TOWN OF

Palmer Lake

est. 1889

Town Board of Trustees Regular Meeting

Thursday, August 22, 6:00 PM

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

AGENDA

This agenda is subject to revision

1. Call to order
2. Pledge of Allegiance
3. Roll call
4. Approval of the Agenda
5. Approval of minutes from August 8, 2019
6. Board comments, reports, meetings attended
7. **Unscheduled Public Comments**-*Reserved for members of the public to make a presentation to the Board on items or issues that are not scheduled on the agenda. As a general practice, the Board will not discuss/debate these items, nor will the Board make any decisions on items presented during this time, rather will refer the items to staff for follow up. Comments are limited to three (3) minutes per speaker*

Financials

8. Approval of Checks over $15,000 (Motion to approve)

Conditional Use Permit

9. Illumination Point – Applicant; Jeremy Ferranti

Resolutions

10. No. 13 of 2019 A Resolution approving a Conditional Use Permit To establish a Mini Warehouse and Storage rental use on a property currently Zoned C-2 General Business and Commercial Zone District and located at 640 Highway 105 (Property)

11. No. 14 of 2019 A Resolution approving a Conditional Use Permit To establish a Mini Warehouse and Storage rental use (outdoor vehicle storage) on a property currently Zoned C-2 General Business and Commercial Zone District and located at 640 Highway 105 (Property)

Discussion/Decision Items

11. Vaile House sale document findings

12. South Valley Crescent update

13. Process for setting Ballot issues and set the special meeting date

14. Adjourn

Next Palmer Lake Town Board of Trustees Meeting will be held September 12, 2019.

Please note: If you have a disability and need auxiliary aids or services, please notify the Town of Palmer Lake (719-481-2953) at least 48 hours in advance of when services are needed. The Town of Palmer Lake will make every effort to accommodate the needs of the public.

1. Facilities Fee schedule
2. Recodification
3. HR Manual
4. Trail head parking
5. IT Contracts

August 22, 2019

Checks Over $15,000

1.	Avery Asphalt Inc. Douglas Avenue Project	$34,688.73
2.	PAP, LLC Glenway Project	$28,906.50

42 Valley Crescent. P. O. Box 208. Palmer Lake, CO 80133
Phone (719) 481-2953 Fax (719) 488-9305
Website: www.townofpalmerlake.com

Town of Palmer Lake
P.O. BOX 208
PALMER LAKE, CO 80133
(719) 481-2953

Community Banks of Colorado
10-210/2013
VOID 90 DAYS FROM DATE OF ISSUE

45615

DATE 8/14/2019 CHECK NO. AMOUNT

Avery Asphalt Inc 34,688.73

Thirty Four Thousand Six Hundred Eighty Eight Dollars And 73 Cents

PAY

TO THE ORDER OF

Avery Asphalt Inc
7770 Venture St
Colorado Springs CO 80951

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

⑈045615⑈ ⑆102102013⑆ 0290311945⑈

THIS DOCUMENT HAS A TRUE WATERMARK IN THE PAPER • HOLD TO LIGHT TO VIEW

WZ596403-10-18

45615

Vendor ID	Name	Account	Check Date	Check Number
AVERY	Avery Asphalt Inc		8/14/2019	45615

Invoice Number	Description	Date	Amount	Net Amount Paid
193055-7.29.19	Asphalt	7/29/2019	$34,688.73	$34,688.73

Town of Palmer Lake
Est. 1889

Asphalt	$34,688.73	$34,688.73

Abehnno@cityof central.co

AVERY

7770 Venture St., Colorado Springs Co 80951
Phone # 719-471-0110

Invoice #	
Date	7/29/2019
Project Name	Palmer Lake Douglas Ave.
Project #	193055

$ 538,692.15

Line #	Item #	Description	Plan Quantity	Quantity to Date	Unit	Unit $	Extended	Job Total	Pay Est #1	Pay Est #2	Pay Est #3	Pay Est #4	Pay Est #5	% Complete
[redacted]								$ 3,890.00	$ 3,890.00					100
2	202-00028	REMOVE CONCRETE DITCH PAVEMENT	160	0.00	SY	19.47	$ -	$ 3,115.20	$ -					0
3	202-00035	REMOVE PIPE	310	57.00	LF	10.00	$ 570.00	$ 3,100.00	$ 570.00					18
4	202-00047	REMOVE ELECTRICAL OUTLET	1	0.00	LS	100.00	$ -	$ 100.00	$ -					0
[redacted]								$ 525.00	$ 525.00					100
[redacted]								$ 1,188.00	$ 1,188.00					100
7	203-00010	UNCLASSIFIED EXCAVATION	3,121	0.00	CY	17.00	$ -	$ 53,057.00	$ -					0
8	206-00200	STRUCTURAL BACKFILL (CLASS 2)	43	39.00	CY	90.00	$ 3,510.00	$ 3,870.00	$ 3,510.00					91
9	206-01000	BED COURSE MATERIAL	38	0.00	CY	75.00	$ -	$ 2,850.00	$ -					0
10	208-00001	SILT DIKE	55	0.00	LF	18.00	$ -	$ 990.00	$ -					0
[redacted]								$ 536.25	$ 536.25					100
12	208-00008	EROSION BALES (WEED FREE)	10	10.00	EA	24.00	$ 240.00	$ 240.00	$ 240.00					100
[redacted]								$ 2,125.20	$ 2,125.20					100
14	208-00033	SEDIMENT TRAP	2	1.00	EA	500.00	$ 500.00	$ 1,000.00	$ 500.00					50
15	208-00041	ROCK CHECK DAM	50	12.50	EA	84.00	$ 1,050.00	$ 4,200.00	$ 1,050.00					25
16	208-00045	CONCRETE WASHOUT STRUCTURE	1	0.00	EA	2775.00	$ -	$ 2,775.00	$ -					0
17	208-00050	STORM DRAIN INLET PROTECTION	20	0.00	EA	50.00	$ -	$ 1,000.00	$ -					0
[redacted]								$ 1,500.00	$ 1,500.00					100
19	208-00103	REMOVAL AND DISPOSAL OF SEDIMENT	120	0.00	HR	41.00	$ -	$ 4,920.00	$ -					0
20	208-00207	EROSION CONTROL MANAGEMENT	20	6.00	DAY	250.00	$ 1,500.00	$ 5,000.00	$ 1,500.00					30
21	210-00011	RESET MAILBOX STRUCTURE (TYPE 1)	2	0.00	EA	400.00	$ -	$ 800.00	$ -					0
22	210-01000	RESET FENCE	120	0.00	LF	15.00	$ -	$ 1,800.00	$ -					0
23	210-02900	RELAY RIPRAP	8	0.00	CY	75.00	$ -	$ 600.00	$ -					0
24	210-04010	ADJUST MANHOLE (SAN SEWER)	6	0.00	EA	400.00	$ -	$ 2,400.00	$ -					0
25	210-04050	ADJUST VALVE BOX (WATER)	5	0.00	EA	300.00	$ -	$ 1,500.00	$ -					0
26	212-00006	SEEDING NATIVE	0.27	0.00	AC	1250.00	$ -	$ 337.50	$ -					0
27	213-00002	MULCHING (WEED FREE HAY)	0.27	0.00	AC	2500.00	$ -	$ 675.00	$ -					0
28	216-00201	SOIL RETENTION BLANKET (CLASS 1)	232	0.00	SY	4.00	$ -	$ 928.00	$ -					0
29	304-06007	AGGREGATE BASE COURSE (CLASS 6)	1,009	0.00	CY	79.00	$ -	$ 79,711.00	$ -					0
30	304-09100	AGGREGATE BASE COURSE (RECYCLED	501	0.00	TN	35.00	$ -	$ 17,535.00	$ -					0
31	403-33741	HOT MIX ASPHALT PAVEMENT	7,482	0.00	SY	12.00	$ -	$ 89,784.00	$ -					0
32	403-34741	HOT MIX ASPHALT PAVEMENT	6,020	0.00	SY	12.50	$ -	$ 75,250.00	$ -					0
33	506-00212	RIPRAP (12 INCH)	89	0.00	CY	90.00	$ -	$ 8,010.00	$ -					0
34	507-00100	CONCRETE SLOPE AND DITCH PAVING	214	0.00	CY	525.00	$ -	$ 112,350.00	$ -					0
35	601-01050	CONCRETE CLASS B (HEADWALL)	4	0.00	CY	1500.00	$ -	$ 6,000.00	$ -					0
36	602-00000	REINFORCING STEEL (HEADWALL)	166	0.00	LB	10.00	$ -	$ 1,660.00	$ -					0
37	603-01185	18 INCH RCP (CIP)	100	36.00	LF	80.00	$ 2,880.00	$ 8,000.00	$ 2,880.00					36
38	603-01245	24 INCH RCP (CIP)	118	0.00	LF	95.00	$ -	$ 11,210.00	$ -					0
39	603-05024	24 INCH RCES	1	0.00	EA	1500.00	$ -	$ 1,500.00	$ -					0
40	603-50018	18 INCH HDPE (CIP)	412	0.00	LF	55.00	$ -	$ 22,660.00	$ -					0
41	620-00020	SANITARY FACILITY	1	0.00	EA	1000.00	$ -	$ 1,000.00	$ -					0
42	625-00000	CONSTRUCTION SURVEYING	1	0.60	LS	15000.00	$ 9,000.00	$ 15,000.00	$ 9,000.00					60
43	626-00000	MOBILIZATION	1	0.25	LS	25000.00	$ 6,250.00	$ 25,000.00	$ 6,250.00					25
44	627-00005	EPOXY PAVEMENT MARKING	40	0.00	GAL	250.00	$ -	$ 10,000.00	$ -					0
45	627-30410	PREFORMED THERMOPLASTIC PAVEMENT	32	0.00	SF	50.00	$ -	$ 1,600.00	$ -					0
46	630-80000	TRAFFIC CONTROL	1	0.25	LS	5000.00	$ 1,250.00	$ 5,000.00	$ 1,250.00					25
							$ -	$ -	$ -					
						Total To Date	$ 36,514.45	$ 596,292.15						
						Retention 5%	$ (1,825.72)							
						Net Amount	$ 34,688.73							
						Project Grand Total	$ 596,292.15							
						Total of Previous Estimates	$ -							
						Pay This Amount This Estimate	$ 34,688.73							

Account # 10-51-3523

Contractor's Application for Payment No. 1

	Application Period: 7/3/19 - 7/26/2019	Application Date: 7/29/2019
To (Owner): City of Palmer Lake	From (Contractor): Avery Asphalt Inc.	Via (Engineer): Jason Dosch
Project: Palmer Lake- Douglas Ave. Road & Drainage Improvements	Contract: Jeremy Havens	
Owner's Contract No.: 211-50	Contractor's Project No.: 193055	Engineer's Project No.: STE-M026-003

Application For Payment
Change Order Summary

Approved Change Orders		
Number	Additions	Deductions
TOTALS		
NET CHANGE BY CHANGE ORDERS		

1. ORIGINAL CONTRACT PRICE.............................. $ $596,292.00
2. Net change by Change Orders.............................. $
3. Current Contract Price (Line 1 ± 2).............................. $ $596,292.00
4. TOTAL COMPLETED AND STORED TO DATE
   (Column F on Progress Estimate).............................. $ $36,514.45
5. RETAINAGE:
   a. 5% X ________ Work Completed......... $ $1,825.72
   b. 5% X ________ Stored Material......... $
   c. Total Retainage (Line 5a + Line 5b).............................. $ $1,825.72
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c).............................. $ $34,688.73
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)....... $
8. AMOUNT DUE THIS APPLICATION.............................. $ $34,688.73
9. BALANCE TO FINISH, PLUS RETAINAGE
   (Column G on Progress Estimate + Line 5 above).............................. $ $559,777.55

Contractor's Certification

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: [signature] Date: 8/9/19

Payment of: $ $34,688.73
(Line 8 or other - attach explanation of the other amount)

is recommended by: ________ (Engineer) ________ (Date)

Payment of: $ ________
(Line 8 or other - attach explanation of the other amount)

is approved by: [signature] (Owner) 8/12/19 (Date)

Approved by: ________ Funding Agency (if applicable) ________ (Date)

Town of Palmer Lake
P.O. BOX 208
PALMER LAKE, CO 80133
(719) 481-2953

Community Banks of Colorado
10-210/2013
VOID 90 DAYS FROM DATE OF ISSUE

45629

DATE 8/14/2019 CHECK NO. AMOUNT

PAP, LLC 28,906.50

PAY Twenty Eight Thousand Nine Hundred Six Dollars And 50 Cents

TO THE ORDER OF

PAP, LLC
39018 US Highway 160
Bayfield CO 81122

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

⑈045629⑈ ⑆102102013⑆ 0290319495⑈

THIS DOCUMENT HAS A TRUE WATERMARK IN THE PAPER • HOLD TO LIGHT TO VIEW.

45629

Vendor ID	Name	Account	Check Date	Check Number
PAP,LLC	PAP, LLC		8/14/2019	45629

Invoice Number	Description	Date	Amount	Net Amount Paid
1865	Streets	8/12/2019	$28,906.50	$28,906.50

Town of Palmer Lake
Est. 1889

Streets		$28,906.50	$28,906.50

Town of Palmer Lake · P.O. Box 208 · Palmer Lake, CO 80133 · (719) 481-2953

PAP, LLC
39018 US Highway 160
Bayfield, CO 81122 US
pap.llc14@gmail.com

Invoice

BILL TO
Town of Palmer Lake
P.O. Box 208
Palmer Lake, Co. 80133-0208
USA

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
1865	08/12/2019	$28,906.50	09/01/2019	Due on receipt	

P.O. NUMBER
PAP19-016PALM

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
08/12/2019	Mobilization	Transport of men and equipment to jobsite	0.50	10,000.00	5,000.00
08/12/2019	Traffic Control		0.50	1,500.00	750.00
08/12/2019	01 Plans and Permits	Plans and Permits	1	500.00	500.00
08/12/2019	02.20 Demo	Demo	0.25	10,000.00	2,500.00
08/12/2019	Curb & Gutter		548	31.60	17,316.80
08/12/2019	Driveway Apron	Driveway Apron	144	9.00	1,296.00
08/12/2019	Flat Work	Driveway	133	8.90	1,183.70
08/12/2019	Sidewalk	Sidewalk	0	5.95	0.00
08/12/2019	Flat Work	Crosspan	40	9.00	360.00
08/12/2019	Pedestrian Ramp	Pedestrian Ramp	0	3,000.00	0.00
08/12/2019	Channel Drain		0	9.25	0.00
08/12/2019	06 Agg. Base Course		0	5.00	0.00
08/12/2019	09.10 Topsoil		0	1,500.00	0.00
08/12/2019	10.10 Paving	Street	0	20.50	0.00
08/12/2019	10.10 Paving	Driveway	0	16.50	0.00
08/12/2019	02.70 Erosion Control	Seeding	0	1,500.00	0.00

BALANCE DUE **$28,906.50**

Account # 10-51-3295

Jason
Cap Improvement Rel's

PLANNING COMMISSION STAFF REPORT

Z.7&8.19

Conditional Use at 640, and 650 Highway 105, Illumination Point

LOCATION OF PROPERTY: 640, 650 Highway 105, Palmer Lake, CO

ZONING: C2 General Business and Commercial Zone District

APPLICANT: Jeremy Ferranti

PROPERTY OWNER: Jeremy Ferranti, (property closing date May 15, 2019).

NOTICING:
Property posted: May 16, 2019
Published in the Gazette May 16, 2019
Contact: Verla Bruner, Town Clerk
verla@palmer-lake.org

PROJECT DESCRIPTION

640 Highway 50: This is a request for a conditional use for a "mini warehouses and rental storage units" business in a C2 zone district. The business is envisioned as outside covered commercial small business parking and storage. As shown by the applicant's photographs, the storage units use shipping crates connected by roofing to form both indoor and outdoor storage areas. The applicant is planning to provide storage primarily for contractors and contracting equipment such as cranes and trucks.

The applicant intends to furnish and install a 6ft tall privacy fence on portions of the property. Access to the lots has been established and is in place by an approved Colorado State Highway curb cut and use permit. Additionally, a shared driveway easement agreement exists for access.

650 Highway 50: On this lot, the applicant has erected a fence and wishes to store "road worthy, operable vehicles" behind the fence.

BACKGROUND

Illumination Pointe was built in 2008. Lot 1 to the east was designed as a small shopping center with retail in the front spaces and a service garage in the back. The 105 corridor was never intended to support industrial uses which are typically located in a M-1 zone district. Conditional uses include storage uses which were intended to be accessory to commercial uses. In the past 5 years, this area has experienced a movement towards more industrial uses. This trend should be carefully considered by Palmer Lake residents and clarified by an amendment to the Comprehensive Plan.

ANALYSIS – TITLE 17. ZONING. The Planning Commission shall make a recommendation to the Board of Trustees, who shall approve the designation of the proposed conditional use if it finds the following:

A. **The proposed use complies with the Palmer Lake Comprehensive Plan.** *The Comprehensive Plan envisioned this land as convenience commercial. The 105 corridor between Palmer Lake and Monument was not originally envisioned as a storage and or light industrial area, however these types of uses seem to be proliferating along hwy 105.*

B. **The proposed use meets the required standards of the C-2 Zone District.** *The proposed use must address the following to be in compliance with the C-2 zone district:*

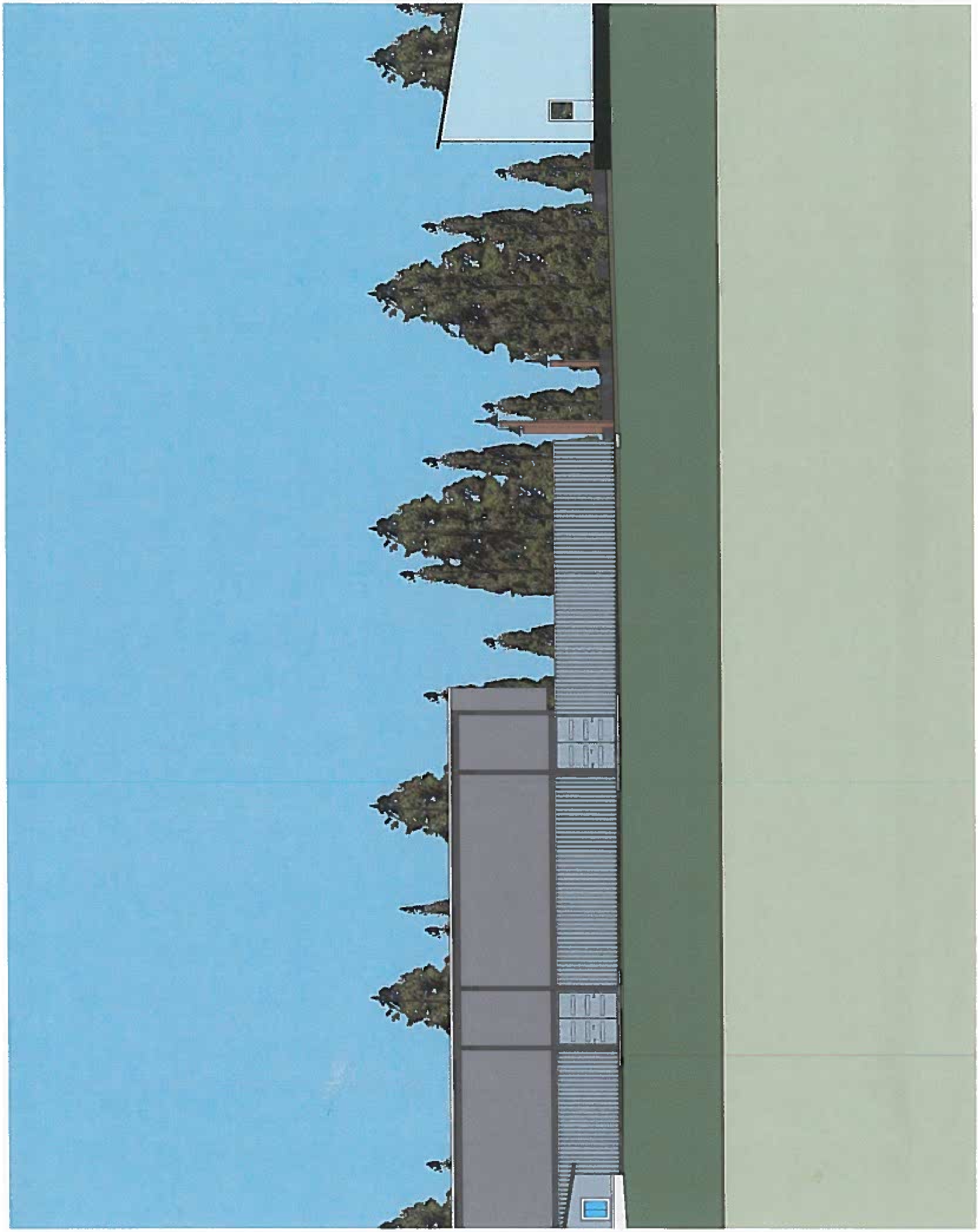
- *All outdoor storage must be screened from view by landscaping or fencing.*

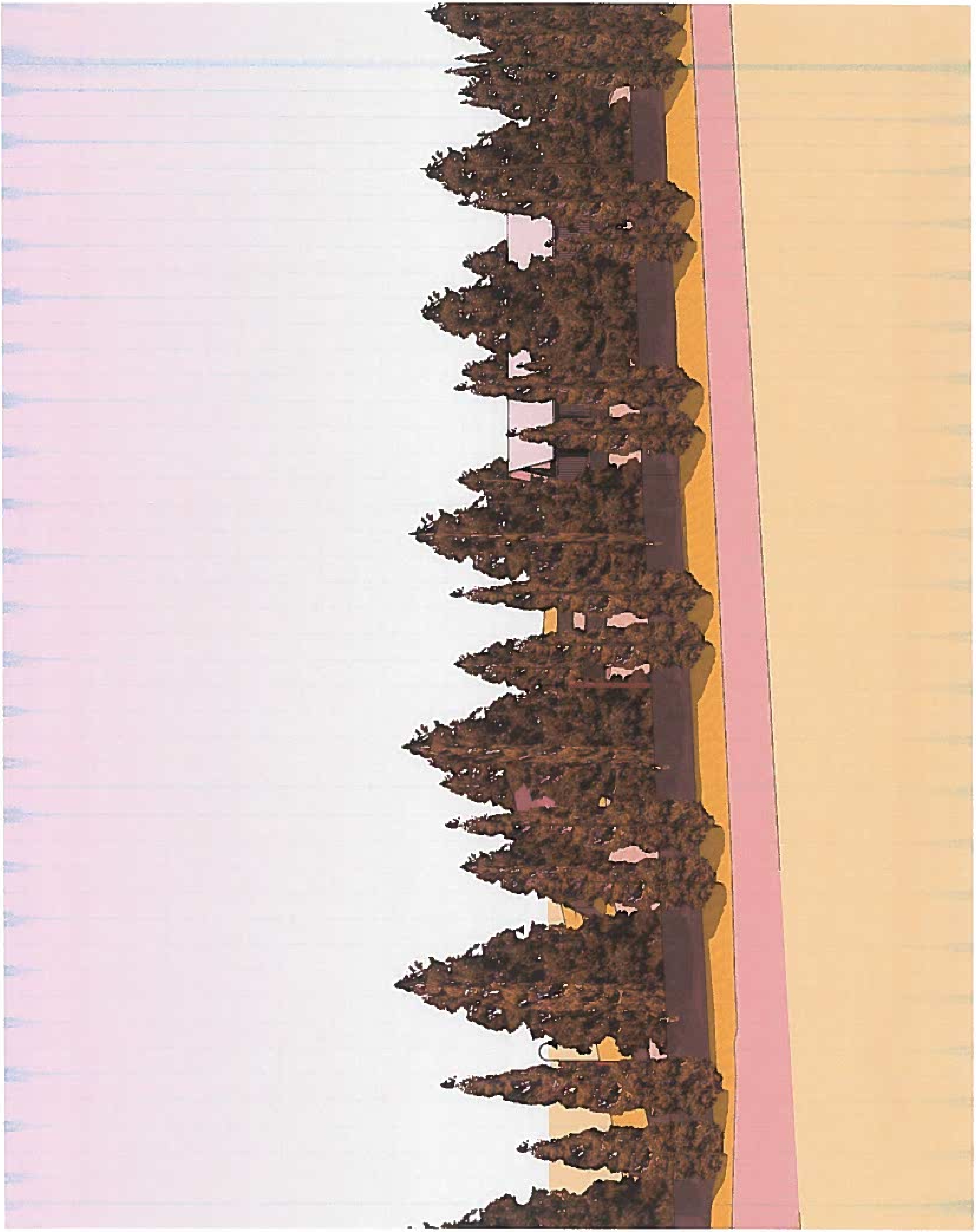
C. **The developer is proposing the following development standards to reduce or alleviate the impacts on surrounding properties.**

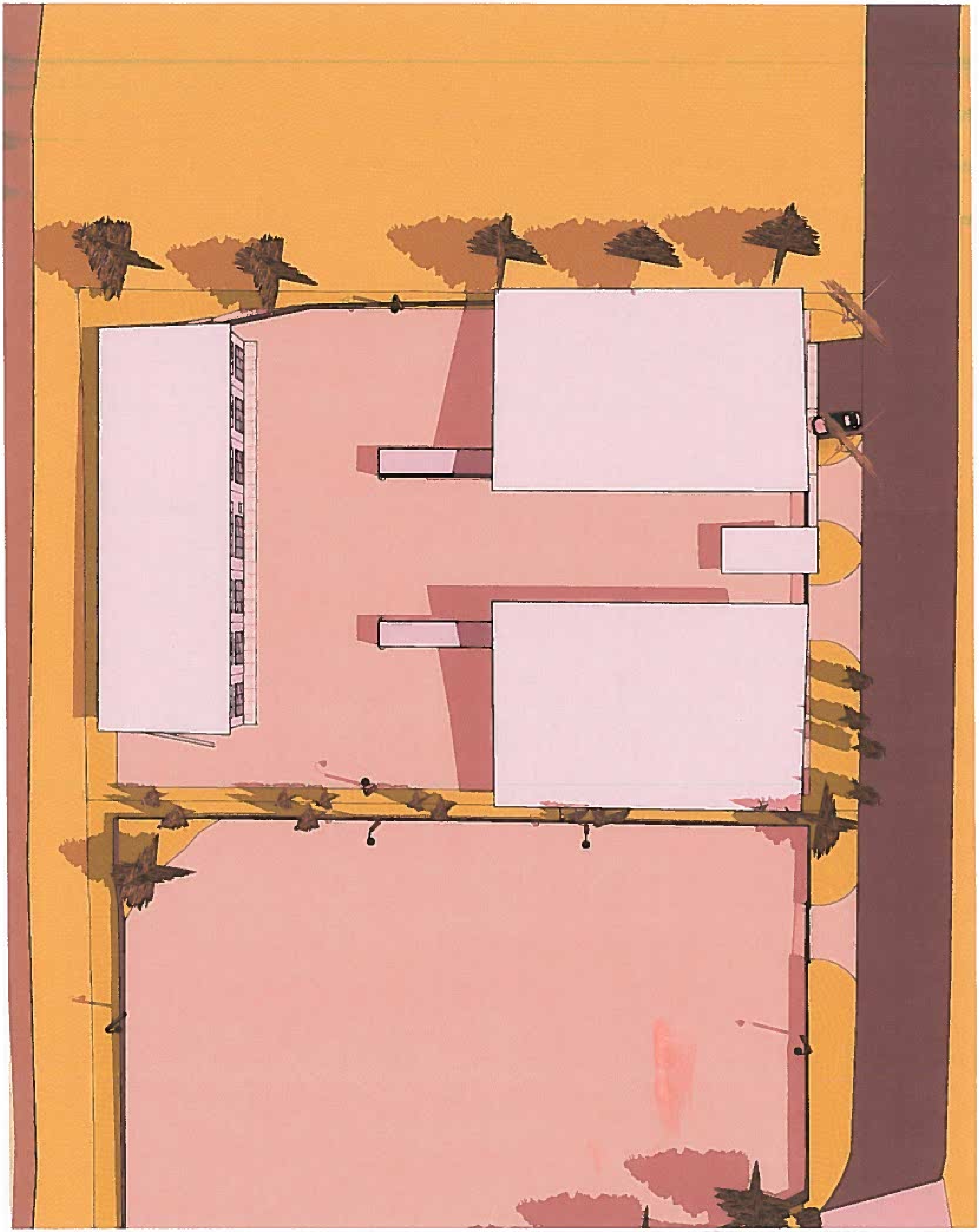
- *The applicant is proposing a 6ft tall privacy fence, however such fencing will probably not screen the view of the containers from the road.*

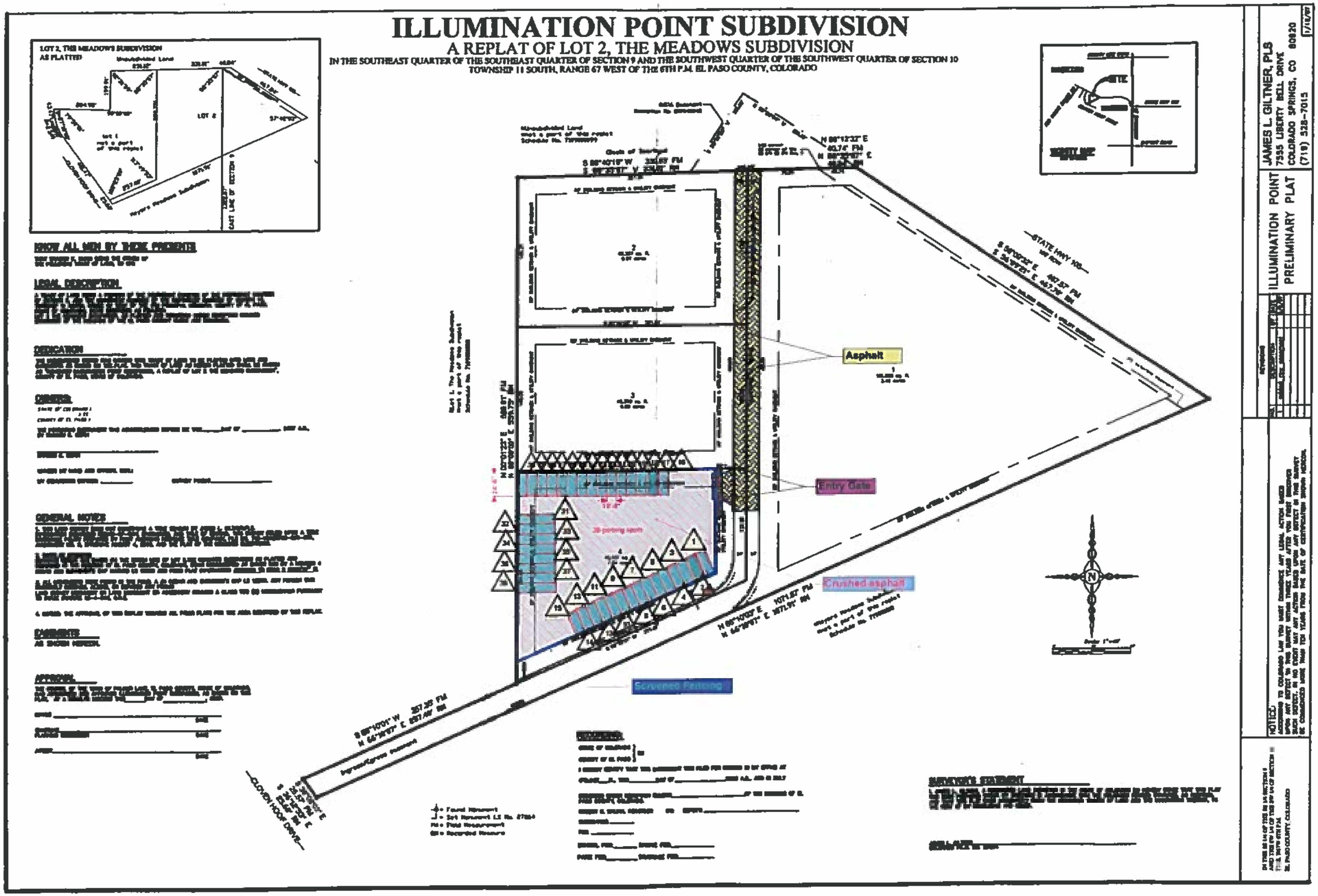
Staff proposes the following conditions be placed on this conditional use request:

- **The applicant should present the Planning Commission with an adequate screening system such as taller rock or solid walls, before request goes to the Board of Trustees.**
- **The applicant should be required to paint all shipping containers the same color that it neutral and will not stand out, such as black, dark green, dark grey.**
- **If the Planning Commission recommends approval of the car storage lot, conditions should be put in place concerning maintenance and operation to prevent the area from becoming a car salvage yard.**

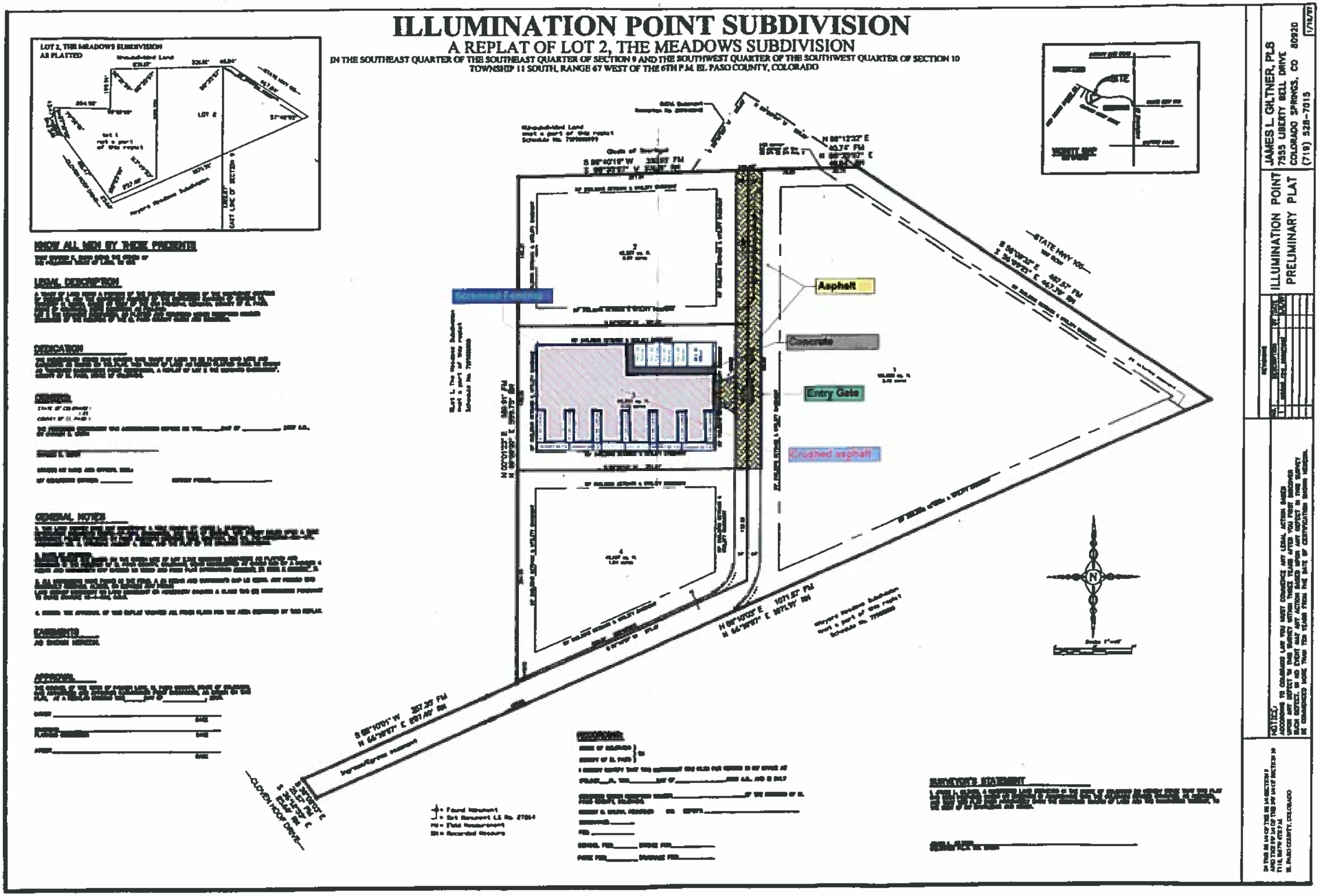








5/9/2007 9:41:37 AM, Frontier Construction, LLC - Copyright



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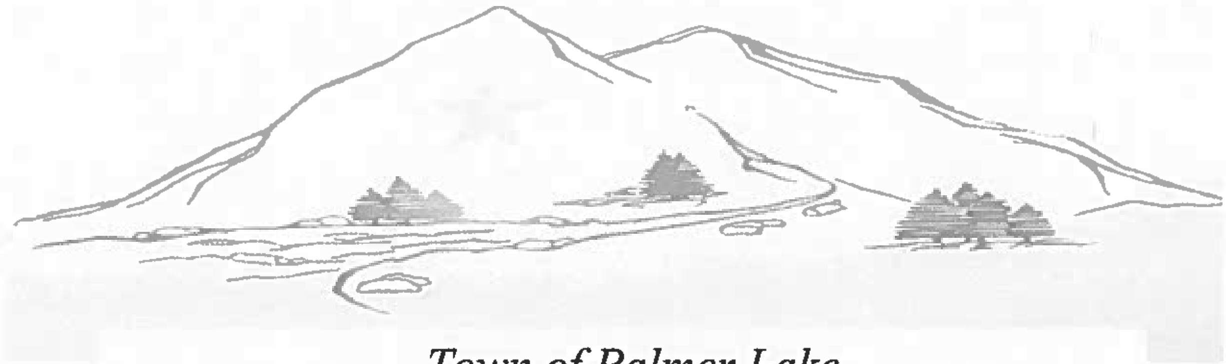

Town of Palmer Lake

***Minutes** of the **Special** Planning Commission Meeting*

July 10, 2019 @ 6:00 PM

28 Valley Crescent/ Town Office

<u>This agenda is subject to revision</u>

Planning Commissioners Present:
Chairman David Cooper
Commissioner Charles Ihlenfeld
Commissioner Samantha Padgett
Commissioner Vic Brown

Planning Commissioners Absent:
Commissioner Bill Fisher
Commissioner Mark Bruce
(Vacant Seat)

1. Call to Order
   Chairman Cooper called the meeting to order at 6:00pm.

1. Z-7(8)-19. A request for a Conditional Use at 640, and 650 Highway 105, Illumination Point. Continued from June 19, planning commission meeting.
   The case Z-7&8-19 was reopened from the June 19th meeting.
   Ms. Green gave an update summary of the cases, stating the following:
   1. **This is a special meeting called to continue the June 19th meeting for cases Z-7&8-19, conditional use requests at 640 and 650 Highway 105 (Illumination Point).**
   2. **The cases will be heard separately. Although they are adjacent lots owned by the same applicant, and the conditional use request for each is for storage; the applicant is proposing outdoor vehicle storage on one lot and indoor/outdoor rental storage on the other lot.**
   3. **The Comprehensive Plan depicts this area as commercial. Recent development has shown a leaning towards uses that are more industrial. Future updates**

of the Comprehensive Plan should determine if "commercial" is still the correct desired land use.

Chairman Cooper explained that he would take testimony on case number Z-7-19, 640 Highway 105 and a vote would be taken, followed by testimony on Z-8-19, 650 Highway 105 and a vote.

The applicant (Jeremy Ferranti) introduced himself and his partner (Jamie Fischer) and described his request for 640 Highway 105. Applicant stated that he wanted to be a good neighbor and make compromises to accommodate the surrounding neighbors. He then went through their plans showing the layout, architecture and lighting plans.

Chairman Cooper took testimony from the audience:
Scott Dodenville lives outside of Palmer Lake but owns adjacent property. When he drives by he can see the fences that were put up. His concerns include creating a need for a turn lane on Hwy 105 and asked that a condition be placed on the project that restricts ingress and egress to highway 105.
Megan Smallman lives on Clovenhoof Rd and had concerns about trucks using Clovenhoof Rd for access. Also supported limiting client traffic to HWY 105.
Kristin Coffin is concerned over how much of the storage area she will see from her home. She believes a barrier of very tall evergreen trees (20') will be needed.
Scott Dodenville suggested that they grade their lots.
Matt Stephen asked about water supply. Applicant said they would receive water from the well for Illumination Point.
Chairman Cooper discussed the need for proper drainage and asked that a drainage report be submitted by the applicant.

Closing the public hearing on Z-7-19, Chairman Cooper asked for a motion. Commissioner Padgett made a motion to recommend approval of Z-7-19 with the following conditions:

a. Ingress and egress restricted to Hwy 105.

b. Engineered drainage report approved by Town of Palmer Lake

c. All structures must reflect the same design, colors, materials, finishes, size and lighting as shown in concepts submitted in the application.

d. Five (5) evergreen trees, 8 feet in height, will be planted along the southern boundary of 630 Illumination Point, which is owned by the applicant. If any of these trees die, they must be replaced within 6 months for the next six (6) years.

Commissioner Ihlenfeld seconded the motion. The motion passed 4-0.

Next, the applicant described his request for 650 Highway 105. On this lot the applicant has put up a 6' fence and would like to store vehicles there that are licensed and operable.

Chairman Cooper took testimony from the audience:

Tim Coffin, Megan Smallman and Martin Taylor testified. Mr. Taylor also read a letter. Recommendations were integrated into the Commissions conditions.

Commissioner Ihlenfeld made a motion to recommend approval of the conditional use for outdoor vehicle storage at 650 Highway 105 with the following conditions:

a. Ingress and egress restricted to Hwy 105.

b. Engineered drainage report approved by Town of Palmer Lake

c. Eight (8) evergreen trees, at least 10 feet in height, will be planted along the southern boundary of 650 Illumination Point. If any of these trees die, they must be replaced within 6 months for the next six (6) years.

c. Five (5) evergreen trees, 8 feet in height, will be planted along the west boundary of 650 Illumination Point, and three (3) evergreen trees, 8 feet in height will be planted along the northern boundary of 650 Illumination Point. If any of these trees die, they must be replaced within 6 months for the next six (6) years.

d. Storage limited to 40 vehicles which are each licensed and operable

e. No vehicles allowed which are leaking fluids

f. No RV storage

g. No salvage

h. Lot will be restricted to a permeable surface

Motion was seconded by Commissioner Brown. Motion passed 4-0

Meeting was adjourned at 8:50.

	Resolution NO. 13 of 2019
Title	**No. 13 of 2019 A Resolution approving a Conditional Use Permit To establish a Mini Warehouse and Storage rental use on a property currently Zoned C-2 General Business and Commercial Zone District and located at 640 Highway 105 (Property)**
Action	VOTE
Date	AUGUST 22 2019
Contact	Valerie Remington –Town Administrator
Summary	Resolution Approving Conditional Use Permit-Jeremy Ferranti Applicant
Budget Implications	0.0
Motion	Approve/Not Approve. Resolution No. 13 of 2019 A Resolution approving a Conditional Use Permit To establish a Mini Warehouse and Storage rental use on a property currently Zoned C-2 General Business and Commercial Zone District and located at 640 Highway 105 (Property)

John Cressman, Mayor

42 Valley Crescent. P. O. Box 208. Palmer Lake, CO 80133

Phone (719) 481-2953 Fax (719) 488-9305

Website: www.townofpalmerlake.com

PALMER LAKE, COLORADO

RESOLUTION NO. 13 OF 2019

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ESTABLISH A MINI WAREHOUSE AND STORAGE RENTAL USE ON A PROPERTY CURRENTLY ZONED C-2 GENERAL BUSINESS AND COMMERCIAL ZONE DISTRICT AND LOCATED AT 640 HIGHWAY 105 ("PROPERTY")

WHEREAS, PALMER LAKE IS A STATUTORY TOWN ORGANIZED UNDER AND AUTHORIZED PURSUANT TO PART 3 OF ARTICLE 4 OF TITLE 31 OF THE COLORADO REVISED STATUTES; AND

WHEREAS, SECTION 17.37.020 OF THE PALMER LAKE MUNICIPAL CODE PROVIDES THAT MINI WAREHOUSE AND STORAGE RENTAL IS A CONDITIONAL USE IN THE C-2 GENERAL BUSINESS AND COMMERCIAL ZONE DISTRICT; AND

WHEREAS, SECTION 17.08.090 PROVIDES THAT THE PLANNING COMMISSION SHALL MAKE RECOMMENDATIONS OF APPROVAL OR DENIAL OF CONDITIONAL USES TO THE BOARD OF TRUSTEES, WHICH HAS THE FINAL AUTHORITY TO GRANT OR DENY SUCH APPLICATIONS; AND

WHEREAS, SECTION 17.08.090 FURTHER PROVIDES THAT THE APPLICANT FOR A CONDITIONAL USE SHALL FOLLOW THE SAME PROCEDURE AS IS REQUIRED FOR AN APPLICATION FOR A ZONING DESIGNATION CHANGE, INCLUDING THE POSTING AND PUBLICATION OF LEGAL NOTICE; AND

WHEREAS, CHAPTER 17.76 SETS FORTH THE PROCEDURE FOR ZONING AMENDMENTS ALSO APPLICABLE TO CONDITIONAL USE APPLICATIONS; AND

WHEREAS, PUBLISHED AND POSTED NOTICE OF THE PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION AND BOARD OF TRUSTEES AS REQUIRED BY SECTION 17.76.10 WAS DULY AND TIMELY ACCOMPLISHED; AND

WHEREAS, THE PALMER LAKE PLANNING COMMISSION RECOMMENDED APPROVAL OF THIS CONDITIONAL USE.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1. The application pursuant to Section 17.37.020 for a Conditional Use Permit to establish mini warehouse and storage rentals on property currently zoned "C2" General Business and Commercial, and located at 640 Highway 105 is hereby approved, subject to the following conditions:

1. Ingress and egress restricted to Hwy 105.
2. Engineered drainage report approved by Town of Palmer Lake
3. All structures must reflect the same design, colors, materials, finishes, size and lighting as shown in concept plans submitted in the application.
4. Five (5) evergreen trees, 8 feet in height, will be planted along the southern boundary of 630 Illumination Point, which is owned by the applicant. If any of these trees die, they must be replaced within 6 months for the next six (6) years.

Section 2. This Resolution shall be effective immediately.

APPROVED AND ADOPTED ON THIS 25th DAY OF JULY 2019, BY A VOTE OF __ FOR AND ___ AGAINST.

_________________________ JOHN CRESSMAN, MAYOR ATTEST: _________________________ VERLA BRUNER, TOWN CLERK	

	Resolution NO. 14 of 2019
Title	**No. 14 of 2019 A Resolution approving a Conditional Use Permit To establish a Mini Warehouse and Storage rental use (outdoor vehicle storage) on a property currently Zoned C-2 General Business and Commercial Zone District and located at 640 Highway 105 (Property)**
Action	VOTE
Date	AUGUST 22 2019
Contact	Valerie Remington –Town Administrator
Summary	Resolution Approving Conditional Use Permit-Jeremy Ferranti Applicant
Budget Implications	0.0
Motion	Approve/Not Approve. Resolution No. 14 of 2019 A Resolution approving a Conditional Use Permit To establish a Mini Warehouse and Storage rental use(outdoor vehicle use) on a property currently Zoned C-2 General Business and Commercial Zone District and located at 640 Highway 105 (Property)

John Cressman, Mayor
42 Valley Crescent. P. O. Box 208. Palmer Lake, CO 80133
Phone (719) 481-2953 Fax (719) 488-9305
Website: www.townofpalmerlake.com

PALMER LAKE, COLORADO

RESOLUTION NO. 14 OF 2019

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ESTABLISH A MINI WAREHOUSE AND STORAGE RENTAL USE (OUTDOOR VEHICLE STORAGE) ON A PROPERTY CURRENTLY ZONED C-2 GENERAL BUSINESS AND COMMERCIAL ZONE DISTRICT AND LOCATED AT 650 HIGHWAY 105 ("PROPERTY")

WHEREAS, PALMER LAKE IS A STATUTORY TOWN ORGANIZED UNDER AND AUTHORIZED PURSUANT TO PART 3 OF ARTICLE 4 OF TITLE 31 OF THE COLORADO REVISED STATUTES; AND

WHEREAS, SECTION 17.37.020 OF THE PALMER LAKE MUNICIPAL CODE PROVIDES THAT MINI WAREHOUSE AND STORAGE RENTAL IS A CONDITIONAL USE IN THE C-2 GENERAL BUSINESS AND COMMERCIAL ZONE DISTRICT; AND

WHEREAS, SECTION 17.08.090 PROVIDES THAT THE PLANNING COMMISSION SHALL MAKE RECOMMENDATIONS OF APPROVAL OR DENIAL OF CONDITIONAL USES TO THE BOARD OF TRUSTEES, WHICH HAS THE FINAL AUTHORITY TO GRANT OR DENY SUCH APPLICATIONS; AND

WHEREAS, SECTION 17.08.090 FURTHER PROVIDES THAT THE APPLICANT FOR A CONDITIONAL USE SHALL FOLLOW THE SAME PROCEDURE AS IS REQUIRED FOR AN APPLICATION FOR A ZONING DESIGNATION CHANGE, INCLUDING THE POSTING AND PUBLICATION OF LEGAL NOTICE; AND

WHEREAS, CHAPTER 17.76 SETS FORTH THE PROCEDURE FOR ZONING AMENDMENTS ALSO APPLICABLE TO CONDITIONAL USE APPLICATIONS; AND

WHEREAS, PUBLISHED AND POSTED NOTICE OF THE PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION AND BOARD OF TRUSTEES AS REQUIRED BY SECTION 17.76.10 WAS DULY AND TIMELY ACCOMPLISHED; AND

WHEREAS, THE PALMER LAKE PLANNING COMMISSION RECOMMENDED APPROVAL OF THIS CONDITIONAL USE.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1. The application pursuant to Section 17.37.020 for a Conditional Use Permit to establish mini warehouse and storage rentals (outdoor vehicle storage) on property currently zoned "C2" General Business and Commercial, and located at 650 Highway 105 is hereby approved, subject to the following conditions:

1. Ingress and egress restricted to Hwy 105.
2. Engineered drainage report approved by Town of Palmer Lake.
3. Eight (8) evergreen trees, at least 10 feet in height, will be planted along the southern boundary of 650 Illumination Point. If any of these trees die, they must be replaced within 6 months for the next six (6) years.
4. Five (5) evergreen trees, 8 feet in height, will be planted along the west boundary of 650 Illumination Point, and three (3) evergreen trees, 8 feet in height will be planted along the northern boundary of 650

Illumination Point. If any of these trees die, they must be replaced within 6 months for the next six (6) years.

5. Storage limited to 40 vehicles which are each licensed and operable.
6. No vehicles allowed which are leaking fluids.
7. No RV storage.
8. No salvage.
9. Lot will be restricted to a permeable surface.

Section 2. This Resolution shall be effective immediately.

APPROVED AND ADOPTED ON THIS 25th DAY OF JULY 2019, BY A VOTE OF __ FOR AND ___ AGAINST.

______________________________ JOHN CRESSMAN, MAYOR ATTEST: ______________________________ VERLA BRUNER, TOWN CLERK	

TOWN OF

Palmer Lake

est.
1889

Board of Trustees Summary Sheet

	Vaile House
Title	**Distribution of Process from Vaile House Sale Findings**
Action	None
Date	August 22, 2019
Contact	Valerie Remington-Town Manager
Summary	The board requested research regarding the distribution of funds from the sale of the Vaile House in November 2015. Items attached: • Closing documents from Fidelity National Title Company • Total distributed funds to the Town of Palmer Lake $145,000.00 • Letter from Town of Palmer Lake with copy of attached check to the Little Art Group in the amount of $48,089.99. This amount was 1/3 of the proceeds of the sale. • Deed from Lucretia Vaile to the Town of Palmer Lake dated December 6, 1968. • Agreement titled Amendment to 1979 deed between Town of Palmer Lake and Little Art Group dated May 21, 2014. • Resolution No. 5-2015 Intention to Dispose of Town Owned Property • Meeting minutes dated November 5, 2015 with record of resolution vote.
Issues	1. The deed dated December 6, 1968 stated that the condition of this deed makes the property available for the use of the Palmer Lake Little Art Group.

42 Valley Crescent. P. O. Box 208. Palmer Lake, CO 80133
Phone (719) 481-2953 Fax (719) 488-9305
Website: www.townofpalmerlake.com

	When the Little Art Group ceases to use the premises or maintain the premises, the property or the proceeds of a sale shall be used for the permanent betterment and benefit of the whole community of the Town of Palmer Lake. 2. An agreement dated May 21, 2014 states that Palmer Lake Arts Group does not intend to continue maintenance on the property and chose to return the use of the property to the Town of Palmer Lake. The agreement also stated that when Palmer Lake sells the property, proceeds shall be used for the permanent betterment and benefits of the whole community. 3. The Town agreed to provide 33 1/3% of the net proceeds of the sale to the Palmer Lake Arts Group to use as high school scholarships, art education and art shows. 4. In all of the documents, there is no statement or restriction that the proceeds be used for a specific project. The only restriction is that it be used for the betterment of the community.
Budget Implications	None
Other Actions	None
Motion	None

FIDELITY NATIONAL TITLE COMPANY

1277 Kelly Johnson Blvd # 100, Colorado Springs, CO 80920
Phone: ~~(719) 590-1711~~ ~~Fax: (719) 531-5864~~

Buyers/Borrowers Closing Statement

FINAL

Escrow No: F0532041 - 370 TEF **Close Date: 11/06/2015** **Proration Date: 11/06/2015** **Date Prepared: 11/6/2015**

Buyer(s)/Borrower(s): Kurt Ehrhardt

Seller(s): Town of Palmer Lake

Property: 118 Hillside
Palmer Lake, CO

Brief Legal: Lots 1, 2, 3 and 4 Block 54 in Thomsons Resub

Description	Debit	Credit
TOTAL CONSIDERATION:		
Contract Sales Price	145,000.00	
NEW AND EXISTING ENCUMBRANCES:		
New Loan from Integrity Bank And Trust		136,626.00
NEW LOAN CHARGES: - Integrity Bank And Trust		
Our Origination Charge :L1	1,350.00	
Credit Report to Kroll Factual Data	10.00	
Flood Certification to Kroll Factual Data	16.00	
evaluation fee to John L Davis& Associates, Inc	250.00	
ESCROW CHARGES		
Escrow Fee to Fidelity National Title Company	120.00	
loan disb fee to Fidelity National Title Company	190.00	
TITLE CHARGES:		
Owner's Coverage for $145,000.00 to Fidelity National Title Company	898.00	
Bundled Loan for $135,000.00 to Fidelity National Title Company	393.00	
Form 100.11 LP to Fidelity National Title Company	35.00	
RECORDING FEES:		
Recording Fees to Clerk and Recorder	62.00	
State Tax Stamps to Clerk and Recorder	14.50	
PRORATIONS AND ADJUSTMENTS:		
Deposit/Earnest Money		10,000.00
Seller Paid Owners Policy		898.00
Sub Totals	148,338.50	147,524.00
Balance Due From Buyer		814.50
Totals	148,338.50	148,338.50

APPROVED AND ACCEPTED

Sales or use taxes on personal property not included. Fidelity National Title Company assumes no responsibility for the adjustment of special taxes or assessments unless they are shown on the Treasurer's Certificate of Taxes Due. The condition of title to the property is to be determined by reference to the title evidence provided by Seller or by personal investigation. The above statement of settlement is approved as of the settlement date shown above and Escrow Holder is hereby authorized to disburse as Trustee funds as indicated.

Buyer(s)/Borrower(s):

LIMITED POWER OF ATTORNEY

That the Undersigned does hereby appoint Fidelity National Title Company to be my attorney in fact, to act for me only as to the matters stated below:

Address of Property:	**118 Hillside Palmer Lake, CO**
Legal Description:	**Lots 1, 2, 3 and 4 Block 54 in Thomsons Resub**
Date of Closing:	**November 6, 2015**
Name of Seller:	**Town of Palmer Lake**
Name of Buyer/Borrower:	**Kurt Ehrhardt**
Name of Lender making new loan:	**Integrity Bank And Trust**

POWERS:

In the event a clerical or typographical error is discovered on any document pertaining to this transaction, my agent is hereby authorized to correct any clerical or typographical error and to initial, sign, seal and deliver as my act, any instrument which my agent determines to be necessary to effectuate the correction. Specifically, my agent may make a correction limited to the matters stated below on an original document, and is authorized to rerecord that original document where appropriate. The undersigned declares that any and all corrections made by my agent shall be as valid as if they had been initialed, signed, and delivered by me personally. The undersigned ratifies whatsoever my said agent shall lawfully do or cause to be done in the correction of clerical and typographical errors as limited below.

LIMITATIONS:

My agent is authorized to correct clerical and typographical errors as to the names of the parties to this transaction; the legal description or street address of the real property which is the subject of this transaction; and the date of any document.

My agent is not authorized to make any changes or corrections as to the interest rate stated on the deed of trust or promissory note; the amount of principal indebtedness stated on the deed of trust or promissory note; or the amount of consideration stated on the Deed.

This Power of Attorney is made of my own free will for the purpose of facilitating necessary corrections. The undersigned understands that signing this Power of Attorney is not mandatory.

This Power of Attorney shall continue to be effective even though I become disabled, incapacitated, or incompetent.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this **November 6, 2015.**

BUYER:

Kurt Ehrhardt

SELLER:

Town of Palmer Lake

by:Catherine Green, acting Town Administrator

THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL AND TAX OR OTHER COUNSEL BEFORE SIGNING.

CLOSING INSTRUCTIONS

Date: November 6, 2015

1. **PARTIES, PROPERTY.** Town of Palmer Lake Seller, and Kurt Ehrhardt Buyer, engage Fidelity National Title Company, Closing Company, who agrees to provide closing and settlement services in connection with the Closing of the transaction for the sale and purchase of the Property known as No. 118 Hillside, Palmer Lake, CO, and more fully described in the Contract to Buy and Sell Real Estate, dated June 12, 2015, including any counterproposals and amendments (Contract).

2. **TITLE COMMITMENT, EXCEPTIONS AND POLICY.** Closing Company ☑ Agrees ☐ Does Not agree that: upon completion of a satisfactory title search and examination, it will furnish a Title Insurance Commitment; and it will issue a Title Insurance Policy provided that all requirements have been fulfilled. Closing Company ☑ Agrees ☐ Does Not agree to furnish copies of Exceptions.

3. **INFORMATION, PREPARATION.** Closing Company is authorized to obtain any information necessary for the Closing. Closing Company agrees to prepare, (excluding legal documents), deliver, and record all documents required or customarily recorded, and disburse all funds pursuant to the Contract that are necessary to carry out the terms and conditions of the Contract.

4. **CLOSING FEE.** Closing Company will receive a fee of $240.00 for providing these closing and settlement services. (Closing Fee)

5. **RELEASE, DISBURSEMENT.** Closing Company is not authorized to release any signed documents or things of value prior to receipt and disbursement of Good Funds, except as provided in §§ 9, 10 and 11.

6. **DISBURSER.** Closing Company shall disburse all funds, including real estate commissions, except those funds as may be separately disclosed in writing to Buyer and Seller by Closing Company or Buyer's lender on or before Closing. All parties agree that no one other than the disburser can assure that payoff of loans and other disbursements will actually be made.

7. **SELLER'S NET PROCEEDS.** Seller will receive the net proceeds of Closing as indicated:

☐ **Cashier's Check,** at Seller's expense ☑ **Funds Electronically Transferred** (wire transfer) to an account specified by Seller, at Seller's expense ☑ **Closing Company's** trust account check.

8. **CLOSING STATEMENT.** Closing Company will prepare and deliver an accurate, complete and detailed closing statement to Buyer and Seller at time of Closing.

9. **FAILURE OF CLOSING.** If Closing or disbursement does not occur on or before the Closing Date set forth in the Contract, Closing Company, except as provided herein, is authorized and agrees to return all documents, monies, and things of value to the depositing party, upon which Closing Company will be relieved from any further duty, responsibility or liability in connection with these Closing Instructions. In addition, any promissory note, deed of trust, or other evidence of indebtedness signed by Buyer, shall be voided by Closing Company, with the originals returned to Buyer and a copy to Buyer's lender.

10. **RETURN OF EARNEST MONEY.** Except as otherwise provided in § 11, Earnest Money Dispute, if the Earnest Money has not already been returned following receipt of a Notice to Terminate or other written notice of termination, Earnest Money Holder shall release the Earnest Money as directed by the written mutual instructions. Such release of Earnest Money shall be made within five days of Earnest Money Holder's receipt of the written mutual instructions signed by both Buyer and Seller, provided the Earnest Money check has cleared.

11. **EARNEST MONEY DISPUTE.** In the event of any controversy regarding the Earnest Money (notwithstanding any termination of the Contract), Earnest Money Holder shall not be required to take any action. Earnest Money Holder, at its option and sole subjective discretion, may (1) await any proceeding, (2) interplead all parties and deposit Earnest Money into a court of competent jurisdiction and shall recover court costs and reasonable attorney and legal fees, or (3) provide notice to Buyer and Seller that unless Earnest Money Holder receives a copy of the Summons and Complaint or Claim (between Buyer and Seller) containing the case number of the lawsuit (Lawsuit) within one hundred twenty days of Earnest Money Holder's notice to the parties, Earnest Money Holder shall be authorized to return the Earnest Money to Buyer. In the event Earnest Money Holder does receive a copy of the Lawsuit, and has not interpled the monies at the time of any Order, Earnest money Holder shall disburse the Earnest Money pursuant to the Order of the Court.

12. **SUBSEQUENT AMENDMENTS.** Any amendments to, or termination of, these Closing Instructions must be in writing and signed by Buyer, Seller and Closing Company.

13. **CHANGE IN OWNERSHIP OF WATER WELL:** Within sixty days after Closing, Closing Company shall submit any required Change in Ownership form or registration of existing well form to the Division of Water Resources in the Department of Natural Resources (Division), with as much information as is available, and the Division shall be responsible for obtaining the necessary well registration information directly from Buyer. Closing Company shall not be liable for delaying Closing to ensure Buyer completes any required form.

14. **WITHHOLDING.** The Internal Revenue Service and the Colorado Department of Revenue may require Closing Company to withhold a substantial portion of the proceeds of this sale when Seller either (a) is a foreign person or (b) will not be a Colorado resident after Closing. Seller should inquire of Seller's tax advisor to determine if withholding applies or if an exemption exists.

15. **ADDITIONAL PROVISIONS.** (The following additional provisions have not been approved by the Colorado Real Estate Commission.)

16. **COUNTERPARTS.** This document may be executed by each party, separately, and when each party has executed a copy, such copies taken together shall be deemed to be a full and complete contract between the parties.

17. **BROKER'S COPIES.** Closing Company shall provide, to each broker in this transaction, copies of all signed documents that such brokers are required to maintain pursuant to the rules of the Colorado Real Estate Commission.

18. NOTICE, DELIVERY AND CHOICE OF LAW.

18.1. **Physical Delivery.** Except as provided in § 18.2, all notices must be in writing. Any notice to Buyer shall be effective when physically received by Buyer, any individual buyer, any representative of Buyer, or Brokerage Firm of Broker working with Buyer. Any notice or document to Seller shall be effective when physically received by Seller, any individual seller, any representative of Seller, or Brokerage Firm of Broker working with Seller. Any notice or document to Closing Company shall be effective when physically received by Closing Company, any individual of Closing Company, or any representative of Closing Company.

18.2. **Electronic Delivery.** As an alternative to physical delivery, any signed documents and written notice may be delivered in electronic form by the following indicated methods only: ☑ **Facsimile** ☑ **E-mail** ☑ **Internet** ☐ **No Electronic Delivery.** Documents with original signatures shall be provided upon request of any party.

18.3. **Choice of Law.** This contract and all disputes arising hereunder shall be governed by and construed in accordance with the laws of the State of Colorado that would be applicable to Colorado Residents who sign a contract in this state for a property located in Colorado.

SELLER:

Town of Palmer Lake

N/6/15

by: Catherine Green, acting Town Administrator Date

BUYER:

11-06-15

Kurt Ehrhardt Date

Closing Company: Fidelity National Title Company

Closer November 6, 2015

Authorized Signature Title Date

Address: 1277 Kelly Johnson Blvd # 100
Colorado Springs, CO 80920

Phone No.: (719) 590-1711

Fax No.: (719) 531-5864

Electronic Address: ______

(TO BE COMPLETED ONLY BY BROKER AND CLOSING COMPANY)

______ (Broker)

☐ **Working with Seller** ☐ **Working with Buyer** engages Closing Company as Broker's scrivener to complete, for a fee not to exceed $5.00 at the sole expense of Broker, the following legal documents:
☑ **Deed** ☐**Bill of Sale** ☐ **Colorado Real Estate Commission approved Promissory Note** ☐ **Colorado Real Estate Commission approved Deed of Trust.** Closing Company agrees to prepare, on behalf of Broker, the indicated legal documents pursuant to the terms and conditions of the Contract.

The documents stated above shall be subject to Broker's review and approval and Broker acknowledges that Broker is responsible for the accuracy of the above documents.

Brokerage Firm's Name: ______

Broker's Name: ______

Broker's Signature Date: November 6, 2015

Date: November 6, 2015

Closing Company's Name: Fidelity National Title Company

November 6, 2015

Authorized Signature Title Date

FIDELITY NATIONAL TITLE COMPANY

1277 Kelly Johnson Blvd # 100, Colorado Springs, CO 80920
Phone: (719) 590-1711 Fax: (719) 531-5864

Sellers Closing Statement
FINAL

Escrow No: F0532041 - 370 TEF **Close Date:** 11/06/2015 **Proration Date:** 11/06/2015 **Date Prepared:** 11/5/2015

Buyer(s)/Borrower(s): Kurt Ehrhardt
Seller(s): Town of Palmer Lake
Property: 116 Hillside
Palmer Lake, CO
Brief Legal: Lots 1, 2, 3 and 4 Block 54 in Thomsons Resub

Description	Debit	Credit
TOTAL CONSIDERATION:		
Contract Sales Price		145,000.00
ESCROW CHARGES		
Escrow Fee to Fidelity National Title Company	120.00	
ADDITIONAL CHARGES:		
proceeds split, 33.4% to The Little Art Group	48,089.99	
proceeds split,66.6% (-10k) to The Town of Palmer Lake	85,892.01	95 892.01
PRORATIONS AND ADJUSTMENTS:		
Excess Deposit (See Instructions)	10,000.00	
Seller Paid Owners Policy	898.00	
Sub Totals	145,000.00	145,000.00
Proceeds Due Seller	0.00	
Totals	145,000.00	145,000.00

APPROVED AND ACCEPTED

Sales or use taxes on personal property not included. Fidelity National Title Company assumes no responsibility for the adjustment of special taxes or assessments unless they are shown on the Treasurer's Certificate of Taxes Due. The condition of title to the property is to be determined by reference to the title evidence provided by Seller or by personal investigation. The above statement of settlement is approved as of the settlement date shown above and Escrow Holder is hereby authorized to disburse as Trustee funds as indicated.

Seller(s):

Town of Palmer Lake

by:Catharine Green, acting Town Administrator

Closing Agent:

FIDELITY NATIONAL TITLE COMPANY

by Tara Graham

closing costs 120.00
898.00
$1018.00
1/3 339.33
2/3 678.67

$145,000 Sales Price
1/3 48,333.33
2/3 96,666.67

TLAG Received $48,089.99
Palmer Lake = 95,892.01
$143,982.00
closing 1,018.00
145,000.00

Town of Palmer Lake
Est. 1889

November 10, 2015

This letter accompanies a check transmittal to the "Little Art Group", from the sale of the Vaile House. The check totals 1/3 of the proceeds of the sale, or $48,089.99.

Catherine Green-Sinnard
Acting Town Adminstrator

Meredith Bromfield
The Little Art Group

Nikki McDonald, Mayor
42 Valley Crescent. P. O. Box 208. Palmer Lake, CO 80133
Phone (719) 481-2953 Fax (719) 488-9305
Website: www.townofpalmerlake.com

COPY COPY COPY

DEED

LUCRETIA VAILE, whose address is Brooks Towers, 1020-15th Street, City and County of Denver, and State of Colorado, for the consideration of Two Dollars ($2.00) and other valuable consideration, in hand paid, hereby sells and conveys to THE TOWN OF PALMER LAKE, a municipal corporation, whose address is Palmer Lake, County of El Paso and State of Colorado, the following described property in the County of El Paso and State of Colorado, to-wit:

> Lots 1, 2, 3 and 4, Block 54 in Thompson's Resubdivision of Blocks 46, 47, 50, 52, 53 and 54 and Block 49 except the Northerly ten feet of Lot 3 and Block 51, except Lot 5, Town of Palmer Lake,

with all its appurtenances.

It is an express condition as a part of the consideration for the conveyance of said premises that the same shall be made available for the exclusive use of the Palmer Lake Little Art Group, and its successor or successors, rent free and without cost to said group except as to the maintenance, repair, upkeep, utilities and insurance expenses applicable to said premises until the said Palmer Lake Little Art Group or its successor ceases to use said premises as an art gallery or for other cultural purposes for the benefit of the community, or until said premises are no longer kept up and maintained in its present condition or better, whichever shall first occur. Upon the Palmer Lake Little Art Group or its successor ceasing to so use said premises or maintain said premises, it is the wish of the grantor that said property, or the proceeds of a sale of same, shall be used for the permanent betterment and benefit of the whole community of the Town of Palmer Lake.

A resolution of the then governing body of the Town of Palmer Lake stating that said premises are no longer used by the

COPY COPY COPY

COPY

AMENDMENT TO 1979 DEED BETWEEN THE TOWN OF PALMER LAKE, COLORADO AND THE PALMER LAKE LITTLE ART GROUP

WHEREAS, the Palmer Lake Arts Group (PLAG) currently utilizes the property commonly known as the Vaile Hill Gallery (GALLERY) under a deed issued by the town of Palmer Lake (TOWN) in 1979 under terms of the deed, should PLAG decide to vacate the building, the property can be QUICK CLAIMED back to the TOWN, further, the deed stipulates when ~~PLA~~G sells said property, proceeds shall be used for the permanent betterment and benefits of the whole community, and

WHEREAS, the maintenance of the property by PLAG continues to be a substantial burden on PLAG's budget, draining funds from the very important mission of college scholarships awarded each year to students of high school District 38, and

WHEREAS, as a result, PLAG conducted an official ballot of members in November 2012 to determine whether or not to QUICK CLAIM the property to the TOWN. Two –Thirds majority of members voted to do so based on the TOWN's approval in writing of certain conditions, and

WHEREAS, it is the purpose of this agreement to officiate the amended agreement between PLAG and the TOWN;

The parties agree as follows:

1. Under terms of the deed noted above, under which PLAG utilizes the GALLERY, the GALLERY property in its entirety will be QUICK CLAIMED to the Town of Palmer Lake (TOWN).
2. TOWN and PLAG shall take immediate action to sell the GALLERY property without any cost to PLAG.
3. PLAG shall be allowed to utilize property for meetings until such date GALLERY property is sold, continuing to pay for utilities and insurance. Should PLAG decide prio0r to the sale to vacate, then TOWN shall assume all costs and expenses associated with GALLLERY property.
4. TOWN shall agree to provide PLAG Thirty-Three and One-Third Percent (33 1/3%) of the net proceeds of the sale, which PLAG shall use for the benefit of the whole community through high school scholarships, art education and art shows/exhibits.

PALMER LAKE LITTLE ART GROUP

By ______________________ Date 5-21-2014
Meredith Bromfield, President Palmer Lake Little Art Group

Witnessed By ______________________ Date 5-21-2014
(Name Printed) (Title)
Patricia J Schmidt Representative

TOWN OF PALMER LAKE, COLORADO

Witnessed By ______________________ Date 5-21-2014
Nikki McDonald, Mayor

ATTEST:

______________________ Date 5-21-2014

NANCY I. VEGA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20134026364
My Commission Expires 07-30-2017

RESOLUTION NO. 5 - 2015

A RESOLUTION OF INTENTION TO DISPOSE OF TOWN-OWNED PROPERTY, SPECIFICALLY, 118 HILLSIDE, IN THE TOWN OF PALMER LAKE, COLORADO, AND AUTHORIZING THE ACTING TOWN ADMINISTRATOR TO REPRESENT THE TOWN OF PALMER LAKE AT THE CLOSING OF THIS PROPERTY SALE

WHEREAS, the Town of Palmer Lake owns property located at 118 Hillside, Palmer Lake, Colorado 80133; and,

WHEREAS, the Town of Palmer Lake posted a public notice of its intent to sell said property, and accepted sealed bids with a starting price of $145,000.00; and,

WHEREAS, the Town of Palmer Lake accepted the highest bid of $145,000.00 and voted to award the bid at the Town Council meeting on June 11, 2015.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF PALMER LAKE:

Section 1. That the Town of Palmer Lake, Colorado, intends to dispose of its interest in the following legally-described property:118 Hillside, Palmer lake, Colorado 80133 to Mr. Kurt Ehrhardt for the sum of $145,000.00.

Section 2. That the Town of Palmer Lake, Colorado authorizes acting Town Administrator, Catherine Green, to represent the Palmer Lake Town Council in the signing of any necessary documents to allow the sale of this property.

PASSED, APPROVED AND ADOPTED this 5th day of November, 2015.

Nikki McDonald, Mayor

Attest:

Bob Radosevich, Deputy Town Clerk

RECORD OF PROCEEDINGS

November 5, 2015

The Palmer Lake Town Council held a Special Meeting and was called to order by Mayor McDonald at 7:38 PM.

Trustees: Kuehster
Banta
Russell-left early/excused
Davis
Grado
Harrington
Attorney: Gaddis-excused

Audience: 3

Item #1: Call to Order – 7:38 PM

Item #2: Medical Marijuana Moratorium Ordinance
Trustee Kuehster made a motion to PASS the Ordinance that was voted on at the October meeting,
Seconded by Trustee Grado.
Motion PASSED unanimously

ITEM #3: RESOLUTION 5-2015 – AUTHORIZING THE ACTING TOWN ADMINISTRATOR SIGNATURE.
Trustee Harrington made a motion to authorize the Acting Town Clerk to sign any documents concerning the sale of 118 Hillside,
Seconded by Trustee Davis.
Motion PASSED unanimously

Item # 4: Adjourn
Trustee Kuehster made a motion to adjourn @ 7:45 PM,
Seconded by Trustee Davis.
Motion PASSED unanimously.

Trustee Davis made a motion to go into Executive Session @ 7:46 for Personnel matters,
Seconded by Trustee Grado.
Motion PASSED unanimously.

Trustee Grado made a motion to come out of Executive Session @ 9:01,
Seconded by Trustee Harrington.
Motion PASSED unanimously.

Approved as written or amended this 12th day of November, 2015.

______________________ ______________________

Nikki McDonald, Mayor Bob Radosevich/Deputy Town Clerk

Board of Trustees Summary Sheet

	Recommendation Summary
Title	**Information from the Public Safety Committee**
Action	None
Date	August 22, 2019
Contact	Shana Ball
Summary	Information Attached: • Public Safety Committee Recommendation for Ballot Initiative • Everything You Always Wanted To Know About The Gallagher Amendment • November 2018 Voting Information – Gallagher • Foothills Fire Protection District • Ambulance Transport for PLFD • Proposed Costs Used in the Calculation • Municipal Bond Information • Commercial Loan Term Sheet
Issues	Various
Budget Implications	Mill Levy Increase
Other Actions	None
Motion	None

Public Safety Committee

Recommendation for Ballot Initiative

November 2019 Ballot

Submitted on August 19, 2019

Upon evaluation of the current fire and police stations, staffing and operational budget needs we as a committee formed by citizens and supported by council members have come up with a recommendation, we feel will be a long- lasting benefit to the town of Palmer Lake and its citizens.

First is the state of both of the current fire and police station in which both buildings are inappropriate for the current standards expected to operate at a professional level for each station. Therefore, we recommend a solution many municipalities with like financial situations as Palmer Lake have taken to cut down on cost. We propose for a public safety station to be built in which both police and fire will operate at an expected professional level. The station will need to be approximately 7,000sqft in size and the estimated cost will be $1.5 million dollars. Payments for this project can be made through a bond agreement or a municipal loan, which ever the council decides. George K Bomb is a banking institution that provides municipal bonds specific for fire districts/departments. The Bond rate is between 3.25% and 3.75%. Additional fees include an underwriting fee of about 0.75% of the cost of the bond with additional fees between $60,000.00 and $80,000.00 that would be rolled into the bond. There are banks which offer municipal loans as well, 1st Bank submitted an unofficial offer to which some fees would be waved. Community Bank also offers municipal loans and already has accounts with the town of Palmer Lake. The ownership of the property the station will be built is held by the bank for the duration of the loan. There is also a $300,000.00 down payment that will need to be held in an account by the town during the duration of the loan. Either option allows for the loan to be paid off with mills through the sunset law which allows for the decrease of mills once the building is paid off. Estimated payments for the cost of the station have been included in the proposed 2020 budget.

Second is the current staffing situation in which salaries are just barely above minimum wage for the state of Colorado and well below the minimum standard for the positions of firefighters and police officers who work full and part time positions in Palmer Lake. Both departments are lacking in the number of staff appropriate to maintain a professional service to the town of Palmer Lake. We recommend salary increases to the minimum average wage for the current positions held and the minimum average wage for the new positions that will need to be filled. In order to provide an ALS ambulance service to the citizens of Palmer Lake, 3 firefighter paramedics will need to be hired in addition to 3 PRN (as needed) firefighter EMTs/paramedic. The cost to accomplish this with a reserve for a 3% salary increase and increased benefits premium cost is $938,386 and has been included in the proposed budget for 2020.

Third is the operational status of the vehicles and apparatus that is required in order to provide service to our citizens. We recommend purchasing a quick attack mini pumper that serves the same purpose as the current aged fire engine except that the mini pumper is smaller, carries less water, is easier to repair and costs half the price it would take to replace the current engine. Since Palmer Lake is a hydrant provided town, there is no real need for a type I engine that carries 1000 gallons of water.

However, the current engine can be kept in reserve for the purpose of mutual aid with other agencies, in which case the continued life of the current engine could be prolonged. The police department also has aged vehicles aside from the most recent vehicle purchased for the police chief who is also responding to calls during the day. Police cars and fire apparatus can be purchased on lease to purchase basis where cost range varies based on the lease agreement. We provided a cap to these items at $41,600 for fire and $21,600 for police. Insurance to cover these vehicles has been included in the proposed budget for 2020.

The ambulance service to Palmer Lake would require the purchase of an ambulance. We have provided 2 options for an ambulance. First option would be to purchase a used ambulance from another agency or apparatus company provided a mechanic has looked over the vehicle and deemed the purchase a benefit to the town. The other is a lease to purchase a new ambulance at the cost of $171,935.00 with yearly payments at $38,026.00 and an interest rate of 3.45% per year. The total cost of this ambulance can also be included into the bond or loan established for the public safety station as can the mini pumper. Insurance and equipment costs to cover the ambulance has already been applied to the proposed budget for 2020. All other costs would be dependent upon income from the ambulance service so is not applied to this proposed budget.

The proposed 2020 budget for both police and fire are based off of the 2019 approved budget and amended to meet the future needs of both departments using the most resent property assessments for 2019. We recommend a mill levy increase to the 10 mills that is currently allotted to the fire department in the amount of 14.803-16.803 mills for the purpose of public safety for the town of Palmer Lake. We recommend that the council have an official commitment enacted by ordinance for the current 2019 approved police budget allotment to be given to all future budgets for the police department that cannot be deviated without citizen approval. Furthermore, we would like the council to understand that though these numbers may be high, they will sustain our public safety services to our community for years to come. We would also like to add that to degallagherize would protect these funds as well as the business owners of Palmer Lake.

Thank you for your consideration and time in this matter,

Shana Ball

Co-Chair of the Public Safety Committee

EVERYTHING YOU ALWAYS WANTED TO KNOW ABOUT THE GALLAGHER AMENDMENT ...

but were afraid to ask!

Q: When was the Gallagher Amendment adopted?

A: The Gallagher Amendment was adopted in1982 when Colorado voters approved the measure. The amendment is named for state senator Dennis Gallagher, who was one of the primary sponsors of the measure.

Q. Why was the Gallagher Amendment passed?

A: The passage of the Gallagher Amendment by the voters of Colorado in 1982 was the culmination of a property tax revolt that originated in the late 1970's. Homeowners, concerned about skyrocketing residential property taxes, pressured the state legislature to address the problem.

As a result, in 1982 Speaker of the House, Bev Bledsoe appointed nine members from the General Assembly to study the problem and recommend solutions. The Gallagher Amendment was the culmination of the panel's effort to find a workable solution to skyrocketing residential property taxes.

Q: What does the Gallagher Amendment do?

A: The Gallagher Amendment divides the state's total property tax burden between residential and nonresidential (commercial) property. According to the Amendment, **45%** of the total amount of state property tax collected must come from residential property, and **55%** of the property tax collected must come from commercial property.

Further, the Amendment mandates that the assessment rate for commercial property, which is responsible for 55% of the total state property tax burden, be fixed at **29%**. The residential rate, on the other hand, is annually adjusted to hold the 45/55 split constant.

Q: How was the 45%-55% split set by the Gallagher Amendment determined?

A: In 1982, residential property was responsible for 45% of the state's total property value, and commercial property was responsible for 55% of the state's total property value. The authors of the Gallagher Amendment believed that the overall property tax burden should continue to reflect this split. As a result, with the passage of the Gallagher Amendment, the 45/55 split was set in stone.

Q: How is property tax calculated?

A: Property tax = (market value of property) X (assessment rate) X (mill levy)

For example, in order to calculate the residential property tax on a $100,000 home, the market value of the property is multiplied by the assessment rate and the mill levy. By multiplying the value of the home ($100,000) by the 2003 residential assessment rate (7.96%), we get the assessment value ($7,960), or the amount of value subject to taxation. This amount multiplied by the mill levy equals total tax liability. Using a mill levy rate of 100 mills for this example, the total tax burden for a $100,000 home in 2003 would be $796.

A commercial property valued at $100,000 would be subject to the same formula, but would be taxed on 29% of its worth, or $29,000. Multiplied by the 100 mills, the total tax liability for the commercial property in 2003 would be $2,900.

Q. How is the market value of a property determined for purposes of property taxes?

A. Under the Gallagher Amendment, properties must be reassessed every two years by the county assessor of the county in which they are located. Market values are determined based on recent sales of similar property in the area.

Q: What is the assessment rate?

A: The assessment rate (sometimes called the assessment ratio) is the percentage of the property's assessed value that is taxed. For example, under Gallagher, the assessment rate for nonresidential property is fixed at 29%. That means that of the total market value of the property, 29% is subject to taxation.

The residential property assessment rate floats each year in order to meet the 45/55 split mandated by Gallagher. Because of rapidly increasing residential property values, the residential assessment rate has sunk from approximately 21% in 1982 to around 7% today.

Q: What is a mill levy?

A: A mill levy is a property tax rate based on dollars per thousand of assessed valuation. For example, a mill levy of 50 means $50 of tax per $1,000 in assessed value.

Mill levies are levied by a taxing district such as a school district on property owners in the district. By law, each taxing district must set a single mill levy that applies uniformly to all property within the district.

Q: Why has the residential assessment rate gone down since 1982?

A: In 1982, the first year of Gallagher, the residential property assessment rate was 21% (and the nonresidential property assessment rate was 29%, as fixed by Gallagher in perpetuity). However, the rapid escalation in residential property values, combined with the growth boom of the 1990's, led to the 45% share of property tax collected from residential properties being dispersed across more and more residences that were worth more and more money. Something had to give in order to maintain the 45/55 split.

In Colorado, in order to maintain the 45/55 split, the residential property assessment rate has dropped from 21% in 1982 to the current level of 7.96%.

Q: Does residential property still account for 45% and commercial property 55% of the state's total property value?

A: No. In the twenty years since Gallagher passed, increases in residential property values have significantly outpaced the increases in the value of commercial property. In fact, residential property, which made up only 45% of the state's total property value in 1982, today accounts for **75%** of the state's total property value. However, due to the Gallagher Amendment, residential property is only responsible for 45% of the state's total property tax burden. Conversely, commercial property, which now accounts for only 25% of total property value in the state, is still responsible for 55% of the state's total tax burden.

Q: What services and entities do property taxes fund?

A: Property taxes are local governments' primary source of funding. Local governments are responsible for providing a host of different services, ranging from police and fire protection to street repair.

Public schools are very dependent upon property tax revenues. Sixty cents of every dollar collected in property tax revenue is dedicated to K-12 funding.

Q: What impact has the TABOR Amendment had on Gallagher?

A: Traditionally mill levies were allowed to float to counteract cyclical economic cycles and help protect local government's primary revenue source. However, TABOR has been interpreted by many as preventing mill levies from increasing without a vote of the people.

As a result, if the assessed value of a property declines, as happened in some areas of Colorado in 2002, the mill levy can no longer counteract the effect that reduced values have on the amount of property tax collected. In addition, if overall property values located in a jurisdiction go up so fast that the tax revenue would outpace TABOR's allowable revenue limit, the jurisdiction may need to lower the mill levy. In this case, TABOR prevents the jurisdiction from raising the mill levy to its previous levels without a vote.

As a result, the collision between TABOR and Gallagher has led to a structural ratcheting down effect on funding for local governments.

Q: What is the interaction between Gallagher and Amendment 23?

A. Property taxes used to be the primary funding source for K-12 education in Colorado. In 1982, property taxes funded 60% of education, and the state General Fund provided 40% of funding.

However, with decreasing property tax revenue caused in part by Gallagher and TABOR, the state has been required by the state School Finance Act to "backfill" an ever-increasing amount of funding for schools, resulting in a reversal of state and local funding roles. The state now provides 60% of funding for K-12 schools, with local property taxes providing 40% of funding. This eats up a significant amount of the General Fund – spending on K-12 education now takes up 40% of General Fund dollars.

Amendment 23, with its requirement of increased state funding for schools, has magnified the difficulty in coming up with the required state General Fund dollars for education.

http://www.coloradobudget.com/gallagher_101.cfm

November 2018 Voting Information - Gallagher

Foothills Fire Protection District is conducting an election in November 2018 to seek voter approval to float its mill levy in order to offset decreases in the residential assessment rate required by the Gallagher Amendment. If the initiative passes, it would allow our district to maintain the level of property tax revenues it would otherwise lose as a result of the Gallagher Amendment's future reductions in the residential assessment rate. In addition, in order to avoid collecting too much tax revenue, the Foothills Protection Fire District would reduce its mill levy should the Gallagher Amendment ever require the residential assessment rate to be increased. (You may hear this concept called "de-Gallagherizing.") De-Gallagherizing would NOT increase your taxes, unless the residential assessment rate decreases, and then taxes will only rise to allow Foothills Fire Protection District to maintain the same level of tax revenues as had been allowed in prior years. The savings a household would otherwise see on their tax bill due to the Gallagher amendment would be invested in the fire district. The goal is to stabilize revenues so that future changes in the residential assessment rate allow the district to proportionally adjust its mill levy so that the equivalent level of taxes will be collected each year. The revenue stabilization is critical to Foothills Fire Protection District and its ability to maintain current service levels and response times; retain and recruit the highest quality of emergency responders; and maintain and replace apparatus, equipment and facilities as necessary.

Passage of this ballot question will result in the ratio of residential-to-commercial property taxation within the Foothills Fire Protection District varying from the constitutionally proscribed 45/55 split.

https://www.colorado.gov/pacific/foothillsfire/november-2018-voting-information-gallagher

Foothills Fire Protection District

(In Case of Emergency Dial 911)

Dear Residents:

The Foothills Fire Protection District (FFPD) Board of Directors and staff are extremely grateful to our local taxpayers for their continued support. FFPD has worked hard to be prudent and effective in allocating the local funds we receive.

The FFPD Board wants to make sure the community it serves is aware of a constitutional provision that is impacting the property tax the voters have authorized FFPD to assess. The Gallagher Amendment to the Colorado Constitution requires that the percentage of property taxes paid by residential property owners in the State to be 45% of the total taxes paid. In every odd year, the Colorado Legislature is required to set the residential assessment rate at a level that will maintain the 45% tax share required by the Colorado Constitution. Due to the steady increase in residential property values across the State, since 1982 the residential assessment rate has been reduced from 21% to 7.96%. Then, in 2017, the Colorado Legislature further reduced the residential assessment rate to 7.2%. This approximate 9% decrease in the residential assessment rate will result in FFPD losing $92,557 in revenue in 2018 and 2019. Preliminary projections indicate the Colorado Legislature will further reduce the residential assessment rate to 6.11% in 2020, which will result in another 15% decrease and another approximately $132,746 loss in property tax revenue.

The FFPD Board wants to inform its community that the Board is conducting an election in November 2018 to seek voter approval to float its mill levy, to keep property tax revenues it will otherwise lose because of the Gallagher Amendment which forces further reductions in the residential assessment rate. In addition, to avoid collecting too much tax revenue, FFPD would be required to reduce its mill levy should the Gallagher Amendment ever require the residential assessment rate to be increased. You may hear this concept called "de-Gallagherizing".

FFPD would not be asking to increase your taxes. FFPD desires to stabilize revenues so that future changes in the residential assessment rate allow FFPD to proportionally adjust its mill levy so that the equivalent amount of taxes will be collected each year. The revenue stabilization is critical to the District and its ability to maintain response times, attract and retain seasoned emergency responders, replace outdated apparatus and equipment and maintain and enhance FFPD's buildings.

Passage of this ballot question will result in the ratio of residential-to-commercial property taxation within the district varying from the constitutionally proscribed 45/55 split.

The Board encourages your input on this important issue. Please call or email Fire Chief Kyle Vaughn at:
Email: kylevaughn@foothillsfire.org Phone: 970-309-0786

Foothills Fire Protection District

/s/ Robert Heine
Robert Heine
President, Board of Directors

/s/ Kyle Vaughn
Kyle Vaughn
Fire Chief

28812 Rainbow Hills Road, Evergreen, CO 80439 Phone 303-526-0707 Fax 303-526-2225

Ambulance Transport for PLFD

Revenue/Cost

Possibilities for an Ambulance:

1. Meeker Fire Department has a used ambulance fully stocked with equipment, supplies and electric Striker stretcher for 20,000.00. Details include: 2001 Ford F450 4x4, 7.3 power stroke, newer Turbo, good tires, road rescue box and spare battery with charger for the stretcher. See Emailed Quote
2. Lease to purchase 2019 Type I Ford F350 4x4/Wheeled Coach Ambulance which includes a hydraulic stretcher (not electric) for the cost of **$171,935.00.** Payments would be spread out over 3-7 years with interest ranging from 3.43%-3.49% and multiple variations for payment options such as 0 down to an up-front payment based on number years the lease is taken out. See Emailed quote for further details.

Contracts for Billing Service:

1. FREMS Billing Service also provides service to LFPD and TLMFPD. Estimated charge for the first year would be 7% of monthly revenue. Based out of Castle Rock. See Emailed Quote.
2. MedCorp Billing Service. Estimated charge is 5-7% of monthly revenue with a start at 7% to establish baseline yearly revenue. Based out of Georgia. See Emailed Quote
3. EMS Billing Services. Estimated charged is 10% of revenue for the first year and possible decrease to 9% based on yearly revenue. Based out of Golden. See Emailed Quote

Possible Revenue/Cost for PLFD Ambulance Transport Based on currant average of transports for Palmer Lake and Mutual Aid. Remembering that Palmer Lake also responds to an area of designated to LFPD. Mutual aid can also be provided to TLMFPD and AMR. Currently the average transport for just Palmer Lake is 100 transports per year.

Possible Revenue based on estimated 120 transports at 2,000.00 per transport	With Medicare/Medicaid-Consideration: $150,000.00
Estimated Cost for Services excluding staffing	$31,750
Disposable Income	$118,250.00

Compared to LFPD which runs 2 ambulances with 1 back up ambulance, 1 firefighter paramedic per shift at station 1 and 2 firefighter EMTs at station 2 with the occasional part time paramedic filling in. Estimated average of transports is about 250 with cost ranging from $1,500.00-$1,800.00= BLS-ALS

LFPD	2016	2017	2018
Revenue for Services	$175,000.00	$187,038.00	$190,000.00
Cost for Services excluding staffing	$52,600.00	$44,849.00	$47,300.00
Disposable Income	$122,400.00	$142,189.00	$142,700.00

Compared to TLMFPD which runs 3 ambulances, 3 firefighter paramedics per shift and 3 firefighter EMTs per shift. The average cost for transport is again ranging from $1,500-$1,800=BLS-ALS

TLMFPD	2017	2018
Revenue for Services	$862,270.00	$825,000.00
Cost for Services excluding staffing	$122,970.00	$122,725.00
Disposable Income	$739,300.00	$702,275.00

These examples are extreme from one to another, but they give perspective as to actual revenue verses cost for running an ambulance service. The town of Palmer Lake would have guaranteed reduced response times and gain a revenue that would essentially pay for the service itself and put forth income towards the staffing budget. The goal is to purchase the 20,000.00 ambulance as soon as possible and then apply for up-coming grants to purchase a second ambulance if possible. There are several grants available that pay for ambulances. This will allow for the older ambulance to be a reserve and/or resourced out for additional income.

Version dated 8/16/19 Final	Study Option 3 Cost w/2018 Assess	Study Option 3 Mills w/2018 Assess	Study Option 3 Cost w/2019 Assess from Report	Study Option 3 Mills w/2019 Assess from Report	Option 5 Total Costs w/2019 Assess from Report	Option 5 Total Mills w/2019 Assess from Report	Option 5 Department Costs Fire	Option 5 Department Costs Police
Net Fire and Police Wages w/benefits	759,330	21.787	759,330	19.775				
3 FT FF/ EMT					123,639	3.220	123,639	
3 FT FF/Medic					132,000	3.438	132,000	
6 PT FF/EMT ($14 per hour) 4457 hrs.					62,398	1.625	62,398	
Fire Chief					70,000	1.823	70,000	
Total Fire Department Salaries					388,037	10.106	388,037	
Fire Depart. Benefits & Employer Taxes					207,546	5.405	207,546	
Total Fire Depart. Salaries, Benefits,Taxes					595,583	15.511	595,583	
Police Chief					70,000	1.823		70,000
1 FT Police Officer					48,000	1.250		48,000
5 PT Police Officers					120,078	3.127		120,078
Total Police Department Salaries					238,078	6.200		238,078
Police Depart. Benefits & Employer Taxes					85,942	2.238		85,942
Total Police Depart. Salaries, Benefits,Taxes					324,020	8.438		324,020
All Salaries and Benefits Total					919,603	23.949		
Operating costs (Fire & Police)	331,421	9.509	331,421	8.631				
Operating costs (Fire)					207,141	5.395	207,141	
Operating costs (Police)					98,926	2.576		98,926
Training	25,000	0.717	25,000	0.651	0	0	0	0
Total Operations	1,115,751	32.013	1,115,751	29.058	1,225,670	31.920	802,724	422,946
Building 1.5 million-25% P 75% F (3.75%,30 yrs)	81,000	2.324	81,000	2.109	83,364	2.171	62,523	20,841
Land - 100,000 est. - 25% P 75% F					5,400	0.141	4,050	1,350
Lease/Purchase equipment	159,927	4.589	159,927	4.165	0	0.000	0	0
Bunker Gear	5,000	0.143	5,000	0.130	5,000	0.130	5,000	
SCBA Needs	7,600	0.218	7,600	0.198	7,600	0.198	7,600	
BLS Equipment	5,000	0.143	5,000	0.130	5,000	0.130	5,000	
Total Capital Costs	258,527	7.418	258,527	6.733	106,364	2.770	84,173	22,191
Total Operations & Capital	1,374,278	39.431	1,374,278	35.790	1,332,034	34.690	886,897	445,137
Less 10 mills Fire Department	(348,530)	(10.000)	(383,980)	(10.000)	(383,980)	(10.000)	(383,980)	
Less Current Police Budget					(379,653)	(9.887)		(379,653)
Total Additional Cost	1,025,748	29.431	990,298	25.790	568,401	14.803	502,917	65,484
							13.097	1.706
							Mills	

Note: Mill value = Cost/34,853 for 2018 Assessments
Note: Mill value = Cost/38,398 for 2019 Assessments from report (10.17% increase)

Cost per $100k Home Value $105.84
(Assessment Rate 7150 x .014803)

Municipal Bond

George K Bomb and Company

1400 Wewatta Street # 800

Denver, CO 80202

Phone: 303-391-5503

Fax: 303-391-5603

matlosz@gkbaum.com

In the bond market, the Town could borrow today for 25 years or so somewhere between 3.25% and 3.75% depending on credit.

The bond underwriter fees are based on the principal amount so that cost varies with the size of the borrowing. Assume a bond underwriting fee of .75%. Other fees include the bond attorney, bond rating and other smaller related fees. Those additional fees should be between $60,000 and $80,000. So here are a couple examples:

$3 million bond - underwriter fee of $22,500 plus $60,000 for a total of $82,500.

$5 million bond - underwriter fee of $37,500 plus $80,000 for a total of $117,500.

All these costs can be rolled into the bond issue.

Alan T. Matlosz
Executive Vice President
George K. Baum & Company
1400 Wewatta Street # 800
Denver, CO 80202
Phone: 303-391-5503
Fax: 303-391-5603
matlosz@gkbaum.com

Term Sheet

August 15, 2019

First National Bank of Monument

&

Town of Palmer Lake

(For Discussion Purposes Only – This is Not a Commitment to Lend)

Borrower:	Town of Palmer Lake
Facility:	Construction/Permanent financing for a new Emergency Services Center
Amount:	$1,500,000 to $1,800,000
Loan Term:	Initial one (1) year construction loan rolled into a permanent Commercial Real Estate loan amortized for 25 years. Construction loan/permanent loan will be a "one close" promissory note. Construction loan will roll into the agreed upon permanent financing term structure.
Advance Rate:	The lessor of loan amount or 90% of appraised value (including land) as determined by Bank ordered appraisal
Interest Rate:	Fixed – 3.50% to 4.00% (assuming tax free status)
Loan Repayment:	**Construction Phase (one (1) year)** – Monthly interest-only payments **Permanent Phase (25 year amortization)** - Monthly Principal & Interest (P&I) payments (structure can be modified to meet the seasonal cash flow needs of the Town) • $1,500,000 – Monthly P&I approximately $7,509 - $7,917 (rate 3.50% - 4.00%) • $1,800,000 – Monthly P&I approximately $9,011 - $9,501 (rate 3.50% - 4.00%)
Fees:	Origination fee waived (equal to 1% of loan amount - $15,000 - $18,000) $10,000 - $15,000 – estimated (Appraisal, Title, Recordings, Attorney fees, Etc.) Loan fee and costs may be financed
Deposit Relationship:	Loan rates & fees offered in consideration of a deposit relationship with the Town of Palmer Lake with minimum deposits of $300,000. • **Free Checking – no charge for deposited items** • **Free Remote Deposit Capture – monthly fee waived** • **Free High Volume Remote Deposit Scanner provided at Bank's expense (machine can be programmed for multiple accounts)** • **Free On-Line Banking** • **Free ACH Services**
Guarantors:	N/A

Collateral:	1st Deed of Trust; Assignment of rents or a Municipal Lease Agreement
Insurance:	Amount and coverage satisfactory to Bank
Debt Service Coverage:	Minimum 1.35
Other:	All discussions based on but not limited to Mill Levy approval by voters, Town of Palmer Lake approval, Palmer Lake Fire Department approval, First National Bank of Monument loan committee approval, formal underwriting analysis. Rates and Fees are estimates based on current rate environment.

This Term Sheet is provided based on a preliminary conversation between Bank and Town of Palmer Lake and only constitutes a general, non-binding expression of interest on part of the Bank. This Term Sheet is subject to Bank's credit approval process (which includes the proposed rate and credit structure) and is not intended to and does not create a legally binding commitment or obligation on the part of the Bank. The credit approval process is subject to the timely delivery of documents requested by Bank. This Term Sheet however, is not meant to be, nor shall it be construed as an attempt to define all the terms and conditions that may be part of a final credit approval.

This Term Sheet is provided solely for the benefit of Town of Palmer Lake and shall not be reproduced, distributed, quoted or otherwise made reference to except between Town of Palmer Lake, and their respective Business Attorney(s), CPA or Financial Advisor(s).