

**TOWN OF BOW MAR, COLORADO BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING
JUNE 15, 2020**

CALL TO ORDER: The regular meeting of the Board of Trustees of the Town of Bow Mar was called to order on Monday, June 15, 2020 by Mayor Feldkamp. The meeting was held in person for the Trustees and via Zoom or teleconference for the public. A quorum was declared present at 7:00 p.m.

PRESENT:

Mayor	Tom Feldkamp
Trustees	Andrew Swanson Leslie Hinton Marsha Dennis Margo Ramsden Jane Carlson Steve Fabricant (via Zoom)
Police	Chief Cottrell
Clerk	Angie Kelly
Attorney	Kathie Guckenberger

Public Comment: Rob Sterling addressed the Board regarding the gate issue. He noted that he disagrees with the previous decision to table the item for 6 months. Mr. Sterling feels that the Town has a lot of data and has the information it needs to move forward with the project. He asked that the Board continue to move forward and asked if there is anything preventing the Board for putting the issue up for a Town vote?

Rick Pilgrim addressed the Board about the Berry curve sidewalk. Mr. Pilgrim noted that is the sidewalk was moved to the south side of the street, it would be a mistake as it is not as safe and there is no place to take refuge if a car goes off the road. This area would also be difficult for snow removal as it is shaded and will be icy. Mr. Pilgrim also noted that the south side of the street it out of the normal walking path so pedestrians would need to cross the street at the curve and this is dangerous. He asked that alternative solutions are sought and offered to be of assistance in the matter.

Audit Presentation: Kyle Logan presented the 2019 Audit to the Trustees. Mr. Logan reviewed the audit process in which samples of checks and building permits are chosen to review. Supporting documentation is reviewed and rates/fees are reviewed to ensure building permits are charged accordingly. Revenues are also reviewed to ensure all parties report the same claimed by Bow Mar. The opinion of Logan & Associates is a clean opinion; meaning that financials are reported arcuately and appropriately. No modifications were needed upon the audit report. The Foundation is also audited in the same report since the two Boards are the same. Both the Foundation and the Town received clean opinions. Mr. Logan also pointed out that the fund balance is in a good position for the Town, in that if no money came in the Town could operate for about eleven months. Mr. Logan outlined the management letter to the Trustees and noted that no adjustments were made to the financial statements. The addition of a credit card policy was also discussed as the Town did obtain a credit card in 2019. Trustee Dennis moved to accept the 2019 audited financial statements as presented. Upon a second by Trustee Carlson, a vote was taken and the motion carried unanimously.

Board of Adjustment: Trustee Dennis moved to suspend the Board of Trustee meeting and open the Board of Adjustment hearing. Upon a second, by Trustee Ramsden, a vote was taken and the motion carried unanimously. Ms. Kelly presented the variance request and noted that the homeowner at 5350 Bison Trail is requesting a variance from the restriction requiring a setback from the property line for a chicken coop. The request is for a 23-foot variance, as the coop will sit 17 feet from the property line. Ms. Kelly noted that the DRB recommended approval of the variance request. The homeowner was present and reviewed the plan and placement of the coop. The placement is within an

area that trees help screen the view from some neighbors. The coop is also painted dark green to help blend in with the trees. All neighbors have signed off on the placement of the coop. An additional run area might be added but it will not get any closer to the property line with the addition. Trustee Dennis noted concern about the large variance and asked about placement of other coops. It was noted the Town has other coops and all are in the setback, except 1. Trustee Carlson noted her recommendation to approve the variance. Mayor Feldkamp moved to approve the request for a 23-foot variance from the south property line. Upon a second, by Trustee Ramsden, a vote was taken and the motion carried unanimously. Trustee Dennis moved to close the Board of Adjustment hearing and re-open the Board of Trustee meeting. Upon a second, by Trustee Ramsden, a vote was taken and the motion carried unanimously.

Consent Agenda:

Trustee Dennis moved to approve the items listed on the consent agenda. Upon a second, by Trustee Ramsden, a vote was taken, and the motion carried unanimously.

Commissioners Reports:

Public Safety – Trustee Swanson thanked Chief Cottrell for his handling of the recent situation in Bow Mar and noted the Town’s appreciation for their partnership. Chief Cottrell outlined his reports distributed to the Board. Two recent events in Town were discussed and outlined for better understanding of each situation.

Finance – For the month of May, the total revenues were 63% of the year-to-date budgeted amount while operating expenses were at 20%. General government was 28% of budget, public safety 40%, parks and rec 15%, and public works 2%.

Total year-to-date operating surplus was \$388,703 and the net non-recurring income (building permits/road impact fees less building inspection expense) of \$73,064 results in a total year-to-date surplus of \$461,767.

In May, the Town collected \$160,869 in property tax and road mill funds. Other sources of revenue included specific ownership tax, highway user tax, interest income and Xcel and cable franchise fees. The engineering work on the Berry Curve was \$4,255. All other expenses were as anticipated.

Building – Trustee Carlson reviewed her report, emailed to the Trustees. In May, the Town collected \$22,527.39 in permit fees, \$19,902.07 in transportation utility fees, and \$320 in licensing for a total of \$42,749.46. Discussion took place regarding the IGA with Columbine Valley and any possible reduction in cost to the Town, since the Columbine Valley offices were closed due to COVID. Trustee Dennis will reach out to JD McCrumb for further discussion.

Parks and Recreation – Trustee Hinton reviewed the recent work done around Town in which flowers were planted at the entrances and the traffic circles were cleaned up. Also, 7 street signs are being painted this summer.

Public Works – Trustee Fabricant reviewed the packet of information distributed to the Trustees. Lower Lakeshore from Juniper to the beach entrance will be done this year. One major addition to this work is the need to reestablish proper drainage. Some homes have filled in the drainage swales or culverts, causing the water runoff from their yard to flow over the road. This causes significant damage to the road and deteriorates the road quicker than standard wear and tear. Therefore, drainage will be reestablished during the road work process. The cost is going to be higher than anticipated due to the additional drainage work. Bids were obtained from multiple companies and reviewed by the Town Engineer as well as Trustee Fabricant. The suggestion is to move forward with ESI as this is the same company who performed the road work successfully last year. Trustee Fabricant moved to approve the bid from ESI with a project cost of \$480k. Upon a second, by Trustee Swanson, a vote was taken and the motion carried unanimously.

Trustee Fabricant also noted that he feels that the Board should consider the gates sooner than 6 months. He feels that the Town has gathered a lot of data, has gathered Town opinion, and held multiple meetings. Trustee Fabricant

noted he would like to see the Trustees take action on the issue and feels they are making a mistake by pushing the topic off for too long. Trustee Fabricant also noted that the Trustees have the ability to take action on this item with a Board vote. Trustee Fabricant moved to put the topic up for a vote at the July meeting. Upon a second, by Trustee Swanson, discussion took place. It was noted that many Trustees feel it is too soon for a vote, without more discussion. A roll call vote was taken.

Dennis – no	Ramsden – no
Carlson – no	Swanson – no
Hinton – no	Fabricant – yes

Trustee Fabricant amended his first motion and moved to put the gate topic up for discussion at the July meeting with a vote taking place in August based on the course of action decided at the July meeting. Upon a second, by Trustee Swanson, a roll call vote was taken.

Dennis – yes	Ramsden – yes
Carlson – yes	Swanson – yes
Hinton – no	Fabricant – yes

Intergovernmental Affairs – Trustee Ramsden noted the dumpster that was delivered at the tennis court parking lot and explained that it was already full and over-filled. Volunteers will be needed to unload the overflow into another dumpster before they can be hauled away. The dumpsters were intended to be used for the debris cleanup from the storm but seemed to collect much more than that and became overfilled quickly.

Attorney's Report – Attorney Guckenberger outlined the new law enforcement legislation and noted that it was still waiting for the Governor's signature.

Clerk's Comments – Town Clerk Kelly noted the next regular meeting will be held on July 20, 2020.

Mayor Report – Mayor Feldkamp noted that he would work with Mr. Pilgrim on the Berry curve sidewalk issue for a better solution. Mayor Feldkamp and Attorney Guckenberger also reviewed the CARES Act and noted that the Town did not have expenses to apply for reimbursement so there was no reason to sign the IGA.

Old Business:

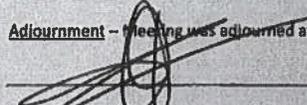
Updates Regarding Traffic Study – Trustee Ramsden noted that the July meeting would have a presentation by Trustee Fabricant for solutions to discuss, as noted previously.

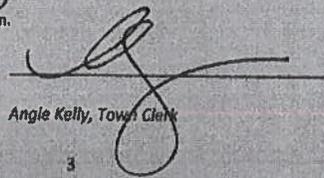
New Business:

Note Inclusion of Drafted New Rules of Order for the Board of Trustees: A set of draft rules was created by Attorney Guckenberger as a starting point for the Trustees to consider and discuss. There were no changes requested by the Trustees. Attorney Guckenberger will draft a resolution to approve the rules of order for the July meeting.

Discussion Regarding Trailer/RV Parking: Discussion took place regarding the parking of RVs, trailers, etc. It was noted that some leeway was given during COVID but that these items needed to be moved, as outlined in the Town code. Discussion took place about amending this ordinance and allowing for a small amount of time for items to be parked in driveways, to allow for loading or unloading from a trip. Attorney Guckenberger will draft an ordinance for review.

Adjournment – Meeting was adjourned at 9:24 pm.


Tom Feldkamp, Mayor


Angie Kelly, Town Clerk