

**TOWN OF BOW MAR  
MINUTES OF THE 2020 ROAD WORK MEETING  
JULY 20, 2020**

A meeting was called to order at 6:00pm with residents along lower Lakeshore to review the road work to be done this year. The road will be repaved and the drainage will be reestablished. The work is supposed to start the third week of August. The major work will last about 3 weeks and the punch list items are to be completed by early October. The crews will work on half of the road at one time to ensure homeowners can still access their driveways. Maps of the work were shared, and it was noted that the plan is to remove 5 inches of road, put in new road base, and repave. Additionally, the Town is putting in 5 culverts that are 18" under the road. As water drains into the open area there will be rip rap installed to help disperse water. The Town Engineer will work with BMOI to solidify the best plan for this area. At a couple of homes along Lakeshore, drainage ditches have been removed and need to be reestablished. The Town will pay for the digging of the ditch and then the homeowner is expected to maintain ditch. The intent of reestablishing proper drainage is to ensure the water does not drain across the road and deteriorate the road quicker than normal wear and tear. There was homeowner disagreement about this plan and discussion took place about alternative ditch solutions, such as french drains instead of ditches. The Town Engineer will work with these homeowners to review the plan and determine if an alternate solution is workable. Discussion also took place about cars running off the road near Juniper and Lakeshore. The dirt that is removed from the road will be used as fill dirt to help this area

The drainage near 5390 Lakeshore was also discussed. The Town Engineer proposed two solutions. The homeowner and engineer will work on a solution that best fits the needs of the area.

It was noted that the homeowners are asked to mark anything underground – such as dog fences, irrigation lines, lighting wire, etc.

**TOWN OF BOW MAR, COLORADO BOARD OF TRUSTEES  
MINUTES OF THE REGULAR MEETING  
JULY 20, 2020**

**CALL TO ORDER:** The regular meeting of the Board of Trustees of the Town of Bow Mar was called to order on Monday, July 20, 2020 by Mayor Pro Tem Dennis. 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 (present via Zoom for public comment only)
Trustees	Andrew Swanson
	Leslie Hinton
	Marsha Dennis (via Zoom)
	Margo Ramsden
	Jane Carlson
	Steve Fabricant (via Zoom)
Police	Chief Cottrell
Clerk	Angie Kelly
Attorney	Kathie Guckenberger

**Public Comment:** Gayle Ebel noted that she sent a letter to the Trustees explaining that she would like to see the gates be a vote of all Town residents and not just the Board. She feels this is too big of an issue to not ask the Town to vote.

Garret Baum addressed the Board and noted that he understands the gates are controversial as he served two terms for the Town and gates were discussed then. He noted that he also dealt with the police department transition and the home sizes/setbacks issue. These items were also divisive and divided the Town so he knows firsthand how sensitive these topics can be. Mr. Baum noted that the gates should be subject to a Town vote, given the weight of the situation. He also feels that a comprehensive plan should be outlined instead of a plan for just one street. Mr. Baum also feels that piecemealing a plan will create more division and a comprehensive plan would be much more equitable to everyone in Town.

Mr. Baum also then wrote in the comments section of Zoom: "I agree with David Ebel. The town should release the legal report and opinion regarding gates. Not accusing anyone of anything but it does raise concern that there could be pertinent information that is being withheld. It would be a huge setback for Bow Mar and would be extremely divisive (many of you remember the lasting effects of the house size battle that divided the town for a decade). If residents were left with no choice but to file a CORA request.

Sally Williams addressed the Trustees and noted that she moved here in 1957. In the 60's a big problem with traffic from the racetrack. She feels it is ridiculous after all these years to think it will be changed by the Board. She feels that the issue of gates needs to come to vote by the entire community. She feels that if you take away the vote from the people, this is no longer a community.

Mary Spofford noted that she agrees with the 3 previous speakers. She feels the gates should be brought to a Town vote. Ms. Spafford also noted that she feels if the Board does go to a vote on the issue, Mayor Feldkamp and Trustee Fabricant need to recuse themselves from the vote because it seems unethical to vote on an issue that would decrease the cut through traffic on their street but increase traffic on other streets. Ms. Spafford also asked if the Town can legally gate all 3 entrances? She noted that the legal summary only indicates justification to gate one entrance so she is asking what the Town can legally do with all entrances? Ms. Spafford also asked the Board to outline how guests will get in? How the Town will fund this project? Will residents have to wait for guests to gain access? Will service people have gate access or will all that traffic move to Berry? She also noted that she feels that trust and fairness is lost when the Board promised a Town vote but then changed the timeline and voting discussion.

Carmen Hall noted that she agrees with everyone who has spoken.

Trustee Dennis then moved to table the traffic mitigation discussion until the month of August as the Mayor was absent and the discussion was difficult with some people on Zoom and some in person. Upon a second, by Trustee Fabricant, a roll call vote was taken.

Dennis – yes	Hinton - yes
Ramsden – yes	Carlson - yes
Swanson – yes	Fabricant - yes

Consent Agenda:

Trustee Dennis moved to approve the items listed on the consent agenda. Upon a second, by Trustee Fabricant, a vote was taken, and roll call vote was taken.

Dennis – yes	Hinton - yes
Ramsden – yes	Carlson - yes
Swanson – yes	Fabricant - yes

Commissioners Reports:

Public Safety – Chief Cottrell reviewed the report provided in the meeting packet. It was noted that in preparation for the gate discussion, Trustee Swanson had asked Chief Cottrell to research data points around crime in Town, safety issues, traffic information, accidents, etc. These items will be provided to aid in the discussion of traffic mitigation to

determine if gates would mitigate any possible issues related to these items. Chief noted that he is working on obtaining the data, but a system migration done recently is making it difficult to access data from the old system.

Finance – For the month of June, the total revenues were 68% of the year-to-date budgeted amount while operating expenses were at 25%. General government was 38% of budget, public safety 49%, parks and rec 24%, and public works 2%.

Total year-to-date operating surplus was \$393,787 and the net non-recurring income (building permits/road impact fees less building inspection expense) of \$81,988 results in a total year-to-date surplus of \$475,775.

In June, the Town collected \$43,599 in property tax and road mill funds. Other sources of revenue included specific ownership tax, highway user tax, lottery income and Xcel franchise fee. Legal fees were higher than normal at \$6,654 for two months of services. The 2019 audit fee was also paid for 6,000. All other expenses were as anticipated.

Building – Trustee Carlson reviewed her report, emailed to the Trustees. In June, the Town collected \$13,744.75 in permit fees, \$6,734.62 in transportation utility fees, and \$360 in licensing for a total of \$20,839.37. Trustee Carlson noted that two big projects happening in Town made July fairly busy, but they are going smoothly so far.

Parks and Recreation – Trustee Hinton noted everything is going well, normal maintenance. No issues.

Public Works – Trustee Fabricant clarified that it was never said that the Board was going to vote on gates. It has been a point made that the Board has the authority to vote on the gates. Trustee Fabricant noted that a meeting was held with residents on lower Lakeshore about the road work to be done this summer. The plan is to start the 3<sup>rd</sup> week of August with the major work taking about 3 weeks. Punch lists and final work should be completed by the first week of October. Trustee Carlson asked if there was some consensus about the drainage work to be done on Lakeshore. Trustee Fabricant noted that the Town Engineer is working with the homeowners to find possible alternative solutions. Trustee Carlson asked if it was clear that the Town is staying in the right of way. Trustee Fabricant said yes, the Town is not doing work on property not in the right of way.

Intergovernmental Affairs – Trustee Ramsden noted an update on the Denver lead program as she had heard they were delaying the project due to COVID, yet this seems to be moving forward now. Residents in Bow Mar who are believed to have lead service lines have been notified by Denver Water and will receive a Brita water pitcher on the July 22<sup>nd</sup>. Any questions about the program can be directed to Trustee Ramsden as she has contact at Denver Water that have been helpful.

Attorney's Report – Attorney Guckenberger nothing specific to report other than items listed in new business.

Clerk's Comments – Town Clerk Kelly noted the next regular meeting will be held on August 17, 2020. Also, there seems to be confusion about the Town website. The address is: <https://townofbowmar.colorado.gov/>.

Mayor Report – Mayor Feldkamp was absent.

Old Business:

Updates Regarding Traffic Study – tabled until August as previously noted.

New Business:

Resolution 2020-R-12 to Approve Rules of Order for the Board of Trustees. Town Clerk Kelly noted the resolution was provided to formally adopt the new rules of order as has been discussed at the previous two meetings. Attorney Guckenberger noted that the draft rules were provided in the packet and the intention is to simplify and clarify the method by which the Board operates. If the resolution is adopted by majority vote, it will be effective immediately. There are provisions to amend these rules, if needed, but these will now outline how Board operates moving forward.

Trustee Ramsden moved to approve Resolution 2020-R-12 as presented. Upon a second by Trustee Carlson, a roll call vote was taken.

Dennis – yes	Hinton - yes
Ramsden – yes	Carlson - yes
Swanson – yes	Fabricant - yes

Road Work contract: Attorney Guckenberger explained that the 2020 contract is generally the same form as the 2019 contract with some additional items about COVID and insurance as the Town changed insurance carriers this year. The contract is for approximately \$450,000 and drawings are attached with the contract. Trustee Fabricant moved to accept the contract as presented. Upon a second, by Trustee Carlson, discussion took place. Trustee Hinton asked about the possible drainage work changes that may result from the homeowner meeting held that night. It was noted that there is flexibility with the change order process to ensure the work is done to the satisfaction of the Board and homeowners. It was noted that a change order would come before the Board for a vote as it was last year. A roll call vote was taken.

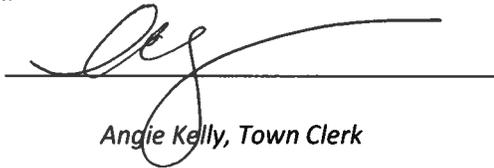
Dennis – yes	Hinton - yes
Ramsden – yes	Carlson - yes
Swanson – yes	Fabricant - yes

Jane wanted to acknowledge the passing of Don Chrisman and acknowledge the love he had for the Town of Bow Mar. Don was 99 years old and passed away this week. He had been a long time resident and served on every Board possible in Town.

Adjournment – Meeting was adjourned at 7:37 pm.



*Marsha Dennis, Mayor Pro Tem*



*Angie Kelly, Town Clerk*