

and Trails Commission not being involved in the annexation process. Havenar said the issue of trails was not relevant to the question of eligibility and the commission would be involved in the design phase of the process.

Two residents who did not sign the speaker log raised issues about water and fire prevention. Havenar said wells were managed by the state of Colorado. Trustee Shana Ball said the board was always conscious of the risk of fire.

Resident Bill Fisher said he believed the annexation agreement modified the existing land use code and he wanted residents to have a chance to comment on these changes.

Following the comments by the board and the public, Madison made his concluding remarks. He said the eligibility requirement was that the land be capable of development and that was the case. The impact report was done by the town, not the developer. A traffic study would be done during the development phase that would address roads. He explained the church is the owner as well as the developer and they intend to sell lots to builders.

Madison said he did not believe any connection to Capella Drive would be proposed, and that the primary access would be via County Line Road. Lots would be 2.5 acres and the trail issue would be addressed during the design phase. He said all tap fees would be paid and he believed development would reduce the likelihood of fire. He ended by saying the requirements for eligibility had been met.

Krob said if the board voted in favor of eligibility following the hearing, the next step would be a hearing on annexation, at which an ordinance would be voted on. The ordinance would do three things: annex the property, zone the property, and approve the annexation agreement.

Havenar closed the hearing, and the board voted unanimously to approve Resolution 13-2024, which finds the Ben Lomand property eligible to be annexed. The board also voted to hold an executive session on Wednesday, Feb. 28 at 5 p.m. to review the annexation agreement, and to hold a special session on Monday, March 4 at 5 p.m.

to consider the annexation ordinance.

Brodzik objected to the schedule of the additional meetings, arguing there was no need to rush. She repeated her point about costs not being adequately considered. She said when the town was hit with costs for the annexation, she would send her portion of the bill to the board for them to pay.

Trustee Dennis Stern asked residents to send their concerns to the board via email and to be concise.

“Non-sanctuary” status debated

Havenar asked the board to approve Resolution 20-2024, which declares Palmer Lake to be a “non-sanctuary” town. The resolution also calls upon the president of the United States to secure the border and to enforce immigration laws. The resolution recognizes the importance of legal immigration.

Havenar said the county commissioners had issued a statement regarding “non-sanctuary” status and the mayors of some towns had made similar statements. She said her goal was to prevent the town from expending resources responding to the arrival of migrants. Ball said the town does not have space or resources to help migrants.

Trustee Nick Ehrhardt agreed the town does not have resources but said “it’s a far cry from that to proactively saying we are shutting the door before the door even exists ... it’s regrettable that our neighbors have done so ... this is an opportunity for us to stand apart.” He encouraged faith communities to help address the needs of migrants, said Palmer Lake was a sanctuary in many ways, and said he was a citizen of the planet.

Resident Becky Albright said she was disturbed by the resolution and did not see its purpose.

Havenar asked Krob if the town has a responsibility to migrants who might camp by the lake. Krob said “sanctuary city” is not a legal designation but was a political statement and concerns cooperation with immigration officials. “If you say you are a non-sanctuary city it doesn’t change your legal liabilities ... it’s not really a legal question.”

Moseley asked: “Why are we not arresting bus drivers, shooting tires and

burning buses?”

Brodzik said the town’s code prohibits camping and the code should be enforced.

Chief of Police Jason Vanderpool said camping is not a criminal offense. His officers could only ticket migrants camping illegally and require them to go before a judge. Since they were transitory, a trial and a fine might be ineffective, he said.

The board voted to approve the resolution. Ehrhardt and Trustee Samantha Padgett voted no. Ball, Trustee Jessica Farr, and Havenar voted in favor. Trustee Kevin Dreher did not attend the meeting and was excused.

In a related matter, Havenar asked the board to authorize her to sign a letter, drafted by the mayors of Fountain, Green Mountain Falls, Calhan, Manitou Springs, Monument, Ramah and Colorado Springs, to the county commissioners, asking the commissioners to “engage in meaningful consultation with us, the mayors, before making public statements that have a negative impact on our communities.” The letter says the towns do not have the resources to support large numbers of immigrants. It asks for a collaborative approach from the commissioners.

Havenar said she supported the statement because it clarified the mayors would work together on the issue.

Ehrhardt voted against authorizing Havenar to sign the letter on behalf of the town. Ball, Farr, Havenar, Padgett and Stern voted in favor.

Land use code updated regarding annexation process

The board considered three updates to the town’s land use code, all of which would address deficiencies in the existing code regarding the annexation process. Krob said the first of the three updates was not ready for consideration, but the other two were ready. The second update would add language defining who can update the land use code, requiring a survey map when the zoning district map is changed, that zoning changes be initiated by the owner of the property or their representative and that the Community Master Plan be amended before approving zoning changes not in alignment with the plan. The third update defines a checklist of requirements for land use applications.

Collins and Krob emphasized that these changes would be temporary measures to fill gaps until the Planning Commission could complete its work on the land use code.

Brodzik objected to proposed changes, arguing they were a “cut and paste job,” and that the paragraph numbering was inconsistent. Krob responded that the language would be

cleaned up by Municode, the company updating the town’s code, during codification. Brodzik asked for a line-by-line review of the town code, which she said the board had agreed to previously. She said the changes aren’t “ready for prime time.”

Havenar emphasized the temporary nature of the changes. Krob said the board can revisit the code at any time.

Moseley and resident Claudia Belcher said the process was too rushed.

Havenar said the board supported the town staff in the performance of their duties and that there were applications that needed to be addressed.

The board voted unanimously to table the first proposed update and to approve the second and third.

EcoSpa lease amended

Havenar told the board that the Willans had asked for their lease agreement to be amended so that the town would receive 8% of all rents received for rental of the annex building. The annex building was previously referred to as the gymnasium and community center.

Lindsay Willan said she and Richard Willan had spent \$20,000 on an engineer’s report, soil tests, and a website and she believed the annex would be operational by early summer. She said they would pay the town a percentage of the profits rather than a fee per user of the annex.

Wiecks said he was concerned the Willans’ plans would prevent the construction of a trail around the perimeter of the Elephant Rock property. Lindsay Willans said the trail would be allowed.

The board voted unanimously in favor of Resolution 18-2024, which amends the lease agreement as proposed.

Master fee schedule adopted

Following a workshop on its master fee schedule held on Feb. 22, the board voted in favor of Resolution 15-2024, which amends the town’s master fee schedule. Trustee Farr voted no; the other trustees and Havenar voted yes.

Before the vote, Wiecks asked that fees for use of the baseball field be added. Collins said the fees should be discussed with the Little League before being added. Havenar said the fee schedule could be amended at any time.

The fee schedule can be found on the town’s website here: <https://www.townofpalmerlake.com/documents>. The amended schedule had not been published when OCN went to print.

Pickleball courts moved

In previous months, the board had discussed with Awake the Lake liability

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