RECORD OF MINUTES

# Board of Trustees SPECIAL Meeting

**Tuesday, December 15, 2020, at 4 PM**

**PALMER LAKE TOWN HALL, 28 VALLEY CRESCENT, PALMER LAKE, COLORADO**

**1. Call to Order.** Mayor Bass called the meeting to order at 4:00 PM.

**2. Pledge of Allegiance.**

**3. Roll call**

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| Present | Mayor Bill Bass |
| Present | Mayor Pro Tem Sam Padgett |
| Present | Trustee Jessica Farr |
| Present | Trustee Karen Stuth |
| Present | Trustee Bob Mutu |
| Present | Trustee Glant Havenar |
| Present | Trustee Nicole Currier |

**4. Discussion/Direction Relating to Options and Response to CDPHE Closing Indoor Dining.** Mayor Bass offered the background to calling this special meeting, specifically the concern of the potential closing of local restaurants in response to the Level Red restrictions. Attorney Krob reviewed the development of a new 5-star program with El Paso County for a variance from Level Red restrictions. Discussion took place about official action taken by other municipalities and potential repercussion. The CARES Act funds were awarded with the stipulation that the order be supported and followed. The Board reviewed and discussed various resolutions and options to support local business. Discussion to direct staff and the Mayor to assemble a letter of support to the County Health Department took place. MOTION (Havenar, Farr) to direct staff and Mayor to draft letter. Attorney Krob drafted language for the Board's review.

1. *As a Board, take a position that we:*
   a. *endorse the CDPHE's orders disallowing businesses from operating in an unsafe manner during the pandemic, but believe it is unfair to further restrict or close down businesses which have a proven track record of complying with the health and safety protocols required by federal, state and local public health authorities; and,*
   b. *commit to working with entities to develop a plan to allow owners and employees of conscientious businesses which are suffering due to the shutdown to continue to operate under less restrictive rules to be submitted to the Governor and CDPHE for approval; and,*
   ~~*c. implore the Governor and the CDPHE to consider and approve El Paso County's variance protection program proposal which will soon be forthcoming.*~~

*2. Direct Town Staff to work with El Paso County, and any and all other entities necessary, to develop a variance protection program for El Paso County which would allow qualifying small businesses to continue to operate while maintaining public safety during the period El Paso County is placed on Level Red of the COVID-19 Dial, also known as the "5 Star State Certification Program" from the CDPHE; and*

*3. Request that upon finalization, said variance protection program proposal be immediately submitted to Governor Jared Polis and the Colorado Department of Public Health and Environment, or any other necessary entity, for consideration and approval; and*

*4. Direct Town Staff to author, and authorize the Mayor to sign, a supportive letter of such variance; and*

*5. Authorize the Mayor, or the Mayor Pro Tem in his absence, to execute any and all necessary documents to further this direction.*

Collins stepped out to retrieve the CARES Act criteria.

Discussion took place to strike 1c. MOTION (Padgett, Mutu) to adopt the language drafted by Attorney Krob with removal of 1c. Roll call vote – aye (7); nay (0). Motion passed.

**5. Discussion/Direction for Allocation of Remaining CARES Act Funds.** Staff ~~stated~~ directed the conversation to the remaining balance of CARES Act funds ~~from the CARES Act was planned~~ and asked if the Board would like to use the remaining funds for a second round of relief for businesses, noting that an approximate amount of $54,000 was planned from the previous Board to be applied toward ~~a portion of~~ the Library ramp project, bid at roughly $90~~54~~,000. Discussion took place about allocating a portion of, or all, funds instead to provide a second round of relief for local businesses. Marina (LaRosa) spoke to the seriousness of the pandemic as well as being responsible for the livelihood of her staff. She requested that, if a variance is allowed for, the required restrictions be provided by the authority of the town and be consistent to all participating. Patty Mettler suggested that, if an application process is conducted to receive funds, consider differently those businesses still open. Various splits were discussed of the remaining $54k funds as well as noting that funds for the library ramp project are budgeted in the 2021 budget. ~~funds for the entire library project.~~ Details to award the funds including criteria were discussed. Supporting documents for the funds ~~being~~ requested is required by the CARES Act. Disagreement took place about whether businesses that received funds in the first round should be eligible in the second round or not resulting in (3) members not agreeing to the first come first serve basis for all applicants. A general consensus was ~~given~~provided from the Board to direct staff to conduct a second round of the Business Relief Fund application program with the following guidelines: same application criteria; first come first serve for completed applications including supporting material; $6500 maximum; second round application made available Wednesday 12/16 on Town website; deadline of 4 PM on Wed., 12/23. Any remaining funds after 12/23, if any, shall be applied to the library project. Award will take place after 12/23 and checks will be issued before 12/30 to meet the requirements of the CARES Act.

**6. Resolution 24-2020 to Oppose CDPHE Move to Level Red on COVID-19 Dial.** MOTION (Farr, Currier) to table indefinitely. Roll call vote – aye (7); nay (0). Motion passed.

**7. Retreat Dates and Next Regular Meeting (January 14).** Discussion took place to identify dates. It was agreed to wait until after the holidays and plan for Friday-Saturday, January 8-9.

**8. Adjourn.** MOTION (Currier, Farr) to adjourn approximately 6:30 PM. Motion passed.

William Bass, Mayor

Dawn A. Collins, Town Clerk

1/28/2021
Date Approved