

**TOWN OF BOW MAR, COLORADO
BOARD OF TRUSTEES
MINUTES OF THE SPECIAL MEETING HELD ON
FEBRUARY 26, 2024**

A special meeting of the Board of Trustees of the Town of Bow Mar, Colorado was held on Monday, February 26, 2024, at 7:00 p.m., at the Columbine Valley Town Hall, 2 Middlefield Road, Columbine Valley, Colorado.

Present:

Mayor: Bryan Sperry
Mayor Pro Tem: Marsha Dennis
Trustees: Jane Carlson
Margo Ramsden
David Peterson
Andy Swanson

Absent were Trustees Hinton and Peterson whose absences were excused.

Also in attendance were:

Ken Fellman and Wilson Scarbeary, Wilson Williams Fellman Dittman, Town Attorney
Bret Cottrell, Police Chief
Sue Blair and Kayla Blair, CRS of Colorado
Terry Weis, Town Inspector
Jim Chrisman, Resident
Mike Sullivan, Resident

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

Continued Public Hearing – Board of Adjustment: Trustee Dennis opened the continued public hearing at 7:05 p.m. Mr. Sullivan was present and addressed the Board regarding his requested variance for placement of a shed. There was not a quorum of the Board of Adjustment present. A special meeting was scheduled for Wednesday, February 28, 2024, at 7 p.m., at the residence of Trustee Dennis and the public hearing was continued to said meeting.

Consent Agenda: Upon motion duly made, seconded, and unanimously carried, the minutes were approved as presented, as well as the Treasurer’s report.

Commissioners Reports:

Public Safety: Chief Cottrell reviewed the monthly report with the Board.

Finance: Trustee Dennis reports that as of January 31st, total revenue was 2% of the year-to-date budgeted amount while operating expenses were at 2%. General government was 1% of budget, public safety 8%, parks and rec 0%, and public works 0%.

Total year-to-date operating deficit is \$7,589 and the net non-recurring income (building permits/road impact fees less building inspection expense) of \$2,210 results in a total year-to-date deficit of \$5,379.

As always, in January, we did not collect any property tax or road mill funds. Other sources of revenue included specific ownership tax, highway user tax, interest, and Xcel franchise tax. The final payment on the Bow Mar Drive path was \$20,126.20. The funding was from the Jeffco open space money. All other expenses were as anticipated.

Building: Trustee Carlson referred the Board to the meeting packet containing her report. In January, the Town collected \$1,325.50 in permit fees, \$344.72 in transportation utility fees, and license fees totaling \$540.00, for a total collected of \$2,210.22. The building inspector was paid a total of \$2,835.00.

Public Works:

1. Mr. Miner, Mr. Fellman, Mr. Scarbeary and Trustee Peterson have been meeting to discuss the updating of CHAPTER 11 OF THE BOW MAR MUNICIPAL CODES CONCERNING THE TOWN'S RIGHT OF WAY CODE. They are proposing to add verbiage similar to that of surrounding municipalities addressing work to be done in public right of way easements. They are planning to have a final revised version for Board review and approval at the March meeting.
2. Trustee Peterson has directed Mr. Miner to assemble the RFP bid package for distribution for the 2024 Roads Project - which includes Sombrero, Longhorn and Skytrail. The Sombrero leg of the project will be scheduled in coordination with the replacement of the water line by Platte Valley Water on Sombrero.

Comment – As we await the upcoming election results regarding the future roads funding proposals, it is important to remember that 2024 “may” be the final year for any updates and/or possibly maintenance to the Town roads and drainage issues. If neither ballot proposal passes, the roads updating/replacement program passed in 2014 will not be able to be completed, and the annual maintenance for the improved roads will not be able to be accomplished. This will leave the Town in a precarious position regarding the condition and updating of the Town's roads, addressing any drainage issues and creating overall budget constraints. If something happens to one of our roads, (i.e. a major failure, or large pothole, etc) without the money for Public Works projects (Roads and Drainage) the money will have to be shifted from one of the other line items.

Intergovernmental: Trustee Swanson addressed the permit issue that has been ongoing with CenturyLink. Mr. Fellman answered by saying there is a permitting process in place. When the permit comes in, Trustee Swanson would like to have CenturyLink provide fiber to the entire Town, in lieu of just one section. Also, he spoke about the timing for the fence in Grant Ranch. The placement and material will be “like for like”. Grant Ranch is also going to be doing work on their side of the property to help ease the burden on the Town's side.

Attorney's Report: Mr. Fellman reported that since the last meeting, minor changes were made to the building code incorporated into Ordinance 340. Trustee Carlson noted that Mr. Weis has spent many hours on the edits to the code with Mr. Scarbeary making sure that the language is in proper order and was clearer. Mr. Scarbeary is producing a standard form on construction staging for Mr. Weis to hand out. Trustee Carlson thanked Mr. Scarbeary for getting the code together.

Clerk's Comment: Clerk Blair reported that the Tabor Notice was mailed on Monday and should be received by Wednesday. Also, she mentioned that ballots are scheduled to be mailed March 11th.

Mayor's Report: Mayor Sperry stated to the Board that through a series of public meetings and in consultation with three consulting engineering firms, we have taken a comprehensive look at the roadways for 2024 and beyond. The funding mechanisms in his opinion are an effective and fiscally responsible solution to repair/replace our roads as necessary and maintain them into the future. The studies provided by consulting engineers provide a comprehensive solution along with cost estimates to maintain our side streets and thoroughfares through a recurring 16-year maintenance cycle.

The approval for funding our roadways moving forward will be presented to our community on April 2, 2024, Town of Bow Mar municipal election ballot through two ballot initiatives, 2A and 2B. Ballot initiative 2A will authorize the incurrence of up to \$2.2 million of debt in the form of municipal bonds which will be utilized to repave all remaining side streets as well as main thoroughfares including Sheridan, Prospect and Bow Mar Drive. Ballot initiative 2B will provide the funding for these improvements as well as for necessary ongoing maintenance on an annual basis. Specifically, 2B will generate approximately \$465,000 per year starting in 2025, of which up to \$200,000 will secure the municipal bonds if 2A is passed, and the remainder will be available for annual maintenance. If only 2B is passed, then the town will continue on a "pay as you go" basis in 2025 and beyond.

This is not a tax increase. Instead, 2B renews the existing 10 mills that are currently assessed on an annual basis. Completing these roads as one project will allow for competitive pricing by increasing the size of the project and because of the increased size, it should be more attractive to additional bidders.

Without the passage of 2A and/or 2B by the voters of Bow Mar, there would not be necessary funding for the capital improvements and maintenance of our roads. In addition, the Town will face potential budget reductions of approximately \$465,000 per year beginning in 2025. This equates to a reduction of approximately 36% of the Town's entire revenue based on the Town's fiscal year 2024 budget. Future roadway improvements and repairs would be done on a patchwork basis due to lack of funding.

I believe that ballot measures 2A and 2B will provide a solution to our road issues for the long term and have been prepared in conjunction with the town engineer, traffic engineer, paving engineer, bond counsel, and the bond underwriter. This is our opportunity as a community to be proactive and implement a comprehensive solution to fund and maintain our 9.22-mile roadway network for decades to come.

New Business:

Review and Consider Approval of the Aztec Pocket Park Survey Proposal: Upon motion duly made, seconded, and unanimously carried, the contract was approved as presented.

Review and Consider Lifescapes OSA Contract: Upon motion duly made, seconded, and unanimously carried, the contract was approved as presented.

Review and Consider Gallegos Contract to Repair Sheridan Wall: Upon motion duly made, seconded, and unanimously carried, the contract was approved as presented.

Review Resolution for Public Safety IGA: Trustee Ramsden reported on the draft Public Safety IGA. The scope of work hasn't changed. There is a cost increase to cover all expenses identified by Columbine Valley. The Board will be asked to vote on the IGA at the March meeting. The term of the IGA has been extended to ten years.

Review and Consider Resolution Appointing the Design Review Board: The Board had a discussion on appointing the DRB members. After discussion, and upon motion duly made, seconded and unanimously carried, the Board appointed Scott Hardy, Jesse Adkins and Dan Crass to the DRB. There will be four positions available on the DRB in 2025, and applicants will be encouraged to reapply to serve.

Adjournment: There being no further business to come before the Board, the meeting was adjourned at 9:07

DocuSigned by:
Bryan L. Sperry
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Bryan Sperry, Mayor

DocuSigned by:
Sue Blair
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Sue Blair, Town Clerk