.

Customers are mostly municipalities, with five special districts and one county government.

VOLUNTEER EXPERIENCE

- Pro Bono licensing consulting to Society Hall, a non-profit music venue
- Steering Committee member and Volunteer Coordinator for the 12 Hours of Penitence mountain bike race
- Former President Alamosa Chamber of Commerce
- Former President Colorado Municipal Clerks Association

PROFESSIONAL QUALIFICATIONS

- Master Municipal Clerk (MMC) since 2003
- Certified Municipal Clerk (CMC) since 1994
- Senior Professional in Human Resources (SPHR) since 2011
- Certified Election Official 2006



January 31, 2023

Town of Green Mountain Falls
Becky Frank, Town Manager
Transmitted by email

Becky,

It was great to speak with you and Bo yesterday. The enclosed contract for services represents the needs we spoke about toward providing training services for Bo. If you see anything you'd like added to the scope of services, please add that. And also know that my intent is to be responsive to anything you need that is within my areas of expertise, whether during this initial training or at a later time when things come up.

The boilerplate language is the same as we've used in the past. I'm always open to any language changes if your attorney desires anything different.

As I mentioned by phone, my commitment to GMF is to keep my pricing as it has been for past projects. The daily rate in the contract of \$600 is substantially lower than my current price of \$800 per day; and the hourly rate of \$70 is below my current price of \$80 per hour. My desire to keep pricing down for you is two-fold. Because of my past work for the Town, I'm painfully aware of its budget limitations; and I want to recognize our long-term relationship in a positive way. And as a reminder, this pricing is all-inclusive with no additional charges for things like travel or incidentals.

Our agreed-upon starting point was for a one-day visit on February 10. Based on what we learn after that day, we can determine the extent and timing of needs beyond that. From similar projects for other towns, I expect that this will require a minimum of two total days.

Please share this letter and draft contract in any manner you wish. While I've worked with some of the Trustees in the past, there are some that I have not yet met, so I'm including a customer list and bio that you can share as well.

Let's connect after your Board meeting next week and confirm February 10 once the contract is approved.

Sincerely,

Judy A. Egbert
Owner/Consultant
GovPro Consulting

CUSTOMER REFERENCES

Updated January 31, 2023

Town of South Fork July 2014 to October 2015

Gene Farish, Town Attorney

Tom Acre, Interim Town Manager

- Interim Clerk
- Process Assessment
- File System Restructure

City of Salida

Christian Samora, Deputy City clerk

- Designated Election Official for special referendum election March 24, 2015

City of Littleton

Colleen Norton, Acting City Clerk

- Full election support for Special Election March 2015

Town of Lake City

Leslie Klusmire, Town Manager through 2016

Caroline Mitchell, Town Manager 2019

Alexander Mulhall, Town Clerk 2022

- New Clerk training and orientation 2014
- File System Restructure 2014
- Special referendum election December 2015
- Regular Election April 2016
- DEO for Special Election June 2019
- General election consulting for Regular Election April 2022

High Valley Recreation District

Jim Collins, Collins Cockrel & Cole, Attorney

- Designated Election Official for Special District formation election 2014. NOTE: Election was cancelled prior to election day

Town of Center

Mark Garcia, Interim Town Manager

Forrest Neuerburg, Interim Town Manager

Scott Herald, Interim Town Manager

Rose DeHerrera, Deputy Clerk current

Brian Lujan, Town Administrator 2018 to current

- Designated Election Official for Special Election January 2011
- Designated Election Official for Regular Election April 2012
- Hearing Officer for candidate petition protest November 2012
- Hearing Officer for referendum petition protest December 2013
- Designated Election Official for Regular Election April 2014
- General consulting for Regular Election April 2018 (election was cancelled)
- General consulting for Regular Election April 2020
- General election consulting for Regular Election April 2022

Town of Montezuma

Helen Moorman, Town Clerk 2014-2016

Lesley Davis, Mayor

Tanya Becker, Town Clerk 2018

- 2014 Election training
- Full election support for 2016 Regular Election
- Full election support for 2018 Regular Election
- Advisory election support for 2020 Regular Election
- General election consulting for 2022 Regular Election

Town of Eagle

Jon Stavey, Town Manager

- Process assessment during Clerk transition January 2015

Town of Antonito

Doug George, Town Attorney

- Hearing Officer for recall petition protest 2009

City of Florence

Mike Patterson, City Manager

- Process assessment/Clerk transition September 2015

City of Lone Tree

Jennifer Pettinger, City Clerk

- Consult for Special Business Improvement District Election November 2015

Town of Crestone

Kairina Danforth, Mayor

Allyson Ransom, Town Clerk

- Clerk training October - December 2015
- Full election support for Regular Election April 2016
- Consulting for Regular Election April 2018
- Records management training May – September 2018
- General consulting for Regular Election April 2020
- Interim Court Clerk May – July 2020 and August 2021
- General consulting for Regular Election April 2022
- Process and structural assessment September 2022

Town of Silver Cliff

Ileen Squires, Town Clerk

- Full election support for Regular Election April 2016

Town of Arriba

Josie Hart, Town Clerk

- Designated Election Official for Regular Election April 2016

Town of Pitkin

Jody Wise, Town Clerk

- Full election support for Regular Election April 2016

Alamosa Mosquito Control District

Teyler Hurst, Manager (in 2016)

Sarah Cantu, Manager (current)

- Designated Election Official for Regular Election May 2016
 - NOTE: Election was cancelled prior to election day
- Designated Election Official for Regular Election May 2018
 - NOTE: Election was cancelled prior to election day
- Designated Election Official for Regular Election May 2020
- Designated Election Official for Regular Election May 2022

Alamosa County Fire Protection District

Don Chapman, Fire Chief

- Designated Election Official for Regular Election May 2015
 - NOTE: Election was cancelled prior to election day
- Designated Election Official for Regular Election May 2018
 - NOTE: Election was cancelled prior to election day
- Designated Election Official for Regular Election May 2020
- Designated Election Official for Regular Election May 2022

Alamosa County Ambulance District

Helen Sigmond, Board President

- Designated Election Official for Regular Election May 2015
 - NOTE: Election was cancelled prior to election day
- Designated Election Official for Regular Election May 2018
 - NOTE: Election was cancelled prior to election day
- Designated Election Official for Regular Election May 2020
- Designated Election Official for Regular Election May 2022

Society Hall (Pro Bono consulting for local non-profit organization)

Ruthie Brown and Pete Magee, coordinators

- Assistance in filing for liquor license April/May 2016

City of Alamosa

Heather Brooks, City Manager

- Assist with candidate training November 2014
- Interim HR Director June – August 2016

City of Monte Vista

Gene Farish, City Attorney

Forrest Neuerburg, City Manager

Gigi Dennis, City Manager 2022

- Hearing Officer for recall petition protest 2004
- Interim City Clerk September 2016 - May 2017
- Temporary Clerk services January 2018
- Liquor License consulting May 2022

Town of Snowmass Village

Clint Kinney, Town Manager

Rhonda Coxon, Town Clerk

- Process assessment/organizational structure review October 2016 – September 2017

City of Walsenburg

Leslie Klusmire, City Manager

- Records program development January 2017 – August 2017

Mark Ellis, Finance Director

- Transitional and process assessment March 2019

Town of Mead

Helen Migchelbrink, Town Manager

- Interim Clerk, process assessment, Clerk recruitment and training April – August 2017

Town of Crested Butte

Lynelle Stanford, Town Clerk

- Run-off election October – December 2017
- Records Management project September 2017 – current

City of Westminster

Michelle Parker, City Clerk

- Run-off election November 2017 (election cancelled)

Town of Green Mountain Falls

Jane Newberry, Mayor

Jason Wells, Interim Town Manager

Angie Sprang, Town Administrator 2020 – 2021

Becky Frank, Town Administrator 2022

Laura Kotewa, Town Clerk 2019 – 2020

Nathan Scott, Town Clerk 2022

- Interim Clerk services March 2018 – January 2019
- Clerk transition/orientation/training January – June 2019
- Assist with Manager recruitment January 2019
- General election consulting for Regular Election April 2020
- General election consulting for Regular Election April 2022

Town of Wellington

Kelly Houghteling, Assistant Town Manager

- Process assessment April 2019

City of Steamboat Springs

Julie Franklin, City Clerk

- Full election support, special referendum election April 2019 – July 2019

Baca Grande Water and Sanitation District

JoAnn Slivka, District Manager

- Designated Election Official for Regular Election May 2020
- Designated Election Official for Regular Election May 2022

Town of Palmer Lake

Bob Radosevich, Interim Town Administrator

- Interim Clerk January 2020 – July 2020

Rio Grande County

John Noffske, Board of Commission Chair 2020

Gene Glover, Board of Commission Chair 2021

- Interim County Administrator October 2020 through December 21, 2020.
- Project work (policies and records) December 2020 – April 2021

Town of Hooper

LeAnn Ledbetter, Town Clerk

- Full service election consulting for special election May 22, 2021
- General election consulting for Regular Election April 2022

Town of Moffat

Karen Lintott, Attorney

- Clerk training, process assessment, and capacity review April 2021

City of Cripple Creek

Carol Stotts, Human Resources Director

- Clerk training, August 2021 – May 2022
- Recall election full service January 2023

City of Manitou Springs

Judy Morgan, City Clerk

- Full service election consulting for Special Election January 2022
- Small project assistance, policy and minutes 2021 - 2022

City of Central

Reba Bechtel, City Clerk

- Full service election consulting for Special Election January 2022

City of Loveland

Delynn Coldiron, City Clerk

- Full service election consulting for recall election May – July 2022 NOTE that petition did not move forward and election did not occur

Town of Firestone

Jan Sloat, HR Director

- Clerk transition/training October – December 2022

MEMORANDUM OF UNDERSTANDING

Between

Colorado Department of Local Affairs – University of Colorado Denver, Colorado Center for
Community Development

And

Green Mountain Falls, Colorado

WHEREAS, the Colorado Department of Local Affairs, hereinafter DOLA, has contracted with the University of Colorado Denver Colorado Center for Community Development, hereinafter UCD, to provide technical assistance in a 64 county area of Colorado, and

WHEREAS, Green Mountain Falls, hereinafter the **TOWN (10615 Green Mountain Falls Road, Green Mountain Falls, CO 80819)**, has requested assistance through this program to assist in **an updating/revitalization and master plan for the municipal pool** and

WHEREAS, the DOLA and UCD desire to assist local governments and political subdivisions of the State that are experiencing social and economic impacts resulting from the development of energy/mineral resource industries in Colorado, and,

WHEREAS, it is necessary and desirable to specify these services, the desired end products, and the responsibilities of both the DOLA, UCD, and **TOWN** in completing this project,

NOW, THEREFORE, it is hereby agreed that:

I. SCOPE OF WORK

UCD shall provide the services to **the TOWN** as detailed in Attachment A-Scope of Services Dated January 30, 2023.

II. COST ESTIMATE

Work will be billed to **TOWN** at completion of the final work task. It is estimated that work on this project will be **\$4,625**, and **TOWN** is requested to contribute or match a not to exceed amount of **\$2,775** of the project costs to cover the time, travel, expenses, follow-up review and preparation of the final documents.

III. PAYMENTS

UCD shall submit an invoice to **TOWN** upon completion of services for **TOWN** contribution of **\$2,775**. Invoices will be sent to the following:

Town of Green Mountain Falls
Attn: Becky Frank, Town Manager
10615 Green Mountain Falls Road
Green Mountain Falls, CO 80819
Phone: 719-684-9414, EXT 5
email: manager@gmfco.us

Payments, identifying a UCD invoice number, will be sent within 30 days of invoice to:

University of Colorado Denver
ATTN: Michelle Haynes
Manager of Grants and Contracts
Campus Box 126, P.O. Box 173364
Denver CO 80217-3364

IV. Department and Community Responsibilities

UCD will provide the personnel and administrative oversight to accomplish the objectives as described. Student Employees of UCD may do some necessary research, plans, and prepare documents in accordance with the scope of work. Supervision of the students and their work tasks rests with **Jeffrey Wood**, Technical Supervisor for UCD. **Todd Leopold**, Regional Manager will monitor the Project on behalf of DOLA.

V. Period of Performance

This agreement will be deemed valid by the authorized signatures, and it is anticipated that work can begin when fully executed and completed **2/1/2024**.

VI. Changes and Termination

The UCD Technical Assistance Program, the Colorado Department of Local Affairs, or **TOWN** may, from time to time require changes in the Scope of Services of this agreement. In the event changes are required they must be made with the agreement of all parties. Either party may terminate this agreement by giving written notice of such termination and specifying the effective date thereof, at least thirty (30) days before the proposed date of termination.

VII. Agreement

For: Green Mountain Falls

Signature and Date Title: _____

For: Department of Local Affairs

Signature and Date Title: Regional Manager

For: University of Colorado Denver, Colorado Center for Community Development

Signature and Date Title: Assistant Dean of Finance and Administration

For: University Technical Assistance Program

A handwritten signature in black ink, appearing to be 'JLH' or similar, written over a horizontal line.

1/30/2023

Signature and Date Title: Technical Supervisor

Green Mountain Falls: Pool, Pool House and Future Planning

Considerations for future use, improvements and expansion

Seeking public input on a how to best use a beloved facility

Location:

The Green Mountain Falls historic municipal pool is located about a half mile off of Highway 24 in the small mountain town. The community is located in El Paso County and is home to just under 700 residents, many of whom have chosen to retire in the picturesque valley where Green Mountain Falls sits. The pool is among the oldest in the state of Colorado, and is beloved by the community, but as with most aging facilities, the costs to keep it operational can be daunting. Though the community is generally in favor of maintaining the pool as a summer amenity, the costs of operation, maintenance, staffing and modernization are impacting the town's financial resources. Currently, the hope each summer is to have the pool open for 10-12 weeks, though workforce challenges, maintenance and other factors complicate the schedule each summer.



**Green Mountain Falls
Municipal Pool and
Pool House**

UNIVERSITY TECHNICAL ASSISTANCE PROGRAM

COLLEGE OF ARCHITECTURE AND PLANNING

Background:

The pool itself was built in the early to mid 20th century. Some historic research should be done to ascertain the construction date and perhaps better understand the greater cultural significance. To the community though, many grew up working at or swimming in the pool and therefore the ties to the long term residents runs deep. The decision to open the pool in the summer of 2022 was met with resounding support. There have been online petitions in support of restoring the pool. In truth, there seems to be little opposition to keeping this beloved resource. However, the reality of any swimming pool is that it is costly to operate and maintain. Even setting aside the age of the pool, pools are expensive. A new pool is a costly endeavor...an old one only more so. Hence it is up to us to determine the right path forward...the actions and funding sources that appeal to the residents and fit within the towns fiscal plan.



The University Technical Assistance (UTA) Program at UCDenver, through a generous grant from the Department of Local Affairs (under the Supervision of Regional Manager Todd Leopold) has been contacted to provide design and planning services to the Town of Green Mountain Falls. We met on January 25th with Town Manager Becky Frank, Mayor Todd Dixon and Town Clerk Nate Scott. On hand from the UTA program were Jeffrey Wood and Abe Martin. We discussed the possible strategies for public engagement as well as ideas for adding to the income stream as well as challenges faced by the nearby park which could use a better restroom facility to serve the many hikers that frequent the area during the warmer months. We met first at town hall and then afterward at the pool itself.

UNIVERSITY TECHNICAL ASSISTANCE PROGRAM

COLLEGE OF ARCHITECTURE AND PLANNING



COLORADO
Department of Local Affairs

The Project:

All pools require constant maintenance. Chemical treatments, filtering, ongoing cleanup and all that goes with keeping thousands of gallons of water safe and clean is of course the number one priority. However, staffing, ranging from general administration, entry fee, life guards, janitorial (shower and bath cleaning) is just as important. On the other hand, some jobs are ideal summer employment opportunities for high school and college age teens looking to earn some money and stay busy over the summer. Long term issues like paint, heater /filter maintenance, pool surface and deck repairs add to the overhead. In summary, a pool is an expensive undertaking for a small community, and regardless of support from the community, it is difficult to meet the financial burden. Additional monetization, from concessions, higher entry fees, and perhaps providing services to hikers utilizing the nearby array of trails could enhance revenue streams, would be helpful but would still fall well short of required funding. Added to these issues is the need for restrooms to serve the hiking community as well as the projected need to add gender neutral restrooms in both the pool as well as any new facility contemplated. Finally, the capacity of the existing septic system is an unknown as of this writing, and may require attention in the near future or as a result of improvements made. A final cost is that of the water used and at the end of the season, how it can be used without impacting the septic system. A primary aspect of this project will be to contemplate various ideas and then weigh public opinion and support through the use of surveys and public engagement meetings. At the conclusion of these steps, a master plan for implementation, as supported by the community and the town government will be produced which will serve as a road map for the future of the pool.

Upon initial inspection, the following issues came to light (not a comprehensive list):

- ☐ Ascertaining public support will be the critical feature of this project.
- ☐ The existing septic system should be assessed (by others) in order that we understand any impact that might have on our decision making.
- ☐ An array of ideas should be considered without prejudice. What if, for example, we made accommodations for the pool to be used year round? Most of the users are swimmers looking for low impact exercise in the form of lap training. Could some method of heating the pool year round (solar and/or wind generated electricity) .
- ☐ With the need for restrooms to serve hikers, could that be integrated in a way to either reduce costs or possibly act as an attraction to visitors to use the pool or related concession, thereby enhancing the revenue stream. Any restroom design should include allowance for a gender neutral and/or family style restroom in accordance with proposed state requirements.
- ☐ Could sustainable energy sources be used to heat the pool heated year round, or perhaps more realistically, heat the water to above freezing (with the installation of thermal covers) in order that the water not be wasted requiring repurchase each season.
- ☐ The designs should take the form of a MASTER PLAN approach, whereby we look at the entire facility and how it might be transformed over a number of years and steps that would entail a vision of the future fairgrounds. This plan would include the various ideas and prioritize them for incremental implementation, based on need, cost, and funding availability.
- ☐ The historic status of the pool should be assessed (via a preliminary HSA) in order to examine other funding streams and general cultural value to the state and the immediate area.

UNIVERSITY TECHNICAL ASSISTANCE PROGRAM

COLLEGE OF ARCHITECTURE AND PLANNING



COLORADO
Department of Local Affairs

Our proposed work will entail the following steps:

Step One:

Site Reconnaissance and documentation, as well as inventory/brainstorming of project opportunities.

Step Two:

Develop and work with town to create a detailed resident/user survey. Develop (2-4) concepts addressing our initial findings, which might allow the survey to be more illustrative and perhaps excite the imaginations of the populace. These ideas would include pros and cons of various approaches, with an eye toward costs, funding sources and establishing the level of urgency or importance, as well as phasing opportunities. We believe a community survey would assist us with clarifying uses the residents would like to have included in the master plan. Upon receipt of survey data, we would provide analysis, as well as the raw data, for use and discussion with and by the town.

Step Three:

We will develop 1 to 3 more fully developed concepts that will address the concerns and thoughts generated out of our meetings with stakeholders as well as from the surveys. This will include a more comprehensive Opinion of Cost as well as interior and exterior renderings as we deem necessary to clearly explain the concepts and give the stakeholders their first glimpse into the new facility. The end product of this stage will lead to a presentation to the community and interested public who may emerge as fundraising sources and will be invited to participate in the design process in order that they retain a sense of ownership of the facility.

Step Four:

Community Meeting/Presentation (2 Meetings total): Offer a detailed analysis of the project in order to facilitate meaningful dialogue to determine community support. This will be a multimedia presentation (PowerPoint, printed exhibits and even handouts made available to attendees) given by the student-employees of the UTAP. (NOTE: at the conclusion of the design phase, we may either present to the Board or hold a second community meeting in which we detail the results of the process)

Step Five:

Final Refinement based on stakeholder's wishes, costs, and any additional input from the community. At the conclusion of this we will provide final drawings and a summary of the process and steps taken to arrive at the selected scheme, in the form of a document that can be distributed to grantors and funding resources. The final document would be assembled and printed for final publication and **presented to the town** and stakeholders in various formats (hard copy, digitally, etc.).

UNIVERSITY TECHNICAL ASSISTANCE PROGRAM

COLLEGE OF ARCHITECTURE AND PLANNING



COLORADO
Department of Local Affairs

Process/Services to be provided:

- Documentation of all amenities and spaces suitable for development.
- Prepare schematic diagrams indicating locations, photographs, drawings, adjacencies, and other exhibits intended to describe the project and the possible alternative solutions.
- Prepare presentations to stakeholders and eventually to general public for review and comment to generate comment, additional ideas and garner/gauge support for project.
- Cost Estimation (ongoing)
- Design Development Drawings (for use for cost estimation and fabricators)
- Produce summary of our findings (drawings and estimates), for grant support and to assist the stakeholders and county in deciding how best to proceed.

Note we will also need use of whatever meeting space is deemed appropriate for presentation to community. Though we are happy to assist with preparation of the notice for the meeting (if needed), we will rely on the county and stakeholders to take whatever steps are needed to actually notify the widest possible audience. We anticipate a total of 1 in process public presentation and one final presentation to town showing the resulting design.

Work is intended to be schematic in nature. The UTA cannot stamp or sign or issue drawings for construction under their own title and would need others, if/as acceptable to take over responsibility for permit/construction drawing completion when deemed necessary at the sole discretion of the UTA.

It is hoped that meetings can be coordinated to minimize redundancy, but managed in order to be productive (small size meetings are more conducive to more detailed discussions, whereas larger issues can easily be presented at larger gatherings). We anticipate two to three stakeholders meetings (included in this budget) in addition to the college wide presentations, but more may be required.

Work is supervised by Jeffrey Wood, UCDenver Community Development Coordinator/ University Technical Assistance Program (in conjunction with other professionals within the program), and prepared by undergraduate and graduate level Landscape Architecture, Planning and Architecture design interns from the College of Architecture and Planning in Denver.

Timetable

It is estimated that work can begin with initial documentation upon acceptance of this scope of work and the execution of a suitable Memo of Understanding (note: our fees would be split in some fashion with DOLA [Department of Local Affairs] and would not be payable until our work is completed). Depending on the availability of various members of the college leadership and staff, and related stakeholders, as well as engineers, contractors and other interested parties, (including student availability and schedule) the UTA portion of the work should take roughly 9-12 months, with a projected endpoint on or about February 1st, 2024. (Note: subsequent/additional phases would be addressed in additional MOU's as warranted or requested by stakeholders.)

UNIVERSITY TECHNICAL ASSISTANCE PROGRAM

COLLEGE OF ARCHITECTURE AND PLANNING



COLORADO
Department of Local Affairs

Budget

Work will be billed to GREEN MOUNTAIN FALLS at completion of the final work task. It is estimated that work on this project will require \$4,625 to cover the staff work, travel expenses, follow-up review and preparation/printing of the final documents. Work is divided by task and TOWN-DOLA contribution as follows:

| | |
|--|----------------|
| Projected Total Project Cost | \$4,625 |
| DOLA Match (40%) | \$1,850 |
| GREEN MOUNTAIN FALLS Share of Cost (60%) | \$2,775 |

UNIVERSITY TECHNICAL ASSISTANCE PROGRAM

COLLEGE OF ARCHITECTURE AND PLANNING



COLORADO
Department of Local Affairs

**GREEN MOUNTAIN FALLS, COLORADO
RESOLUTION NO. 2023-3**

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

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

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

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

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

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

Section 1.

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

| | | | |
|--|-----|--------------|-----------|
| PPACG Board of Directors <i>The Pikes Peak Area Council of Governments is comprised of membership spanning 16 participating local counties and municipalities. Its Board of Directors is charged with establishing objectives and policies related to issues that cross political boundaries, shared opportunities and challenges, and collaborative strategies for action. As a participating member government, the Town Board of Trustees designates a voting representative and an alternate from among the elected Board of Trustees to represent the Town during their term of office.</i> <i>PPACG Board of Directors Bylaws, Article IV</i> | | | |
| Todd Dixon, Mayor | (2) | January 2023 | May, 2024 |
| | | | |
| PPACG Community Advisory Committee | | | |

The Community Advisory Committee serves as the formal mechanism for the active participation of citizens in the planning, promotion, and evaluation of activities of the Pikes Peak Area Council of Governments, and assists the PPACG staff in keeping the general public informed relative to regional plans and programs. The CAC is a nontechnical body comprised of volunteers who offer a citizen's perspective on issues such as transportation, the environment, economic development and military impact planning in the Pikes Peak region. The Town Board of Trustees nominates a citizen representative who has a sincere interest in serving the community. The PPACG Board of Directors approves all nominations. Representatives may serve up to two (2) consecutive three (3) year terms.

PPACG CAC Bylaws

| | | | |
|----------|-----|--------------|--------------|
| Ann Esch | (2) | January 2023 | January 2024 |
| | | | |

PPACG Water Quality Management Committee

The purpose of this committee is to advise the Pikes Peak Area Council of Governments and PPACG staff on current and emerging issues, goals, plans, and programs affecting the water quality of the Pikes Peak Region, to aid in the review of site applications, and to aid in the development of the water quality management plan updates and amendments.

| | | | |
|---------------|--|--|--|
| <i>Vacant</i> | | | |
|---------------|--|--|--|

PPRTA Board of Directors

The Pikes Peak Rural Transportation Authority Board of Directors has primary responsibility for the management and disbursement of funds generated by the Authority, and the activities that support those functions. As a participating member government, the Town Board of Trustees appoints a single Director from among the elected Board of Trustees to represent the Town, for a calendar year term of office.

Intergovernmental Agreement Regarding the Pikes Peak Rural Transportation Authority

| | | | |
|----------------------------|-----|--------------|----------|
| Todd Dixon, Mayor | (2) | January 2022 | May 2024 |
| Katharine Guthrie, Trustee | (2) | January 2022 | May 2024 |

PPRTA Citizen Advisory Committee

The 17-member Pikes Peak Rural Transportation Authority Citizen Advisory Committee's primary objective is to ensure the capital, maintenance, and public transportation projects and programs approved by voters during the November 2, 2004 election and the November 6, 2012 election are accomplished with PPRTA funds. The committee reports directly to the PPRTA Board of Directors, and is charged with reviewing the budgets of the five local member governments to monitor the expenditure of PPRTA funds on capital, maintenance, and public transportation projects and programs. The Town Board of Trustees appoints two members

from among the residents of the PPRTA geographic boundaries to three-year staggered terms. Representatives from member governments do not have term limits.

PPRTA CAC Bylaws

| | | | |
|---------------|-----|--------------|--------------|
| Craig Gooding | (1) | January 2023 | January 2024 |
| | | | |

PPRBD Advisory Board

The Pikes Peak Regional Building Department Advisory Board renders advice in the administration operation of the department in matters related to administration and financing and budget of the department. The Town Board of Trustees appoints one representative to the Advisory Board.

By-laws of the Regional Building Commission

| | | | |
|-------------------|--|--------------|----------|
| Todd Dixon, Mayor | | January 2023 | May 2024 |
|-------------------|--|--------------|----------|

CML Policy Committee

The Colorado Municipal League represents the shared interests of 269 of Colorado's 272 incorporated municipalities. The CML Policy Committee has significant policy development responsibilities. The committee is responsible for reviewing of requests from member municipalities for CML-initiated legislation and recommending specific positions to the CML Board, reviewing of requests for policy positions from member municipalities and recommending specific positions to the CML Board, review of known or potential legislative issues or bills, consideration of staff recommendations, and recommending specific positions to the CML Board, and review of the League's Annual Policy Statement that guides League positions on policy issues affecting municipalities and proposing revisions, if necessary, culminating in the ballot questions presented to CML members at the Annual Business Meeting that takes place as part of CML's Annual Conference. Each member municipality of CML is entitled to designate one representative to the League's Policy Committee. One alternate may also be designated, and that alternate should attend only if the appointed member is unable to attend.

| | | | |
|---------------------------|--|--------------|--------------|
| Sunde King, Mayor Pro-Tem | | January 2023 | January 2024 |
|---------------------------|--|--------------|--------------|

Fountain Creek Watershed

The Fountain Creek Watershed Flood Control and Greenway District was created under SB09-141, established under Title 32 of the CRS. The boundaries, governance, and powers and duties of the district are established through this legislation.

The district consists of the counties of El Paso and Pueblo and is governed by a Board of Directors consisting of a representative from the cities of Colorado Springs, Fountain, and Pueblo; El Paso and Pueblo counties; small municipalities in El Paso County; the Lower Arkansas Valley Water Conservancy District; and the FCW Citizens Advisory Group. A Technical Advisory Committee and Citizens Advisory Group provide input to the Board.

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| Jay Kita-Alternate FCWD Board of Directors | February 2023 | |
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* (N) indicates that the specified term is the member's Nth consecutive term.

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

Section 2.

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

Section 3.

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

Introduced, Read, Passed, and Adopted at a regular meeting of the Board of Trustees of the Town of Green Mountain Falls on this 7th day of February 2023.

**TOWN OF GREEN MOUNTAIN FALLS,
COLORADO**

Todd Dixon, Mayor

ATTEST:

Bo Ayad, Town Clerk

RESOLUTION NO. 2023-03

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

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

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

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

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

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

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

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

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

The town website, www.gmfco.us, is to be the official posting place for all meeting notices. When possible, the Post Office and Town Hall may be used in addition. In the event of technological difficulties, official posting place shall be at Town Hall.

INTRODUCED, READ, and PASSED this 7th day of February 2023.

TOWN OF GREEN MOUNTAIN FALLS,
COLORADO

Todd Dixon, Mayor

ATTEST:

Boulos Ayad, Town Clerk/Treasurer

To the Board of Trustees of the Town of Green Mountain Falls, Colorado;

This letter is an appeal to the Town of Green Mountain Falls, Colorado, that it permanently stop the practice of dumping, parking equipment, and storing materials on Olathe Street at the intersection with Ute Pass Avenue ("the Intersection"). We do not know how much of this is done by the Town, itself, and how much is by way of the Town's allowing its vendors and/or others to do so. In any event, this practice has been a long-time, growing problem, but particularly in recent years has become more frequent, of longer duration, more unsightly; and therefore much more objectionable. The Town has disregarded citizen requests that the practice end.

Whether intentional or not, the Town has communicated through these actions that the Intersection should become the "go-to dump site" for far-flung areas of town. These Town actions effectively invite our residents and even our visitors to use this intersection as their own dumping ground. You may be familiar with the "broken windows" theory that suggests that visible signs of improper social behavior encourage others to engage in the same behavior and hasten community decline. This Intersection tends to prove that theory.

Our concerns form around eight points;

1. Nuisance: The town's ongoing practice of dumping/parking/storing on Olathe Street creates a repeated and continuing nuisance, in direct violation of Municipal Code Sections 6-1 and 6-13. By those sections, "Nuisances" are prohibited, and by Section 6-4, "Nuisances" literally include dumping, storing vehicles of any kind, and storing machinery and equipment used by contractors or other persons. In Section 1-11 of the Municipal Code "Person" is defined very broadly including natural persons and corporate entities and their agents and employees. This definition certainly appears to include everyone contributing to the Nuisance at the intersection, even the Town, itself. Finally, once a nuisance is declared, the Code states that it should be abated at the cost of the persons creating the nuisance.

2. Health and Safety Concerns: The town's intentional, repeated and unprotected dumping/parking/storing across from the pool, across from a main trailhead area, and in a neighborhood with children presents a health and safety hazard which, according to town ordinances, SHALL be abated.

3. Conflict with Town Zoning: Dumping/parking/storing on Olathe Street does not comply with town zoning. On the GMF zoning map, the Intersection is designated as R1 residential (with a bit of public park) and Olathe Street is shown as a street, not a staging area, not a parking lot, and certainly not a dumping site. The present use might be permitted in a Public Facilities District, but that is not the zoning designation for the intersection; and, of course, it would be entirely inappropriate to change the zoning to that.

4. Disregard for Town Comprehensive Plan: Preferentially dumping/parking/storing on Olathe is in direct opposition to the stated goals of the town's own comprehensive plan. Under the heading of "Town Governance", the comprehensive plan encourages town leaders to "Strive for consistency and equality in the enforcement of town regulations". In this matter, Olathe is bearing an unequal burden.

5. Disregard of the Planning Commission: On November 8, the Green Mountain Falls Planning Commission unanimously recommended, regarding an upcoming Colorado Springs Utilities project on Hondo Avenue, that Olathe Street NOT be used as a staging area, but the very next week the Board of Trustees voted to dump/park/store on Olathe despite that unanimous recommendation from the very group charged with reviewing such matters.

6. A Shameful First Impression: Repeatedly dumping/parking/storing on Olathe Street is a highly visible message to those entering GMF that we don't care what we look like. It is a black eye for the whole town. Neighbors have worked through the years to improve the appearance of the area, most recently in the summer of 2022 when the triangular planter at the Intersection was substantially rebuilt and replanted. These efforts are undermined by the Trustees, whose comments and actions in BOT meetings seem to imply that the location is somehow more appropriate for unsightly activities since it had been a victim in the past.

7. Flood Plain Best Practices: What the mayor now repeatedly calls a "staging area" grew out of inadequate clean-up during town road maintenance. When most of the nearby houses were originally built, the area was an effective part of the Catamount Creek flood plain, a natural living buffer between road and stream. The lifeless dirt platform we see today was created by the town as road maintenance gradually broadened and raised the area, where road aggregate could be delivered and equipment parked. If the Town had followed Staging Area Best Practices, it would have cleaned up after itself. If it had followed Environmental and Flood Plain Best Practices, it wouldn't have dumped there in the first place.

8. Bad Precedent: What began as simple road maintenance on Olathe Street has grown considerably in size and scope. Since the July 2018 hail/mud/flood event, Olathe has been home to rusty culverts, large piles of aggregate of various sizes, heavy equipment, power company tree crew equipment, construction debris, bags of trash, brush piles, and numerous large boulders, many of these items for extended periods of time and all decorated by poorly maintained town barricades and tattered caution tape which ironically warned passersby that "no dumping" was allowed. This unsightly mess was almost entirely used to support work in other parts of town, not on Olathe. Where town staff used to tell residents that such work was only temporary and would be gone "soon", now we have town leaders proposing to start yet another round of "project staging" for another area of town, apparently trying to normalize the practice, telling us the area has always been a "staging area". This apparent change in direction is a sign of bad faith, a blight to the neighborhood, a blow to property values and is totally unacceptable. Also, the statement effectively is the Town's admission that it actually is maintaining the Intersection as a dumping ground, which by definition is a Nuisance in violation of the Municipal Code

The Board of Trustees of Green Mountain Falls should attend to the requests of citizens whose neighborhood has been blighted long enough. They should follow their own planning commission, the spirit of their own planning documents and the letter of their own ordinances. The Town should cease sanctioning dumping/parking/storing activities; the Intersection and the adjacent area immediately upstream of the Ute Pass Avenue bridge over Catamount Creek, should be returned to its natural state, a floodplain.

Thank you for your assistance in this important matter. We are willing to speak with anyone you might suggest. We hope for a positive response from you.

Peter and Rosalea Carttar
10715 Olathe St.