

**TOWN OF BOW MAR, COLORADO BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING
AUGUST 16, 2021**

CALL TO ORDER: The regular meeting of the Board of Trustees of the Town of Bow Mar was called to order on Monday, August 16, 2021 by Mayor Feldkamp. The meeting was held via Zoom or teleconference for the public and the Trustees met in person at the Town of Columbine Valley, 2 Middlefield Road. A quorum was declared present at 7:00 p.m.

PRESENT:

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

Also in Attendance:

Police Chief	Bret Cottrell
Clerk	Sue Blair
Attorney	Kathie Guckenberger

Agenda: Upon motion duly made, seconded and unanimously carried, the agenda was approved as presented.

Public Comment: There was no public comment.

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

Commissioners Reports:

Finance – For the month of July, the total revenues were 105% of the year-to-date budgeted amount while operating expenses were at 33%. General government was 48% of budget, public safety 58%, parks and rec 42%, and public works 8%.

Total year-to-date operating surplus was \$679,407 and the net non-recurring income (building permits/road impact fees less building inspection expense) of \$97,635 results in a total year-to-date surplus of \$777,042.

In July, we collected \$184,106 in property tax and road mill funds. Other sources of revenue included specific ownership tax, highway user tax, and Xcel franchise fees. All other expenses were as anticipated.

Ms. Blair stated that the funds received from the American Rescue Plan cannot be used for the roads. However, as definitions currently stand, it appears that stormwater projects may be an eligible expense. The Board has

until December 31, 2024 to identify the projects and then two years after that date to complete (December 31, 2026).

Public Safety – Chief Cottrell reviewed the monthly public safety report.

Building – Trustee Carlson reviewed the month building report. In July, the Town collected \$2,304.25 in permit fees, \$2,074.74 in transportation utility fees, and \$390.00 in licensing fees for a total of \$4,768.99. The building inspector was paid \$3,307.50. Trustee Carlson stated that the DRB has rejected several applications due to homeowners not following building guidelines. Also, she met with Attorney Guckenberger and Clerk Blair to begin revisions to the variance language in the Town Code.

At 7:09 p.m., the Board convened into the Board of Adjustments hearing on a variance request.

Variance Hearing – 4801 Wagon Trail: Building Commissioner Carlson stated for the record that she is recommending that the Board of Adjustment approve this variance pursuant to the requirements under section 16.1 of the code. The required signage was posted at the residence, and public notice was provided in The Bulletin. No public comment was received and the hearing was closed at 7:16 p.m. Trustee Dennis moved to approve the variance. Upon second by Trustee Ramsden, vote was taken and motion carried unanimously to approve the variance as approved.

The Board then reconvened into general session.

Parks and Recreation - Trustee Hinton reported that things are “status quo” – mowing continues. Mayor Feldkamp asked Attorney Guckenberger regarding the status of the IGA with Jefferson County to enable the Town to receive all open space funds held by the County. Attorney Guckenberger reported that the county attorney was to reach out regarding the draft IGA. She also mentioned that she is familiar with these agreements for other clients. Clerk Blair stated that if funding for the Berry Curve project was needed prior to the IGA being finalized, that the Town would apply for eligible funding. Trustee Hinton reminded the Board that the open space funding can only be used for eligible projects and reporting is due to the county on what the monies were spent on.

Public Works- Trustee Fabricant reported that that the roadwork on Ridge, Yellowstone and Bison would begin the week after Labor Day and end sometime early October. There is significant vegetation that is encroaching on the roadways that will need to be removed. Trustee Fabricant will contact those homeowners and request that the vegetation be cut back. Attorney Guckenberger stated that the Town Code provides for the Town to remove such vegetation and bill the homeowners for the cost of removal providing a 7-day written notice to the homeowner. The District’s engineer will be contact Clerk Blair to send out an Eblast to all homeowners within the Town notifying the of the time of the project, there will be dirt instead of paved streets, and suggest alternate roadways if at all possible. In addition, the engineer or contractor will be notifying all homeowners affected by the project.

Intergovernmental – *Trash Update* - Trustee Ramsden reported that she and Attorney Guckenberger received comments from Republic. They are trying to connect to discuss and hopefully finalize the agreement quickly. Republic wants to eliminate the 10 bags provision in the contract. An additional receptacle would be \$48/annually per homeowner.

Congressional Redistricting - Trustee Ramsden district draft comments regarding Congressional Redistricting. Current redistricting has Bow Mar separated between two US HR districts (1 and 6). The redistricting commission is required to consider “community continuity” as part of their work. If approved, 200 Town voters would move to District 6. The Board reviewed the draft comments and thanked Trustee Ramsden for providing them to the redistricting commission on behalf of the Town.

Board Work Sessions – Trustee Ramsden recommended that a standard work session be scheduled on the calendar on a monthly basic. Discussion ensued and the Board requested that Clerk Blair schedule a monthly work session on the 4th Monday of each month starting on September 27 at 7:00 p.m. An email will be sent out two weeks prior to the scheduled work session asking for agenda items for the work session. If none are received, the work session will be cancelled. Clerk Blair stated that she will check room available with the Town of Columbine Valley.

Attorney’s Report - Attorney Guckenberger reported that she met with Trustee Carlson and Clerk Blair at her office to begin revisions to the variance language in the Town Code, and asked if the Board approved of this work and the additional expenses that will be incurred. The Board felt that the work was needed and asked her to proceed.

Attorney Guckenberger stated that her associate will be contacting Trustee Fabricant regarding amendments to the snowplowing contract.

Attorney Guckenberger stated that she is working with Jenna Roth updating training documents for law enforcement agencies and Chief Cottrell was asked to join the committee.

Clerk’s Comments: Clerk Blair stated that the next meeting is scheduled for September 20, 2021. The annual picnic with the Mayor and Board of Trustees of Columbine Valley is scheduled for September 13, 2021. The Town of Bow Mar will host the picnic at the beach starting at 5:30 p.m. Trustee Dennis will confirm availability of the beach with BMOI. Clerk Blair distributed a chart prepared by CCI regarding changes in the property tax classifications and rate assessments. Trustee Carlson requested that the trustees be sent a draft meeting agenda when the email goes to them for monthly reports.

Mayor’s Report – Mayor Feldkamp reported that Rick Pilgrim and David Evans & Associates are reworking the RFP for the Berry Curve project.

Old Business - There was none.

Election Update: The meeting packet contained a proposed election resolution for Board consideration should the Board want to proceed with a November election on the gate question. Clerk Blair stated that the ballot question would have to be certified by September 3 at the very latest. The election would be conducted as an independent mail ballot election. Attorney Guckenberger stated that the Town would be prohibited in spending any public monies to educate the electors once the ballot is certified. The pros and cons of conducting an election in November were discussed at length. Topics included: simplified question on one gate at Belleview, more direct communication pieces for distribution to the electors prior to the election, timing of future election opportunities. The Mayor entertained a motion on whether or not to conduct an election in November on the question of installation of a gate at Belleview. Trustee Fabricant moved that the Board approve moving forward with the November election as discussed. Upon a second by Trustee Swanson, vote was taken and motion failed, with the following vote:

Trustee Dennis	No
Trustee Ramsden	No
Trustee Fabricant	Yes
Trustee Swanson	Yes
Trustee Hinton	No
Trustee Carlson	No

Trustee Swanson volunteered to work on the questions and answers document as well as a pro/con factual summary so that when the question is brought at a future election, the documents will have been drafted and reviewed by the Board in advance so there is sufficient time to provide the informational documents to the community. In addition, these documents will be discussed at a future work session of the Board. Attorney Guckenberger will be sending an email to the Mayor and Trustees on Fair Campaign Practices.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 8:55 p.m.



Tom Feldkamp, Mayor



Sue Blair, Town Clerk