RECORD OF MINUTES

Board of Trustees Meeting

Thursday, February 11, 2021, at 6 PM

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

1. **Call to Order.** Mayor Bass called the meeting to order at 6:06 PM.

2. **Pledge of Allegiance.**

3. **Roll call**

Present	Mayor Bill Bass
Present	Mayor Pro Tem Sam Padgett
Present	Trustee Jessica Farr
Present	Trustee Karen Stuth
Present	Trustee Glant Havenar
Present	Trustee Nicole Currier
	Trustee (Vacant)

4. Consent Agenda. MOTION (Currier, Farr) to approve consent agenda items including Minutes from January 28, 2021 meeting and Minutes from February 4, 2021 Special meeting. Roll call vote – aye (6); nay (0). Motion PASSED.

5. Staff/Department Reports, if any. Supervisor Jason Dosch reminded members of a public information meeting on Wed., 2/17 for the South Valley road project and reviewed the activity of roads and park maintenance. Mayor Bass inquired about the funds through PPACG and Trustee Havenar mentioned it is getting finalized and that we expect $200,000 for transportation use. Chief Vanderpool reported on the homicide that took place as well as recent vehicle break-ins. Chief McCarthy reviewed recent calls and reported over 200 hours of training for the department. Collins provided an update on the progress with Elite Crane's move; the progress of the town hall roof project and library ramp project; thanked Deputy Clerk Stambaugh for facilitating the new retirement plan enrollment for employees; reported on the status of the water main break under investigation by CIRSA; and also requested that the Board consider authorizing GMS Engineering to develop a Preliminary Engineering Review (PER) for water supply expansion options. Mr. Dave Frisch, GMS Engineering, explained the PER being eligible for funds from DOLA.

6. Public Comment. Brenda Woodward requested the Board conduct meetings by Zoom for public participation. Mark Schuler inquired about the Town well water level of the aquifer.

7. Presentation of MS4 Program Description Document (PDD). Mr. John Chavez introduced himself and provided the Board background of his experience working with the Town. He explained the MS4 permit and requirements. The PDD defines how the Town complies with the permit requirements. Chavez reviewed the progress the Town has made thus far, including reporting spills or dumps, construction site inspections and reviewed the contents of the document. The PDD is available on the Town website.

8. Resolution 13-2021 to Implement MS4 Program Description Document (PDD). MOTION (Bass, Stuth) to approve Resolution 13-2021 to implement the PDD. Roll call vote – aye (6); nay (0). Motion PASSED.

9. Resolution 14-2021 to Appoint New Member to Board of Trustees. MOTION (Stuth, Farr) to approve Resolution 14-2021 appointing Darin Dawson to the Board. Roll call vote – aye (6); nay (0). Motion PASSED. Collins administered the Oath of Office to Darin Dawson.

Trustee Dawson took his seat with the Board.

10. Review and Action on Business License – RAD Extracts. Collins requested this item be removed as the establishment came into compliance to renew the license. Mayor Bass moved to the next item.

11. Resolution 15-2021 to Adopt Anti-Harassment Policy. Trustee Farr inquired about steps being in place for this policy and Collins responded that steps will get in place with adoption, including future supervisor training. MOTION (Farr, Currier) to adopt Resolution 15-2021. Roll call vote – aye (7); nay (0). Motion PASSED.

12. Ordinance 2-2021 to Adopt El Paso County Road Standards. Mayor Bass mentioned this item is under further review by staff and moved to the next item.

13. Discussion/Direction on Taps Purchased, Not Tied On. Discussion took place about the code requirement of a tap being tied to a property and building on said property within 12 months of an issued land use permit. Staff requested direction relating to 8 taps to communicate this ordinance and start the clock for plans to be filed to build or return the tap to the Town. Attorney Krob provided background and case law supporting the rule in ordinance and addressed that the tap is property of the Town, not to be sold without property. Mr. John Cressman addressed the Board, explaining the purchase of five taps in 2019. Discussion took place about what would be reasonable time to allow for building plans. Ms Nikki McDonald explained the course of events of two taps she purchased. Nikki also mentioned interest to serve a Citizen appointment for PPACG. Discussion took place about how to address the discrepancy of the 8 issued taps, and Attorney Krob stated it should be one decision applied the same for each situation. MOTION (Farr, Currier) to notice all parties from 2019 to bring taps into compliance with plans to build within 6 months or return the tap to the Town to be reimbursed only the purchase price ($10,000). Roll call vote – aye (6); nay (1 - Havenar). Motion PASSED.

14. Discussion/Direction to Amend Municipal Code Relating to Well Permits. Mr. Dave Frisch, GMS Engineering, outlined steps to continue issuing new taps. He reviewed the progress of evaluating documents to complete an accounting study for water taps on the existing water system. Staff requested authorization to release taps as needed, noting that activity will bring the Town beyond ten limited taps. Discussion took place about water supply and the length of time needed to complete the accounting study. MOTION (Currier, Padgett) to table for 60 days to review the study. Discussion continued about supply. Mark Schuler inquired about the number of taps being based solely on surface water. Discussion continued about the percent of well water used to supplement surface water and amounts the Town is limited to. Kurt Ehrhardt requested that the Board consider setting aside a number of taps for commercial development on Hwy 105 near the Arts Center. Mayor Bass stated he would prefer to allow staff more leverage with taps and report the status of taps regularly. Roll call vote on earlier motion to table for 60 days – aye (2); nay (5). Motion FAILED.

Dave Frisch further outlined steps for residential wells, explaining a suggested process for staff to follow, including a standard application to be submitted with building plans. Fee structure, similar to the tap fee with an allowance for drilling expense, was discussed and review ensued of supporting material for the recommendation of allowed usage for standard 1/3 acre feet. Kurt Ehrhardt addressed the Board about a project he has on the east end requiring numerous wells to be drilled. Matt Stephens questioned the billing comparison to tapped customers. Explanation took place about prorating a smaller size lot to determine a smaller amount of allowed use, a meter being required, and annual reporting to take place in order that the Town charge a fee for usage over the allowed amount. MOTION (Bass, Farr) to direct staff to draft an amendment of code relating to wells and draft policy based on recommendation to consider and issue well permits. Roll call vote – aye (7); nay (0). Motion PASSED.

Staff requested the Board consider authorization to move forward with GMS for the Preliminary Engineering Review. Discussion took place about funding available in 2021 from DOLA. MOTION (Bass, Stuth) to move forward with the application for DOLA funds to conduct the engineering review. Roll call vote – aye (7); nay (0). Motion PASSED.

Staff requested that the Board consider the earlier discussion of this item to allow release of taps as needed and report taps being issued respectively. Discussion took place about the current process to issue a tap. MOTION (Bass, Farr) to allow release of taps as needed with regular reporting of the number of taps issued until reaching near a remaining 15. Roll call vote – aye (5); nay (2 – Currier, Padgett). Motion PASSED.

15. Resolution 16-2021 to Approve Well Agreement. Mayor Bass read item 9 of the agreement stating that applicant will abide by the terms that will be established by the Board. MOTION (Bass, Havenar) to approve the well agreement as presented. Roll call vote – aye (7); nay (0). Motion PASSED.

16. Direction on Established Rate Increase and Correction to Water Billing. Mayor Bass suggested that items 16 and 17 be continued to the next meeting. MOTION (Bass, Havenar) to table item 16 and 17 until February 25th. Roll call vote – aye (7); nay (0). Motion PASSED.

17. Discussion to Address Short- and Long-Term Rentals.

18. Board Reports. Nothing reported.

16. Next Meeting (February 25). Mayor Bass stated there is a workshop at 5 PM and, instead of reviewing water rights, the Board agreed to discuss short-term and long-term rentals at the workshop. The regular meeting will follow at 6 PM.

17. Adjourn. MOTION (Bass) to adjourn at 9:12 PM. Motion PASSED.

William Bass

William Bass, Mayor

Dawn A. Collins

Dawn A. Collins, Town Administrator/Clerk

2/26/2021

Date