

**TOWN OF BOW MAR, COLORADO BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING
MAY 17, 2021**

CALL TO ORDER: The regular meeting of the Board of Trustees of the Town of Bow Mar was called to order on Monday, May 17, 2021 by Mayor Feldkamp. The meeting was held via Zoom or teleconference for the Trustees and for the public. A quorum was declared present at 7:00 p.m.

PRESENT:

Mayor	Tom Feldkamp
Trustees	Marsha Dennis Andrew Swanson Leslie Hinton Jane Carlson Margo Ramsden Steve Fabricant

Also in Attendance:

Police Chief	Cottrell
Clerk	Sue Blair
Attorney	Kathie Guckenberger
Auditor	Kyle Logan, Logan & Associates

Agenda: The agenda was approved as presented.

2020 Audit Report: Kyle Logan presented the 2020 audit to the Board, noting that no adjustments were made. In addition there are no recommendations for improvement of processes nor are there any concerns. Trustee Dennis was recognized for the outstanding accounting assistance she provides on behalf of the Town. The Board thanked Mr. Logan for his work on the audit.

Trustee Dennis moved that the Board accept the 2020 audit as presented and authorize the Town Clerk to file the audit with the office of the State Auditor. Upon second by Trustee Ramsden, vote was taken and motion carried unanimously.

Public Hearing (Variance): Trustee Dennis moved to suspend the meeting and open the Board of Adjustment hearing at 7:20pm. Upon a second, by Trustee Ramsden, a vote was taken, and the motion carried unanimously. Trustee Carlson introduced the variance requested: property located at 5151 W. Wagon Trail Rd, Littleton CO, 80123, of a zoning restriction for placement of a swing outside of a setback of 25-30 feet from the rear of the property line and 40 feet from the west property line, and placement of the corner of the retaining wall 38 feet from the rear of the property line, to divert water from new basement. It was noted that the Design Review Board has offered support to this variance request. The homeowner was present to answer questions regarding the variance request. Trustee Fabricant moved to approve the variance request. Upon a second by Trustee Ramsden, a vote was taken and the motion to grant a variance was approved unanimously.

Public Comment: No public comment was received.

Consent Agenda: Trustee Dennis moved to approve the items listed on the consent agenda as presented. Upon a second by Trustee Fabricant, a vote was taken and carried unanimously.

Commissioners Reports:

Public Safety – Trustee Swanson requested authorization for he and Kathie Guckenberger to review and recommend changes to the golf cart ordinance currently in place. Trustee Swanson noted that it is very unclear to residents what roads it is permissible to drive golf carts on. The Board was in favor of this request. Chief Cottrell then reviewed his monthly report.

Finance – For the month of April, the total revenues were 33% of the year-to-date budgeted amount while operating expenses were at 11%. General government was 19% of the annual budget, public safety 25%, parks and rec 3%, and public works 0%. Total year-to-date operating surplus was \$202,790 and the net non-recurring income (building permits/road impact fees less building inspection expense) of \$55,010 results in a total year-to-date surplus of \$257,800. In March, the Town collected \$260,869 in property tax and road mill funds. Other sources of revenue included specific ownership tax, highway user tax and Xcel franchise fees.

Building – Trustee Carlson reviewed her report. In April, the Town collected \$6,462.50 in permit fees, \$2,664.81 in transportation utility fees, and \$560.00 in licensing for a total of \$9,687.31. Building Inspector fees paid in April totaled \$2,763.00.

Parks and Recreation – Trustee Hinton discussed removal of the Russian Olive trees along Sheridan. It is not clear at this time if open space funds could be used for removal without constructing a trail system along the roadway. As discussed at the April meeting, the junipers along Prospect were trimmed by the homeowner at no cost to the Town. There was some tree damage within the Town due to the weather. The installation of gravel in Mary’s Meadow will commence once the mud is gone.

Public Works – Trustee Fabricant reported that discussion regarding temporary speed bumps has been tabled. The 2021 roadway program was discussed and various streets were identified, including Yellowstone, Ridge and possibly Bison. Trustee Fabricant will be discussing options with the engineer for the final recommendation. Trustee Swanson moved that the Board approve an expenditure of \$415,670 for the 2021 roadway improvements. Upon second by Director Carlson, vote was taken and motion carried unanimously. Trustee Fabricant provided a map indicating the placement of speed bumps within the Town. Trustee Fabricant reported that Metro Pavers will be crack sealing streets under their warranty work. Pothole repairs will be done as weather improves.

Intergovernmental Affairs – Trustee Ramsden reported that the Town will be billed \$225.00 per dumpster since the new agreement has not been executed, and that the agreement with Republic is in limbo. Republic is requesting changes to the agreement, said changes to be reviewed by the Town’s attorney prior to approval of the agreement. Under the new agreement, the Town will receive 6 free dumpsters per year.

Attorney’s Report – Attorney Guckenberger provided two ordinances for Board consideration: Ordinances to convert municipal court to a qualified municipal court of record and align penalties in the Municipal Code and state law. As a result of these changes, the Town’s municipal court will function in greater alignment with Columbine Valley, which will in turn enable to the municipal court to follow consistent fine and penalty schedules in an efficient and predictable manner while exercising its discretion to secure justice.

Ordinance No. 333 - AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BOW MAR CONVERTING THE MUNICIPAL COURT TO A QUALIFIED MUNICIPAL COURT OF RECORD AND CONCERNING OTHER CHANGES TO CHAPTER 2, ARTICLE V OF THE BOW MAR MUNICIPAL CODE. The title of the ordinance was read into the record. Trustee Fabricant

moved that Ordinance No. 333 be adopted as presented. Upon second by Trustee Ramsden, vote was taken and motion carried unanimously.

Ordinance No. 334 - AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BOW MAR AMENDING SECTIONS 1-72 AND 1-73 CONCERNING THE GENERAL PENALTY PROVISIONS IN THE BOW MAR MUNICIPAL CODE AND AMENDING SECTIONS 5-133, 7-14, 7-140, AND 10-121 OF THE MUNICIPAL CODE TO REFERENCE THE GENERAL PENALTY PROVISION. The title of the ordinance was read into the record. Trustee Carlson moved that Ordinance No. 334 be adopted as presented. Upon second by Director Ramsden, vote was taken and motion carried unanimously.

Clerk's Comments – Town Clerk Blair reported that Colotrust has a new investment product called “Edge”. Trustee Dennis has received the information and she will consider it for the Town. Edge is currently paying 15 basis points and has a 5 day liquidity.

The next meeting of the Board will be held on June 21, 2021.

Mayor Report – No report was given.

Old Business:

November Election Discussion – Trustee Fabricant presented a draft election question. Clerk Blair recommended that a question and answers sheet be developed for educational purposes prior to the election question being certified. To move forward with the November election, the Board will need to consider approval of an election resolution and ballot language at its August meeting. The election will be conducted as an independent mail ballot election. Clerk Blair and Attorney Guckenberger will work together to draft a Q&A sheet for Board review, as well as refine the election question.

Berry Curve: Mayor Feldkamp reported that residents around the proposed project were not in favor of any of the designs presented. Discussion ensued regarding increasing the width of the curve an additional six feet, marking it and installing snowplow friendly bollards. Attorney Guckenberger requested a copy of an email from City of Littleton regarding the easement. She will ensure that it is properly recorded. Mayor Feldkamp reported that the Town as spent \$20,000 to \$30,000 in design, drainage plans, etc.

New Business: There was no new business.

Adjournment – Meeting was adjourned at 8:48 p.m.



Tom Feldkamp, Mayor



Sue Blair, Town Clerk