

**TOWN OF BOW MAR, COLORADO BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING
FEBRUARY 19, 2018**

CALL TO ORDER: The regular meeting of the Board of Trustees of the Town of Bow Mar was called to order on Monday, February 19, 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	Angie Kelly
Legal Counsel	Keith Martin

Public Comment – Jason Miner introduced himself as the person providing a bid to be the Town’s engineer for roads/drainage. Mr. Miner formerly worked for Bowman Consulting when they were the Town’s engineering firm. Mr. Miner provided his thanks for considering him for this contract and shared his background and work experience. Mr. Miner has worked with the road repair plan previously and knows the history of the work done throughout the Town. Trustee Fabricant outlined his previous work with Mr. Miner and expressed his appreciation for the work he previously provided.

Board of Adjustment- Trustee Dennis moved to open Board of Adjustment. Upon a second by Trustee Fabricant and vote, the motion carried. Trustee Carlson introduced the variance: a variance request at 4800 Prospect St (Fox Residence) for a 15 ft variance in the northwest corner of the back yard for construction of a shed. The shed will not be visible from the street once completed. The homeowner presented a packet of photos and information for the Trustees to review. Both surrounding neighbors approved the variance request. Trustee Cole moved to approve the variance request for 15 ft in the northwest corner of the yard. Upon a second by Trustee Fabricant, a vote was taken and the motion carried unanimously. Trustee Dennis moved to close the Board of Adjustment. Upon a second by Trustee Fabricant, the hearing was closed.

Public Hearing - ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BOW MAR AMENDING CHAPTER 16 OF THE BOW MAR MUNICIPAL CODE TO ADD A NEW ARTICLE II, ENTITLED ‘WIRELESS COMMUNICATION FACILITIES’: Keith Martin introduced the ordinance. Mr. Martin noted he reviewed all comments from the citizens and incorporated their recommendations. One change was that a new definition of ‘stealth’ was added to the ordinance. This definition is rigorous to help eliminate the visual impacts of the towers. The other major change was to reduce the equipment storage shelter size from 400 sq ft to 350 sq ft. Mr. Martin did note that he reviewed many other ordinances and worked to manage the concerns with what is reasonable with Federal Law. The key point of discussion is that anyone wanting a WCF still needs to gain approval through a variance. Trustee Cole asked about co-location regulations. Mr. Martin noted co-location is to share with a WCF that is already there. Federal Law notes that anyone asking for co-location cannot be denied because a WCF already exists. Since the Town does not currently have a WCF, co-location is not likely. Trustee Cole also noted the zoning ordinance for the

Town does not allow Mary's Meadow to be zoned by the Town because the land is outside of the Town limits. Mr. Martin noted that the Town owns the land and will still need a variance to construct a WCF. Anyone wanting to do so will need to follow the rules of the City of Denver but will still need to gain approval of the Town. Citizens were concerned about indemnification and bonding. Mr. Martin noted that a license agreement is required and, in that agreement, the Town can negotiate those stipulations. Mr. Martin also noted that the ordinance is very restrictive and makes it very difficult for anyone to install a WCF in the Town. Trustee Cole moved to approve the ordinance 321 as presented at the meeting. Upon a second by Trustee Fabricant, a vote was taken and the motion carried unanimously.

Consent Agenda:

Approval of Minutes – Trustee Dennis moved to approve the minutes from the January 15, 2018 meeting as presented. Upon a second by Trustee Fabricant, a vote was taken and the motion carried unanimously.

Approval of Treasurer's Report and Payments – Trustee Dennis outlined the Treasurer's report. Trustee Carlson moved to approve the Treasurer's Report and Payment of Claims as presented by Trustee Dennis. Upon a second by Trustee Cole, a vote was taken and the motion carried unanimously.

Commissioners Reports:

Public Safety - Trustee Cole outlined the report provided to the Trustees. Trustee Cole explained a situation in which a suspicious van was seen circling the neighborhood. The resident who noticed the van contacted Columbine Valley Dispatch and there was illegal activity the Police discovered once they contacted the van. Trustee Cole explained that a big problem in the Town is that residents hesitate to call Dispatch. If something seems strange, call Dispatch. People should follow the basics of neighborhood watch.

Chief Cottrell reviewed his report provided to the Trustees.

Finance – Trustee Dennis reviewed the finance report provided to the Trustees.

For the month of January, the total revenues were 2% of the year-to-date budgeted amount while operating expenses were at 3%. General government was 3% of budget, public safety 8%, parks and rec 0%, and public works 0%.

Total year-to-date operating deficit was \$16,352 and the net non-recurring income (building permits/road impact fees less building inspection expense) of \$22,570 results in a total year-to-date surplus of \$6,218.

Revenue in January is always low since no property tax revenue and road mill levy funds are received from the counties. This year, many residents prepaid their property taxes in December however, these funds will not be remitted to Bow Mar until March as the counties normal course of business. Expenses are also low since some of the routine invoices paid in January are expensed in the previous year.

Building – Trustee Carlson outlined the report distributed to the Trustees. Permits collected were \$12,985.25, road fees collected were \$7,067.50, and license fees were \$1,980 with a total collected of \$22,032.75. Trustee Carlson noted that two homes were completed and two new homes have been started on renovation. The flat fee schedule is also being updated and will be approved later in the meeting. The new fee schedule can be found on the Town website.

Parks and Recreation – Trustee McLaughlin outlined the report provided to the Trustees. Trustee McLaughlin is reviewing contracts for the 2018 season. Trustee McLaughlin also noted that she drove the Town with the

Jeff Co Open Space staff and took note of what areas were public and what areas could utilize the open space funds available to the Town. Trustee McLaughlin explained that the Jefferson County Open Space funds attributed to Bow Mar are based on a .5 cent tax on retail sales in the whole county and the number of Jefferson county vehicle registrations in Bow Mar. Open space funds can be used for land acquisition and recreation facilities.

Public Works – Trustee Fabricant noted that Chief Cottrell was put in touch with the snow removal company so he can direct them with specific areas for ice remediation and plowing should there be a concern. Trustee Fabricant also outlined the Miner & Company proposal. The plan is to ask Mr. Miner to review the 2011 road plan and evaluate if the entire plan will be done on time and if the budget is appropriate. Mr. Miner will also review drainage with the Building Commissioner and the ACC. Mr. Miner rates are 7-10% less than the Town was paying Bowman. Trustee Fabricant recommended that the Town enter the contract with Miner & Company to be the new consultants. Trustee Fabricant moved to approve the contract with Miner & Company as presented. Upon a second by Trustee Cole, a vote was taken and the motion carried unanimously.

Intergovernmental Affairs – Trustee Justen reviewed her report distributed to the Trustees. DRCOG is focusing on transportation concerns in the State. One important decision made at the last meeting was to change the allocation of funds between regional and sub-regional. This means that the smaller entities will have more say in the spending. This may present a request for the Town of Bow Mar to fund or participate in projects. There will be some money invested to the legislative session to raise money for roads. Also of note is that Denver is looking to apply to 2030 Olympics. The bid is due to the USOC in March. Trustee Justen also stated that Littleton has been seeking comment for the Belleview Corridor from Lowell to Santa Fe. Information can be found on the Littleton website.

Attorney Report – Mr. Martin noted that the Solicitation Ordinance should stand as it is and no changes will be made. A form will be required for homeowners to submit to get their name on a ‘no-knock registry.’ This is the most effective way to regulate solicitation without opening the Town to a lawsuit. The 2-year renewal will stand as well. Therefore, if residents in Bow Mar do not want solicitors at their home, the form provided by the Town Clerk will need to be completed and sent to Columbine Valley. An email blast is being considered and the form will be on the Town website once ready.

Clerk's Comments – Ms. Kelly noted that the next Trustee meeting will be Monday, March 19, 2018. Also, Ms. Kelly provided an election update in that Columbine Valley will have a ballot box and will collect ballots. All ballots need to be mailed back to CRS and the count will be done at the CRS office. Ballots will be mailed between March 12-16.

Mayor's Report – Mayor Feldkamp reviewed the Olympic submission to the USOC and feels there is a good chance Denver could get awarded the games. Mayor Hancock has put together a committee to prepare the application for the 2030 games. Also, Mayor Feldkamp noted that there has not been an increase to transportation funding since 1992, creating a \$26 billion-dollar backlog in transportation projects. There will likely be sales tax question on the November ballot to fund some of the projects needed. Mayor Feldkamp noted some of the project outlined from the State. Mayor Feldkamp also noted he was proud that there were 10 scholarship applications for the King Scholarship.

Old Business –

Transportation Utility Fee Resolution: Trustee Carlson introduced the resolution and the changes made from the last draft. The transportation utility fee was added to provide funds for maintenance for streets. These road maintenance repairs are decided by following the 2011 road repair schedule. Discussion took place regarding the fee schedule. Trustee Cole moved to approve resolution, effective

March 1, 2018, with the change of the '8-year' plan to '9-year' plan. Upon a second by Trustee Fabricant, a vote was taken and the motion carried unanimously.

New Business -

Election IGA with Columbine Valley: Ms. Kelly noted that Kendra Carberry, legal counsel, has reviewed the IGA. Trustee Dennis moved to approve the IGA, pending final legal review. Upon a second by Trustee Fabricant, a vote was taken and the motion carried unanimously.

Discussion regarding proposal for Roads & Drainage Consultant: already discussed.

Adjournment – There being no further business, the meeting was adjourned at 8:52 p.m.



Tom Feldkamp, Mayor



Sue Blair, Town Clerk