

*Town of Estes Park, Larimer County, Colorado, June 24, 2008*

Minutes of a Regular meeting of the Board of Trustees of the Town of Estes Park, Larimer County, Colorado. Meeting held in the Town Hall in said Town of Estes Park on the 24<sup>th</sup> day of June, 2008. Meeting called to order by Mayor Pinkham.

Present: William C. Pinkham, Mayor  
Trustees Eric Blackhurst  
Dorla Eisenlauer  
John Ericson  
Jerry Miller

Also Present: Town Attorney White  
Jacquie Halburnt, Town Administrator  
Lowell Richardson, Deputy Town Administrator  
Cynthia Deats, Deputy Town Clerk

Absent: Mayor Pro Tem Levine  
Trustee Homeier

Mayor Pinkham called the meeting to order at 7:00 p.m. and all desiring to do so, recited the Pledge of Allegiance.

**PUBLIC COMMENT.**

Phil Stern/Boulder County resident, expressed his dissatisfaction with the boundaries of the Estes Valley Recreation and Parks District (EVRPD). He noted that the northern-most two miles of Boulder County are included in the boundaries, but that the district is unresponsive to the needs of Boulder County residents. He stated the procedure to exclude this portion of Boulder County from the EVRPD boundaries may be pursued. Mr. Stern brought this matter to the attention of the Trustees to provide additional information for any negotiations the Town Board may have with EVRPD in the future.

Ron Norris/Town resident, spoke on behalf of the Board of Directors of the Association for Responsible Development (ARD) related to recent additions to the Comprehensive Plan. He stated the Board had concerns about the low occupancy level of Town residences and the challenges this poses for future planning, and that utilizing CVB advertising dollars to emphasize outdoor recreation, wildlife and scenic views, as opposed to promoting conferences and meetings, may be beneficial in attracting more tourists to Estes Park.

Dick Brett/Town resident, spoke about the Stanley Historic District Master Plan development standards and guidelines that were designed to insure controlled development in the district. He argues that the guidelines were not intended to be abolished after 15 years and suggests that the guidelines in place today be extended and adhered to for as long as it takes to complete development in the district and meet the goals of the original master plan.

David Habecker/Town resident, voiced his disappointment with the denial of the rezoning request for the Sapling Green Development. He also requested the discontinuation of the recitation of the Pledge of Allegiance at the beginning of the Board meetings stating that Christians are using the Pledge to claim authority for their personal definition of God and insulting those who have different beliefs.

**TOWN BOARD COMMENTS.**

Trustee Ericson reported that he and Trustees Blackhurst, Eisenlauer and Miller attended the recent Colorado Municipal League (CML) Annual Conference and found it provided information that will be helpful in performing their duties as trustees.

Trustee Miller requested that follow-up information be provided at a future meeting on staff's efforts related to updates and potential revisions to the development code and the new EPURA boundaries. Town Administrator Halburnt stated she would initiate a discussion regarding the boundaries with the EPURA Commissioners and that if a future project arose in a location not currently in the urban renewal area, it could be included at that time.

Mayor Pinkham encouraged community members to attend a public hearing scheduled for Thursday, June 26, 2008 at 7:00 p.m. in the Town Board room related to the Local Marketing District.

**1. CONSENT AGENDA (Approval of):**

1. Town Board Minutes dated June 10, 2008; Joint Town Board and County Commissioner Minutes dated June 5, 2008; and Town Board Study Session Minutes dated June 10, 2008.
2. Bills.
3. Committee Minutes:
  - A. Utilities, June 12, 2008.
4. Estes Valley Board of Adjustment, May 6, 2008 (acknowledgement only.)
5. Estes Valley Planning Commission, June 20, 2008 (acknowledgement only.)
6. Contract for a gasoline shuttle bus for 2008 with DCS America, Inc., \$10,299.

It was **moved and seconded** (Eisenlauer/Blackhurst) **the Consent Agenda be approved**, and it passed unanimously.

**2. REPORTS AND DISCUSSION ITEMS:**

1. Appointment of Wayne Newsom to the Estes Park Urban Renewal Authority.  
Mayor Pinkham reported that Wayne Newsom was selected to fill the vacancy created on the EPURA board by the election of John Ericson to the Board of Trustees in April. The appointment was made on June 13, 2008, to allow Commissioner Newsom to participate in the regularly scheduled June EPURA meeting. His term will expire in September 2012. The opening on the EPURA board was posted in the newspaper and eight letters of interest were received for the position. Interviews were held with all interested candidates resulting in the selection of Commissioner Newsom. Mayor Pinkham stated the process is indicative of how openings on boards and commissions will be filled in the future.

**3. PLANNING COMMISSION AGENDA (Approval of):**

**Mayor Pinkham: Open the Public Hearing for all Consent Agenda Items.** If the Applicant, Public or Town Board wishes to speak to any of these consent items, they will be moved to the “Action Item” Section.

1. **CONSENT ITEMS:**

A. SUPPLEMENTAL CONDOMINIUM MAP

1. The Links of Estes Park, Supplemental Condominium Map #2, A Portion of Lot 3, South St. Vrain Addition, 1008 S. St. Vrain Avenue, Units A & B, Mountain View Vacation, LLC/Applicant.

As there were no comments, the Mayor closed the public hearing and it was **moved and seconded** (Blackhurst/Miller) **the Consent Agenda be approved with Staff conditions of approval**, and it passed unanimously.

2. **ACTION ITEM:**

a. **BIG BEAR ESTATES ANNEXATION AND RELATED LAND USE**

**ITEMS:** Four Metes and Bounds parcels (parcel identification numbers (35261-00-001, 35261-05-046, 35261-06-001, and 35252-53-018) and Outlot A, Sallee Resubdivision, Rock Castle Development Company/Applicant.

1. **ANNEXATION – RESOLUTION #-08 & ORDINANCE #-08.**
2. **REZONING – ORDINANCE #-08** Rezoning of Parcel #35261-00-001 from RE-Rural Estates to CO-Commercial Outlying. Rezoning of Parcel #35261-05-046 and Outlot A, Sallee Subdivision from E-Estate to CO-Commercial Outlying.
3. **PRELIMINARY SUBDIVISION PLAT.**
4. **PRELIMINARY PLANNED UNIT DEVELOPMENT (P.U.D.) #08-01.**

Rock Castle Development Co./Applicant has requested all items related to the Big Bear Estates development be continued to the July 22, 2008 Town Board meeting. It was **moved and seconded** (Eisenlauer/Ericson) **to approve the continuance as requested by the applicant**, and it passed unanimously.

4. **ACTION ITEMS:**

1. **2007 COMPREHENSIVE ANNUAL FINANCIAL REPORT.**

The auditing firm of Swanhorst & Company, LLC conducted an independent audit of the Town of Estes Park’s financial statements as of December 31, 2007 and have expressed an unqualified opinion that the financial statements presented fairly, in all material respects, the financial position of the funds and activities of the Town of Estes Park in conformity with Generally Accepted Accounting Principals (GAAP). Kyle Logan, Swanhorst & Company, LLC, discussed the Comprehensive Annual Financial Report (CAFR) highlighting the Town’s increase in net assets at end of year to \$92 million, and an ending fund balance of just over \$4 million. He stated that no significant audit adjustments were necessary and no difficulties were encountered in performing the audit. The firm recommended closer monitoring of EPURA expenditures compared to budget, improving procedures to identify federal grants and account for federal revenues and expenditures, and informed the Board that the reporting of liabilities related to non-pension post employment benefits will be required beginning in 2008. Town Administrator Halburnt stated that a process to track pass-through grants has been established and

implemented. It was **moved and seconded** (Ericson/Eisenlauer) **to approve the December 31, 2007 CAFR as presented**, and it passed unanimously.

2. **TOWN ADMINISTRATOR REPORT.**

Last year staff consulted experts about three trees located in Bond Park. They recommended injecting the dying trees with steroids to revitalize them, but this was only a temporary solution. The trees have died and now represent a safety risk for visitors, residents and wildlife, and must be removed. The removal will be scheduled to be completed prior to the 4<sup>th</sup> of July weekend. With work on the Bond Park Master Plan scheduled to begin next month, the trees will not be replaced at this time, however, in anticipation of the loss of these trees additional trees were planted along the Riverwalk last year.

Town Administrator Halburnt stated that a spill from the Upper Thompson Sanitation District sewage facility did not affect the Town's water supply.

3. **REQUEST TO ENTER EXECUTIVE SESSION:**

24-6-402(4)(e), C.R.S. - For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators – Lot 4 Stanley Historic District.

It was **moved and seconded** (Eisenlauer/Blackhurst) **the Town Board enter into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators for Lot 4 Stanley Historic District, under C.R.S. Section 24-6-402(4)(e)**, and it passed unanimously.

Whereupon Mayor Pinkham adjourned the meeting to Executive Session at 8:02 p.m.

Mayor Pinkham reconvened the meeting to open session at 8:55 p.m. and adjourned the meeting at 8:55 p.m.

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William C. Pinkham, Mayor

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Cynthia Deats, Deputy Town Clerk