

Palmer Lake Board of Trustees, July 12, 13, and 27

Water rates to rise 5% annually

By James Howald and Jackie Burhans

The Palmer Lake Board of Trustees (PLBOT) met three times in July: regular board meetings were held on July 13 and 27 and a workshop was held on July 12. The board continued its work on water rates, the future of the Elephant Rock property, and how to regulate recreational vehicle (RV) use and storage on private and public property. The board heard an audit report on its 2022 budget. It held two public hearings, both of which led to votes.

The board voted on a resolution facilitating cooperation between the Palmer Lake Police Department and surrounding police departments. It revised the priorities for maintaining the water and sewer system documented in its Preliminary Engineering Report and renewed the intergovernmental agreement that regulates the town's ambulance service. The board considered a special event permit and recognized Focus on the Forest volunteers for their work to eliminate graffiti.

The July 12 meeting was preceded by an executive session to develop negotiation strategies regarding the lease agreements for the EcoSpa and the Star View Ranch, and regarding the intergovernmental agreement (IGA) between the town and the Monument Fire Department. The July 27 meeting was preceded by an executive session to discuss a letter of intent concerning the Norris Hay Ranch.

Water rates to increase 5% annually

At the water rate workshop on July 12, water rate consultant Chris Brandewie presented several scenarios to the board which were designed to fully fund the town's water service and allow for the accumulation of reserve funds earmarked for future capital improvement projects. The different scenarios also addressed questions and concerns the board members had expressed in previous discussions. The board asked Brandewie to modify the rate structure one last time for final consideration at the board meeting scheduled for July 27, at which time a final vote would be taken.

At the regular board meeting the next day, the board returned to the issue. Director Dennis Stern and Town Administrator Dawn Collins summarized the rates changes they had directed Brandewie to work out as a 5% increase in the water base rate and water usage charges, changes to the tier structure, and a 5% increase in future tap fees.

Resident Roger Mosely opposed the changes, arguing the increased base rate treated low-income families unfairly and that water funds needed to go into their own bank account. Collins explained that different accounting codes were used to track water funds, that a separate bank account was not needed, and in fact separate bank accounts had proved convoluted in the past.

Mayor Glant Havenar said she wanted most of the increased revenue to come from increasing the base rate, not from increases in the tiered usage charges. She added the rates could be adjusted annually if necessary.

At the July 27 meeting, the board considered Resolution 54-2023, which documents all rate changes and projects them over a five-year period. The resolution specifies:

- Beginning in 2024, water tap fees will increase 5% annually.
- The water tiers will be redesigned, and usage rates

will increase 5% annually beginning in January 2025.

- The monthly base fee, which contributes to capital improvement projects and debt service, will increase to \$85 per month for residential customers starting with the September 2023 billing. Commercial customers, out-of-town customers, and irrigation customers will pay higher base fees.
- The rate increases will continue annually until the board directs otherwise.

The resolution, which contains tables listing all the water rate changes, can be found online at page 90 of the board meeting packet, available here: <https://bit.ly/plbot-packet-230727>.

In the discussion of the resolution, Director Samantha Padgett asked that the resolution be amended to add a sunset clause that would end the annual increases after five years unless the board took action to continue them. Havenar pointed out the board could alter the annual increases at any time. Padgett insisted that a sunset clause ending annual increases on Jan. 1, 2029 be added to it.

The amended resolution passed, with Directors Shana Ball, Kevin Dreher, Sam Padgett, and Dennis Stern, as well as Havenar, voting yes. Director Jessica Farr voted no, and Director Nick Ehrhardt was excused from the meeting and did not vote.

Elephant Rock property future debated

At the July 13 meeting, Collins told the board the Palmer Lake Planning Commission had met on July 19 and had recommended development at the Elephant Rock property stop, except for trail construction, until the master plan was complete. Havenar said she was not comfortable stopping the process.

At the July 27 meeting, the board continued this discussion. Havenar said the board was considering three concepts for the property: the spa proposed by Richard and Lindsay Willan, the wedding venue proposed by Franco Pisani and Lindsey Truitt, and the perimeter trail proposed by the Parks Commission. She also mentioned that the police and fire departments requested land to be reserved for a public safety building. Havenar said many ideas for the property were being informally proposed and the town did not have the staff or the insurance coverage to address them. The future of the cabins on the property was uncertain, as the draft master plan calls for them to be demolished, the town does not have staff to manage them, and the town's insurer wants them boarded up and fenced before allowing residents to visit the Elephant Rock property.

Farr said she was grateful for the many suggestions about uses for the cabins. She said the board had decided to lease 2.8 acres to the Willans, proceed with the wedding venue proposal and reserve three acres for the police and fire departments, who will use the longhouse for training before it is demolished.

Havenar and Farr asked for comments from the audience. Gina Brennehan said moving forward without a complete master plan "appears to defy logic." She asked for the neighbors' request for peace and quiet to be considered and requested noise, safety, lights, the beauty of the site, quality of life and home values all be studied. She also suggested some of the land

should be put into a conservation trust.

Havenar responded that the town owns the land so there is no need for a trust, adding that the cabins were uninsurable and this was preventing the town from opening the property to residents. She agreed to revisit the issue of a trust.

Richard Willan told the board he was willing to lease the cabins from the town, board up the windows and fence them off at his expense and then begin repairing them one by one. He offered to insure them at his expense and said he would form an LLC to manage them. He believed they could be rented to week-enders. Dreher, Farr, Stern and Havenar did not support Willan's offer. Other residents spoke in favor of and against leaving the cabins in place.

Ball ended the discussion by saying the board would continue to look into the suggestions for the property.

RV policy takes shape

At the July 13 meeting, Havenar said a policy on RVs was needed because they currently were not addressed in the municipal code and the board wanted to prevent people living in RVs within the town limits. Town Attorney Matt Krob said the policy should make it clear RVs could not be used as Additional Dwelling Units, which are subordinate dwellings sharing a lot with a primary dwelling, whether attached or separate.

Ball questioned whether the town had the constitutional right to decide how people can use their property. Krob answered RVs could be regulated by towns just as towns specify setbacks and other regulations that affect private property. Boards are charged

with administering affairs to ensure health and safety. Zoning and fire codes are examples of this, he said.

Collins said that at one time the municipal code did regulate RVs. Now the town frequently fields questions about residents residing long term in RVs on private property. She said the town's regulations on short-term rentals prevent RVs from being used as short-term rentals.

Fire Chief John Vincent pointed out that RVs present fire and safety issues, arguing the single door and gray water disposal were concerns.

The discussion at this meeting ended with a consensus that RV use on public land needed regulation, and Krob said he would begin drafting a policy.

The RV discussion continued at the July 27 meeting. Krob put together questions for the board to answer to guide the policy development. The board generally sup-

ported:

- Storing RVs on private property.
- Honoring setbacks when an RV is on private property.
- RVs on private property can't be permanently occupied.

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