

**TOWN OF BOW MAR, COLORADO BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING
SEPTEMBER 21, 2020**

CALL TO ORDER: The regular meeting of the Board of Trustees of the Town of Bow Mar was called to order on Monday, September 21, 2020 by Mayor Feldkamp. The meeting was held via Zoom or teleconference for the Trustees and for the public. A quorum was declared present at 7:01 p.m.

PRESENT:

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

Public Comment: Sally Williams spoke to the Trustees about the easement on each property. She suggested the Town use the easement to install a bike path or cart path. The suggestion was to install the path along Prospect from Belleview or where traffic is the worst.

Mary Spofford asked the Board to not use survey monkey for the gate survey. She is not convinced that it worked for the last survey. She noted the additional funds mentioned in the last meeting that would be used to pay for the gate and feels that some of that can be used for a survey or ballot. Ms. Spofford also feels that the Town should work with Littleton and Denver before taking any action on the gates. Ms. Spofford, again, noted her stance that not every legal opinion received by the Town has been favorable to allowing gates and would like the question to be answered if the Town can gate more than just one entrance.

Consent Agenda:

Trustee Carlson moved to approve the items listed on the consent agenda as presented. Upon a second, by Trustee Hinton, a vote was taken, and vote unanimous.

Commissioners Reports:

Public Safety –Chief Cottrell reviewed his report and outlined a couple of thefts in Town which were mail thefts. There was a vehicle broken into at the beach and the pursue was stolen. Otherwise, it was fairly quiet this month.

Finance – For the month of August, the total revenues were 94% of the year-to-date budgeted amount while operating expenses were at 35%. General government was 50% of budget, public safety 65%, parks and rec 61%, and public works 5%.

Total year-to-date operating surplus was \$529,915 and the net non-recurring income (building permits/road impact fees less building inspection expense) of \$104,723 results in a total year-to-date surplus of \$634,638.

In August, the Town collected \$18,816 in property tax and road mill funds. Other sources of revenue included specific ownership tax, highway user tax plus Cable and Xcel franchise fees. All expenses were as anticipated.

Building – Trustee Carlson reviewed her report and emailed to the Trustees. In August, the Town collected \$6,585.25 in permit fees, \$343.32 in transportation utility fees, and \$100 in licensing for a total of \$7,028.57. Trustee Carlson

noted that the house on Bow Mar Drive was set to be completed in 10 days. There are some large landscape projects but no other major projects on the horizon. Trustee Carlson also outlined an issue with renters in Town. A home on Yellowstone had been rented to six graduate students from Colorado School of Mines. This is against Town Code in which only 2 unrelated parties can live in a house. Upon discussion, it was determined that the renters would be asked to leave as allowing one home to violate the code meant everyone else in Town could violate the code. Mayor Feldkamp outlined that he had talked with the neighbors of the home and they were concerned about the number of cars but had no other issues or concerns with the renters. The neighbors were asked if they would like the renters to be removed and they were in favor of allowing the students to live out the lease. The homeowner was contacted, and they were unaware of the rule they were breaking and were very apologetic. After discussion, Trustee Dennis moved to require the renters to move out no later than December 1, 2020. Upon a second, by Trustee Carlson, a vote was taken, and the motion carried with Trustee Hinton dissenting to allow them to stay until January 1, 2021 in order to complete the semester. Attorney Guckenberger will draft a letter to be sent to the homeowner.

Parks and Recreation – Trustee Hinton thanked all of the neighbors who worked to repaint the street signs: Jeannette Nelson, Sarah Mosca, Sally Williams, Katie Berg, Jeanne Gottschalk, and David Hodel. Trustee Hinton also noted that the new mailboxes are up, near the beach; the mosquito treatment was done in Mary's Meadow; and Mr. Than has started refreshing the gravel in Mary's Meadow.

Public Works – Trustee Fabricant reported that Lakeshore was paved. The items left to complete are punch list items and will be addressed by the contractor. Some of these items include speed bumps, rumble strips, striping, clean up, etc. Trustee Swanson asked if the project was on budget. Trustee Fabricant said the final invoices have not been submitted but the project is currently on budget with no major issues foreseen. Trustee Fabricant also noted that Town Engineer, Jason Miner, did a job well done in managing the project this year.

Intergovernmental Affairs – Trustee Ramsden reviewed her report and noted that Bow Mar had a high return rate for the census. The lead reduction program is wrapping up in Bow Mar; all residents suspected of lead have been notified. It was noted that the trash provider has a new representative for Bow Mar. Trustee Ramsden will order two dumpsters toward the end of October for a fall clean up day. Trustee Ramsden also addressed the previous month's discussion regarding reduced traffic speeds and feels there is evidence to support reduced speed limits being effective in injury from being hit by a car.

Attorney's Report – Attorney Guckenberger reviewed the timeline for the RV ordinance in which it will be formally brought before the Board in October. Chief Cottrell wanted to review the dates in which it will become active and outlined his plan to assign a part-time officer as the main person to keep track of violations to ensure consistency and ease of tracking. The timeline is such that the ordinance will be heard at the October 19 meeting, published on October 30, and effective 30 days after publication. Trustee Carlson asked if the concern regarding dumpsters being at homes for too long would be included and it was noted that this is not part of the RV ordinance. Trustee Fabricant noted that the ordinance should take into consideration any special situations, such as the need to quarantine in an RV in the driveway. Discussion took place and it was noted that the permit application allows for some flexibility for out of the ordinary circumstances.

Clerk's Comments – Town Clerk Kelly noted the next regular meeting will be held on October 19, 2020. Clerk Kelly also noted the emails sent to each Trustee by CIRSA and outlined it was simply for access to the insurance information for the Town. There will also be a virtual training at 6:30pm for Trustees, by Mike Burgess, regarding the new Town email addresses.

Mayor Report – Mayor Feldkamp noted that Mr. Pilgrim is continuing to work on the Berry curve sidewalk issue. Mr. Pilgrim is working with Mr. Miner regarding alternative options to a standard sidewalk. One consideration is a path that would match the path at Cimarron Park. Further information to come as the project develops.

Mayor Feldkamp also noted that the Town continues to address the Russian Olive concern expressed by a Bowles Metro District resident. Bowles Metro was given permission to mow a strip of grass along the fence line and Trustee Hinton is working with Vegetation Management to develop and comprehensive plan to mitigate the Russian Olives in Bow Mar. Mayor Feldkamp also noted that Bow Mar was the highest reporting municipality in the State for the census. It was also noted that evaluations will now be given to contractors working for the Town. This would be a formal evaluation practice to ensure expectations are clear and being met. Contractors such as the Town Attorney, Town Clerk, Town Engineer, etc will be given an annual evaluation moving forward.

Old Business:

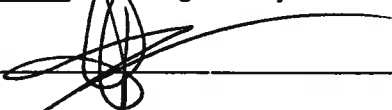
Updates Regarding Traffic Study – Trustee Fabricant outlined the draft survey he distributed to the Trustees. He noted that the option being presented is a permissive gate. The hours of operation were also discussed and it was asked that estimated costs be included in the survey. Trustee Fabricant noted that the survey results will determine the next step: if an overwhelming majority of the surveys indicate no for the gate option, no further action will be taken on the gate. If the overwhelming majority of the surveys indicate yes for the gate option, detailed work will begin to create drawings, obtain more detailed costs, communicate with surrounding municipalities, etc. This will then lead to a formal ballot vote of the Town. Specifics of the survey were then discussed, and Trustee Fabricant was asked to change some wording to better clarify the information provided. Trustee Swanson asked if the survey is returned and the majority say ‘no’ to the gates, is the discussion over? Or, can the Trustees continue to discuss alternative options for traffic concerns? The Trustees all agreed that other options can be discussed but the gates need to be decided to help determine the direction the Town would like to go. Trustee Hinton shared concern that the survey may be hard to answer if the total number of gates is unclear: in that, is this phase 1 of 3 gates? Trustee Fabricant noted that the single proposed gate is the plan on the table. Prospect was the highest cut-through spot on the traffic study and this is the problem it will address. Future gates cannot be promised or denied right now. Trustee Hinton pointed out that the David Evan and Associates Traffic Study concluded that installing gates at all three town entrances is the best option for eliminating cut through traffic, and it is recommended that the Town of Bow Mar consider implementing this strategy. Trustee Hinton points questions how do we install 1 gate at Prospect without investigating if the gate at Sheridan and the gate at Bow Mar Drive are possible? The situation will continue to be evaluated as it comes. The method of delivery was discussed, and it was determined that both electronic and paper would be available. The timeline was then discussed, and it was determined that the survey should be done asap. Trustee Fabricant will send an updated draft of the survey to the Trustees for final review. Trustee Fabricant moved to approve the distribution of a gate survey, with final Trustee approval of the survey wording and a NTE budget of \$3,000. Upon a second, by Trustee Dennis, a vote was taken and the motion carried unanimously.

Attorney Guckenberger then reviewed a presentation outlining the legal authority of the Town related to the installation of gates. The presentation noted that the proposed gate at Belleview/Prospect was within the legal authority of the Town. Examples and case law were provided to support the ability of the Town to install a gate. This presentation will be posted on the Town website to ensure all residents have access to the information.

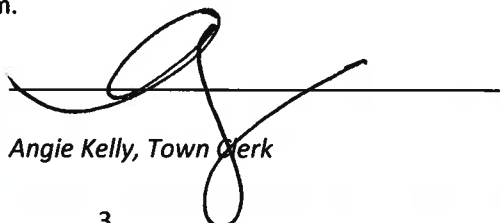
New Business:

Review of Draft 2021 Budget – Trustee Dennis outlined the draft budget, which was emailed to the Trustees prior to the meeting. The draft budget does not include the updated Assessed Valuations as those will not be received until mid-October. Mayor Feldkamp asked that each Trustee review the draft and communicate with Marsha regarding any projects or funding items they wish to discuss. A draft will be brought back to the Trustees as changes are made and final budget votes take place in December.

Adjournment – Meeting was adjourned at 8:48 pm.



Thomas Feldkamp, Mayor



Angie Kelly, Town Clerk