

**TOWN OF BOW MAR, COLORADO BOARD OF TRUSTEES  
MINUTES OF THE REGULAR MEETING  
JANUARY 15, 2018**

CALL TO ORDER: The regular meeting of the Board of Trustees of the Town of Bow Mar was called to order on Monday, January 15, 2018 by Mayor Feldkamp. The meeting was held at Columbine Valley Town Hall, 2 Middlefield Road, Columbine Valley, CO 80123. A quorum was declared present at 7:00 p.m.

**PRESENT:**

Mayor	Tom Feldkamp
Trustees	Anne Justen
	Marsha Dennis
	Carrie McLaughlin
	Jane Carlson
	Steve Fabricant
	Barb Cole
Clerk	Sue Blair
	Angie Kelly

Public Comment – None presented.

Public Hearing- ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BOW MAR REGARDING AMENDING SECTIONS 2-2 AND 2-3 OF THE BOW MAR MUNICIPAL CODE REGARDING ELECTIONS. Town Clerk Blair read the ordinance title. The intent of this ordinance is to update the Town code to match State Statute regarding elections. Trustee Cole asked if the statute needs to be cited in the ordinance. It was agreed that the citation would be helpful. Trustee Cole moved to approve the ordinance, subject to adding the citation reference. Upon a second by Trustee Justen, a vote was taken and the motion carried unanimously.

Public Hearing - ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BOW MAR REGARDING AMENDING SECTION 4-14 OF THE BOW MAR MUNICIPAL CODE REGARDING ADOPTION OF AN ANNUAL BUDGET. Town Clerk Blair noted that the Town code stated the budget is to be approved by ordinance. However, Town Attorney Carberry noted State regulation is to approve via resolution. This is to meet the dates required by the State for approving and submitting budgets and approved mill levies. Trustee McLaughlin asked why the ordinance notes a budget to be approved by ordinance or resolution? Town Clerk Blair noted it was to make sure the Town covered but will use a resolution for budget approval. Trustee Cole moved to approve the ordinance. Upon a second by Trustee Justen, a vote was taken and the motion carried unanimously.

Consent Agenda:

Approval of Minutes – Trustee Dennis moved to approve the minutes from the December 11, 2017 meeting, with the punctuation change from a question mark to a period in the variance section. Upon a second by Trustee Carlson, a vote was taken and the motion carried unanimously.

Approval of Treasurer’s Report and Payments –Trustee Carlson asked who the individuals were who received checks from the Town. Trustee Dennis noted the checks were for the annual bonus checks to the Columbine Valley Police Officers. Trustee Carlson moved to approve the Treasurer’s Report and Payment of Claims as

presented by Trustee Dennis. Upon a second by Trustee Fabricant, a vote was taken and the motion carried unanimously.

Commissioners Reports:

Public Safety - Trustee Cole and Chief Cottrell reviewed the situation of the stolen vehicle. Chief Cottrell also addressed the planter box. Chief Cottrell explained that the most recent damage is due to construction. Chief Cottrell expressed concern about the visibility of the planter. The Town noted that more reflectors will be placed on the planter box. Signage was also discussed. Trustee Cole asked that the Town ask Attorney Carberry to review the liability of the Town should someone hit the planter box.

Chief Cottrell also reviewed his report that was distributed to the Trustees at the meeting. Sanding of the streets was discussed. Chief Cottrell asked if there was a priority plan as to which streets were treated first. Trustee Fabricant noted there was not but that he would review a priority plan with the snow removal contractor.

Trustee Fabricant also addressed his concern regarding emails and the inclusion of parties outside of the Trustees. Trustee Cole asked if Attorney Carberry could address the proper chain of communication for Trustees. Town Clerk Blair noted she would prefer all emails pass through her before being distributed to parties outside of the Trustees. Also discussed at this time was how many Trustees constitutes a meeting, when the Mayor is a party at the meeting. Town Clerk Blair noted that the Mayor is not a voting member of the Board and does not count toward the meeting total of two (2) Trustees. Therefore, more than two (2) trustees constitutes a public meeting. Two (2) trustees plus the Mayor does not constitute a public meeting.

Finance – Trustee Dennis reviewed the finance report. Trustee Justen asked how the surplus compared to last year. Trustee Dennis noted it was similar because building permits are still very active. Trustee Cole asked why the financials still says 'Qwest instead of 'CenturyLink'. Trustee Dennis will review and have the title changed if necessary. Trustee Carlson asked about the difference between the total liabilities and equities from 2016 to 2017. Trustee Dennis noted that the assets increased in CSafe and ColoTrust. Trustee Dennis also noted that the financials are not final numbers as invoices will still come in and be charged back to 2017: this will change the bottom line once audited.

For the month of December, the total revenues were 112% of the year-to-date budgeted amount while operating expenses were at 92%. General government was 68% of budget, public safety 100%, parks and rec 131%, and public works 95%. The public works percent of budget will change dramatically next month since the road mill repairs will be paid in December.

Total year-to-date operating surplus was \$98,157 and the net non-recurring income (building permits/road impact fees less building inspection expense) of \$224,363 results in a total year-to-date surplus of \$322,520.

As anticipated, no property tax revenue and road mill levy funds were collected in the month of December. Expenses of note are \$268,456 for road mill repairs to Metro Pavers and Bowman Vision Land. This dramatically changed our operating expense percent to budget and public works percent of budget. Roads and police are the Town's largest expenditures. Non-recurring income and expense were both significantly higher than November as the building in Bow Mar continues.

Building – Trustee Carlson outlined the report distributed to the Trustees. Permit fees collected were \$23,858.25, license fees collected were \$260, road fees were \$15,624.26. Trustee Carlson outlined the total project valuation for 2017 and that 72 projects took place this past year. Trustee Justen asked why the road fees collected were lower in 2017. Trustee Carlson noted that 2016 had larger valued projects than 2017.

Trustee McLaughlin expressed her concern that road fees should be figured differently for projects that will require many trucks with heavy loads of materials than projects that will not require the same wear on the roads. This discussion will continue as no quick solution is available. Trustee Justen asked Trustee Carlson to explain the policy on asbestos. Trustee Carlson noted that all demos must test for asbestos and show the result paperwork before demo can begin. There is no specific Bow Mar permit for this, since asbestos is regulated by the State, but paperwork is required before demo can happen.

Parks and Recreation – Trustee McLaughlin noted that not much happens in the parks and recreation department of during the winter. The installation and removal of the Christmas decorations took place. Justin Thyfault with maintenance matters did a nice job with the decorations again this year.

Trustee McLaughlin also noted that she received a call from a resident who saw two young boys playing and swinging on the chains of the Berry Street ‘Town of Bow Mar’ sign. Trustee McLaughlin talked to Michael Lewis and he will evaluate possible changes to the sign.

Public Works – Trustee Fabricant noted that he has nothing new to report. A bid for a new consulting firm should be in next week as the Town has some concerns with Bowman Consulting’s job performance this past year. Trustee Fabricant noted that more sanding and salting is taking place this year than in years past. He will also speak with contractor about street priorities ensure the worst of icy areas get treated first.

Intergovernmental Affairs – Trustee Justen reviewed her report distributed to the Trustees. DRCOG announced its first winter Bike to Work Day on February 9<sup>th</sup>. Trustee Justen also outlined the presentation by Chris Brown to DRCOG regarding the effects of the housing restrictions and growth restrictions on the state. The younger demographic in the state is seeing the largest effects. They are leaving the state due to a lack of affordable housing. There is also an increased pressure on infrastructure, which is also creating issues. These issues are creating disincentives for businesses to move into the state. Also of concern is that highway funding is still a critical issue for the legislative session. Trustee Justen also outlined that a passenger train from Pueblo to Fort Collins was also being considered by the state. The difficulty is that the train needs to tie into the regional system, like RTD. The cost estimate is over a billion dollars. Trustee Justen also spoke about the Columbine Square fire. The owner has started the asbestos certification process with state, which suggests demolition.

Attorney Report – none.

Clerk’s Comments – Town Clerk Blair noted that the next meeting will be February 19, 2018. Nomination petitions are due 22<sup>nd</sup> of January for those wishing to run to Trustee or Mayor.

Mayor’s Report – Mayor Feldkamp outlined the solicitation ordinance issue. The previous suggestion to have homeowners call if they wanted solicitors at their home was outlined by Attorney Carberry as being unconstitutional. Therefore, homeowners will need to call and opt into the ‘No Knock List’. An email will be sent from the Town outlining this issue to the residents. The ordinance, as previously passed, needs to be amended to remove the two (2) year renewal and the requirement to complete a form. Attorney Carberry will be asked to revise this ordinance for Trustee consideration. Mayor Feldkamp noted that the wireless ordinance will be addressed in February, after the revision recommendations have been reviewed by Attorney Carberry. Trustee Justen asked if the large cell towers will still be a thing in a year. Mayor Feldkamp outlined the current service and towers with 3g, 4g, and 5g service. Mayor Feldkamp noted that large towers will still be necessary but smaller cells will also be prominent. Mayor Feldkamp echoed Trustee Fabricants comments about the roads and that sanding and salting will be of importance to the icy areas of the Town roads.

Old Business – None presented.

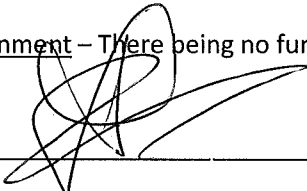
Drainage – No new report.

New Business -

The resolution to designate the posting location and meeting dates was pretend to the Trustees. Trustee Cole moved to approve the resolution as presented. Upon a second by Trustee Dennis, a vote was taken and the motion carried unanimously.


The resolution to rename the road fee was introduced and explained by Trustee Carlson. Trustee Carlson explained that the road impact fee needed to be renamed according to the requirements to call something an 'impact fee'. The intent is that the road fees follow the same formula as before. However, Trustee Justen asked why road fees were being charged for projects at \$2,000 now? Trustee Carlson explained that she was under the impression the fees were not to change. Trustee Carlson asked that no vote take place and the topic be continued until Attorney Carberry can address this concern.

Adjournment – There being no further business, the meeting was adjourned at 8:49 p.m.



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Tom Feldkamp, Mayor



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Sue Blair, Town Clerk