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Our Community News

Reporting on community issues in Monument, Palmer Lake, and the surrounding Tri-Lakes area.

Issue #33 — Volume 3 Number 12 — Saturday, December 6, 2003

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Palmer Lake shines



The Palmer Lake Star on Sundance Mountain shines above the Rock House Restaurant. Four-year-old Michael Stromer won the drawing for the honor of flipping the switch to light the star. Michael's father, a member of the Army National Guard who was called back to duty last year, was present for his son's lighting of the star.

Inset: 475 people attended this year's chili dinner Nov. 29. About \$2,000 was raised to pay for maintenance of the star. Palmer Lake Volunteer Fire Department Chief Greg Lokken announced his retirement at the dinner and received a plaque honoring his five years as chief. The fire department, responsible for maintaining the star, thanked the community for their support. *Photos by Kim Makower*

Triview issues \$15 million in bonds

By John Heiser

At its regular meeting Nov. 19, the Triview Metropolitan District Board of Directors unanimously approved issuing \$15 million in additional bonds to pay for Phase G. Phase G is the collective label for the roadway, water, wastewater, reuse water, and drainage improvements associated with the Monument Marketplace project. Phase G includes the extension of Jackson Creek Parkway from Baptist Road to Higby Road.

This was the largest single bond issue in the district's history. The new debt issuance will bring the total district indebtedness to about \$36 million, or about \$60,000 per house in Jackson Creek.

Monument Marketplace

Rick Blevins of Marketplace developer Vision Development, Inc., reported that grading of the extension of Jackson Creek Parkway from Baptist Road to Higby Road is 70 to 75 percent complete. He said that north of the Marketplace site, drainage culverts are being installed and paving is scheduled for the first week in December. He added that work south of the Marketplace is on hold, pending condemnation of property for the needed right-of-way.

Blevins said design consultant CLC Associates is reworking the drawings for water, reuse water, and sewer utilities to reduce construction costs. Bids for that work came in about \$600,000 over budget. Once the redesign is completed, revised bids will be sought.



The Triview Metropolitan District Board of Directors (Left to Right) Steve Stephenson, Martha Gurnick, President Kathy Walters (seated), Gary Walters, and Linda Jones. Kathy Walters is poised to sign bond documents for the largest single bond issue in the Triview district's history.

Photo by John Heiser

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TRIVIEW (Continued from page 1)

District engineer Chuck Ritter of Nolte and Associates reported that bids for the sewer collector line for the Marketplace have been received. Arapahoe Utilities was the low bidder at \$319,536. Construction will start when the easements are acquired.

At the board's Oct. 22 meeting, Peter Susemihl, attorney for the Triview district, was authorized to use condemnation proceedings if necessary to obtain the easements. Susemihl reported that he filed two condemnation actions. One is against Miles Grant for Jackson Creek Parkway right-of-way. The other is for the utility easement across the Watt properties, including the property leased to Foxworth-Galbraith. Susemihl said the court hearings are scheduled for Dec. 5.

Director Steve Stephenson asked how much disruption the sewer work will entail. Blevins replied that one lane of Baptist Road from the Struthers frontage road to Jackson Creek Parkway will have to be closed for two weeks.

Blevins reported that he has received numerous calls from potential tenants for other store sites near Home Depot. He said some are "medium box" retailers seeking 12,000- to 80,000-square-foot sites.

Phase G Bonds

Blevins presented a revision to the mill levy cap agreement approved last month between the district and the current bondholders, Tim and Tom Phelan. Blevins said bond counsel suggested the revision. He said the agreement fixes the Phase G construction funding at \$7.5 million and sets aside \$4.2 million to repay developer loans. Ron Simpson, manager of the Triview district, added that the \$4.2 million would save the district \$364,000 per year in interest costs and retire all but \$1.5 million of the outstanding bonds that carry about 9 percent interest per year. He said older outstanding 12 percent interest rate bonds would not be affected.

The board unanimously approved the revised agreement. The agreement allows a maximum mill levy of 62 mills. The cap does not change the current approved property tax rate for the district, which stands at 25 mills.

Blevins said the debt service on the Phase G bonds will be 3 percent, comprised of 1.325 percent interest and 1.625 percent to pay for the letter of credit from Compass Bank. The district is currently unrated and could not find buyers for the debt without the letter of credit that gives the offering an A rating.

Bond resolutions covering these matters were unanimously approved. As shown in the photo, board president Kathy Walters and secretary-treasurer Gary Walters signed the bond documents presented by bond counsel Kimberley Crawford.

WWTF expansion

The Waste Water Treatment Facility (WWTF) is jointly owned by the Triview district, the Donala Water and Sanitation district that serves Gleneagle, and the Forest Lakes Metropolitan District that currently does not have any users. Ritter reported that the group is addressing the question of expanding the current process or switching to a new process called Sequencing Batch Reaction (SBR). Ritter said SBR is more space efficient. Triview and Donala want to convert to the new process, and Forest Lakes favors expanding the current process.

Ritter estimated that the present plant will reach 100 percent capacity in fall 2006, so the design effort must start early in 2004. He said Dana Duthie, manager of the Donala district, intends to start design of the plant expansion in January 2004.

Simpson said the option of having Donala provide financing is expensive. He said the district needs to pursue alternative ways of financing Triview's share of the costs.

Wal-Mart

Simpson said the district is working to resolve Preble's Meadow Jumping Mouse habitat issues on the Wal-Mart site. Simpson said he is looking at three properties that could be used as part of a habitat conservation plan (HCP) to satisfy the U.S. Fish and Wildlife Service (FWS) requirements. He said Peter Plage of FWS prefers the most expensive of the properties.

Stephenson asked who would pay for the property to be used in the HCP. Simpson replied, "Eventually, the [Wal-Mart Public Improvement Corporation (PIC)]. We may have to fund it until the PIC gets done."

(Continued on page 3)



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TRIVIEW (Continued from page 2)

Blevins said, “You are at risk if the PIC isn’t formed. Why wouldn’t Wal-Mart pay? Why should Triview take that risk?”

Peter Susemihl, attorney for the Triview district, said, “Get the deal cut with Fish and Wildlife. Figure out what is acceptable and get [FWS] to back off to the 1999 letter.”

Susemihl was referring to the Dec. 21, 1999, FWS letter that concluded there was no mouse habitat on the site. That conclusion was based on a site survey conducted by a Wal-Mart consultant. When an updated survey was conducted by a different consultant as part of the submission to the county planning department, FWS issued a letter July 30, 2003, that said in part, “Based on new information provided, the Service has determined that a population of Preble’s may be present within the subject area and does not concur that the proposed project on this site would not have direct/indirect adverse effects to Preble’s.”

Home Depot

Simpson noted that Triview is fronting the costs for review of Home Depot’s plans and for inspection of the pipes for the site. He estimated the review costs so far at \$22,000 and the inspection costs at \$7,700. He said the district will be reimbursed but raised the question whether the district’s regulations should be changed to charge builders of commercial properties up front as is done with residential construction.

2004 Budget

Simpson stepped through the revised draft budget. He noted that an intergovernmental agreement with the Town of Monument has been approved. The

town will provide operation and maintenance of the district’s water and wastewater systems at an annual cost of \$162,500. He said this was \$50,000 less than the district was projected to pay the Donala district for the same services. Simpson said Donala will be paid \$22,000 as part of the one-month transition of the work to the town. Simpson said the town will hire one additional person to handle the work.

As shown in the table below, the district budget information is split into a district fund and an enterprise fund. The enterprise fund covers water, wastewater, and reuse water services. The district fund covers all the other operations of the district.

District revenue projections assume 90 single-family equivalents (SFE) would be built per year and there would be 2,300-2,400 SFEs in the district at full build-out. Anticipated 2004 revenues are as follows:

Fees for new connections
\$1,133,100 Fees for residential connections
\$ 167,774 Fees for Home Depot
\$ 185,805 Fees for Academy View

\$1,486,679 Total Fee Revenue

User charges and taxes

\$ 531,034 Water and Sewer User Charges
\$ 419,719 Property Tax at 25 mills
\$ 150,000 Sales Tax
\$ 61,725 Share in town property tax
\$ 58,072 Specific ownership tax

(Continued on page 4)



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	2003 Budget	Draft 2004 Budget	Percent Increase
District Fund	\$597,789	\$711,627	19
Enterprise Fund	\$906,946	\$1,008,906	11.2
TOTAL	\$1,504,735	\$1,720,533	14.3

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TRIVIEW (Continued from page 3)

\$ 56,430 Residential use tax
\$ 37,500 Auto tax
\$ 17,000 Commercial use tax

\$1,331,480 User charges/ taxes
=====

\$2,818,159 Total 2004 revenue
Subtracting the \$1,720,533
in budgeted expenditures leaves
\$1,097,626 for bond payments. Simp-
son estimated the Phase G bond pay-
ments in 2004 would be \$452,276,
leaving \$645,350 for payment of debt
service on the remaining \$19 million
in developer bonds. The interest on
that \$19 million exceeds \$1.7 million

per year, so the district will continue
to fall behind about \$1 million per
year on the debt service on the devel-
oper bonds.

Proposed capital projects in-
clude:

- Wastewater: About \$350,000 for the sewer interceptor needed to supply service to the planned commercial properties west of I-25.
- Water: About \$325,000 for well A4 and \$485,000 for water lines to serve the Marketplace.
- Reuse: \$275,000 to install reuse lines under the extension of Leather Chaps and Jackson Creek Parkway.

- Streets: \$1.2 million for the extension of Leather Chaps and \$4 million for the extension of Jackson Creek Parkway.
- Drainage: \$252,000 for storm water detention facilities.
- Landscaping and Trails: The \$150,000 for trails and landscaping along the extension of Jackson Creek Parkway included in the draft budget was removed in the revised budget.

All the capital projects would be financed from the Phase G bonds except the sewer interceptor. That project is being developed through an agreement between Triview and the Forest Lakes Metropolitan District.

Costs are split between the two dis-
tricts. The current balance in the es-
crow account of more than \$1 million
came from a negotiated settlement
with Pinetree Properties.

The Triview Metropolitan District
Board of Directors normally meets
on the fourth Wednesday of each
month, 4:30 p.m., at the district of-
fices, 174 N. Washington St. The
December meeting will be held Dec.
10. The regular schedule will resume
in January.

For further information, contact
the Triview Metropolitan District at
488-6868.

State Supreme Court rejects County’s appeal

By Jim Kendrick

On Dec. 1, the Colorado State Su-
preme Court unanimously refused to
hear an appeal by the El Paso County
Board of County Commissioners
(BOCC) of a district judge’s finding
that the southernmost 80 acres of
Black Forest Regional Park (BFRP)
is in fact subject to the federal Sisk
Act. This means the existing park
road, north of Shoup Road, cannot
be widened or paved or serve to reach
the entrance of Cathedral Pines, a

subdivision proposed to be built on
the north edge of the park by Kings
Deer Developer Dan Potter. County
Attorney Mike Lucas confirmed to
OCN that the commissioners will
now move forward with their 2002
decision to condemn land on adjoining
lots just west of the park’s bound-
ary in order to extend Milam Road
parallel to the park’s dirt access road.

Friends of Black Forest Regional
Park (FOBFRP) President Gary
Schinderle told OCN the Supreme

Court decision along with the Colo-
rado Court of Appeals decision in
May confirm every aspect of Fourth
Judicial District Court Judge Kirk S.
Samelson’s October 2002 opinion,
“establishing a major precedent for
the nation.”

“It would be our hope that
owners of Robison Ranch [current
owners of the proposed subdivision
land] and the board will reconsider
seeking the use of powers of eminent
domain to take private property for
nothing more than a road that goes
nowhere other than the entrance of
a new high-end land development to
help a large campaign contributor to
[Commissioner] Wayne Williams,”
said Schinderle. “This use of eminent
domain is now a vindictive act by the
county to retaliate against a group of
private citizens that merely forced the
county to obey the law. The board
is trying to teach the people of the
county a lesson that property owners
are not able to say no.”

Williams expressed regret the
road to Cathedral Pines could not

nuisance suit, Schinderle added.

A successful appeal would have
saved Potter from having to pay the
much higher costs of legal condemna-
tion and purchase of privately owned
land to build his road. Potter has not
yet purchased the Cathedral Pines
parcel from the owners of Robison
Ranch. It is not known if he would be
required to buy the subdivision parcel
before condemnation or after the road
is built.

Background

In 1944, an 80-acre tract of heavily
wooded land, previously owned by
a lumber company, was conveyed to
the U.S. Forest Service (USFS) and
has been used solely as a park ever
since. This conveyance was subject to
a federal law called the Sisk Act that
allows USFS lands no more than 80
acres in size to be conveyed to a state,
county, or city government only if its
use does not change. In 1977, USFS
issued a permit allowing El Paso
County to use the 80 acres, which
were incorporated into BFRP, boost-
ing the park’s size to more than 300
acres. In 1999, the county acquired
the 80 acres from USFS. The deed re-
quires the county to use the property
as a recreational park.

Planning Commission approval:
The El Paso County Planning Com-
mission approved extending Milam
Road through BFRP and the Ca-
thedral Pines subdivision plan—161
upscale homes in an 800-acre sub-
division—in early 2001. Potter of-
fered to donate 208 contiguous acres,
which would nearly double the size of
BFRP.

**Friends of Black Forest Regional
Park (FOBFRP) Lawsuit:** FOBFRP
filed a lawsuit in district court to
block the Milam Road extension and
obtained a temporary restraining or-
der to stay the rezoning proceedings.
Following the lawsuit, the county and
the developer filed motions to dis-
miss, but the trial court denied both
motions, ruling that FOBFRP had
standing to contest the validity of the
easement and that the 1921 deed did
not create a road easement. The court
further ruled that the property was
subject to the Sisk Act, which prohib-
ited construction of a road through
that portion of the park and that the



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(Continued on page 5)

COURT (Continued from page 4)

developer did not have standing to argue otherwise.

BOCC Approval: In July 2001, the BOCC approved Potter's proposal to build Cathedral Pines—with the road entirely through BFRP, as originally proposed by Potter.

District Court Decision: On Oct. 12, 2002, Fourth Judicial District Court Judge Kirk S. Samelson ruled that FOBFRP had standing to contest the validity of the easement and that the 1921 deed did not create a road easement, stating "The proposed extension of Milam Road through the park property for access to the King's Deer development ... is prohibited." He concluded that "...the primary purpose for the proposed Milam Road extension through the park property would be for access to the King's Deer development. As such, the proposed road would not be utilizing the park property for purposes for which the park was being used prior to ... 1999." The order preserved the 80 acres as a "roadless" recreational destination.

Samelson also ruled that no road easements exist along the section line on the western edge of BFRP. Potter had claimed that if the road through the park was denied, he could use existing easements to build a road straight up the western park section line near several residences.

BOCC Condemnation Decision: On Dec. 16, 2002, the BOCC voted 4-1 to commence condemnation proceedings to acquire an 80-foot right-of-way easement immediately west of the 80 acres. The condemnation also includes portions of properties south of Shoup Road to enable alignment with existing Milam Road. In all, 14 separate easements are to be acquired from 10 property owners, for a total of 7.5 acres.

The commissioners authorized up to \$200,000 in county legal expenses associated with the action, not counting purchase cost of the condemned land. According to Assistant County Attorney Bill Lewis, additional funds may be needed. According to Lewis, King's Deer Development LLC contributed an initial \$25,000 and is expected to provide an additional \$105,000 to pay condemnation lawyers' fees.

Lewis said "public purpose" was demonstrated by the approval of the Cathedral Pines plan by the county planning commission and board of county commissioners even though Potter does not yet own the subdivision parcel. The approved plan is dependent on construction of the Milam Road extension. Lewis said the extension "would improve access to the existing park" and to the 208-acre expansion of the park included as part of the Cathedral Pines project.

Without the extension of Milam Road, the Cathedral Pines project would have to be

redesigned to use existing access points to several surrounding roads.

Colorado Court of Appeals Ruling: On April 24, 2003, the Colorado Court of Appeals unanimously upheld the lower court ruling barring Potter from building a road through the 80-acre portion of BFRP. The three-judge panel of the Court of Appeals unanimously affirmed Samelson's rulings on each of six main points.

The judges first ruled that the county exceeded its jurisdiction and abused its discretion when it approved rezoning and a 30-foot wide road easement. The judges also disagreed with the developer's contention that the plaintiffs (FOBFRP) did not have standing to challenge the validity of the road easement. The U.S. and Colorado Supreme Courts have held that aesthetic and ecological interests are sufficient to grant standing to a plaintiff.

The judges further agreed with Samelson that the road easement—although specified by the lumber company in deeds from 1921 and 1932—was not granted and does not exist and that the Sisk Act prohibits construction of the road. The language of the 1921 and 1932 deeds does not constitute a dedication of an easement to the public.

The appeals court further rejected the county's argument that the park may be used for any "local government purposes." The developer presented evidence that an extension of the road would provide benefits for the park, including improved access for park users, improved capability to fight forest fires and deal with mistletoe problems, and access to the additional 208 acres the developer would donate to the park. "While these uses may be legitimate, we agree with the trial court that they are secondary to the road's primary purpose—access to the developer's new housing development."

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BRRTA Meeting Nov. 11

By Jim Kendrick

The Board of Directors of the Baptist Road Rural Transportation Authority (BRRTA) held a special meeting at 1:30 p.m. on Nov. 14 at Monument Town Hall. Byron Glenn, BRRTA president, called the meeting to order. County Commissioner Jim Bensberg was absent.

Minutes/District 38 Payment

On Sept. 25, Lewis Palmer School District 38 announced it had agreed to make a one-time donation to BRRTA, rather than agree to an "impact fee." However, BRRTA's Sept. 25 minutes say the Board of Directors "reported that, during the executive session, it negotiated with the School Board on a reasonable fee for the existing school building and no impact fee for future public school facility impact fees" [sic]. The minutes further state "that the existing structure will be assessed an impact fee of \$.34/s.f., the total amount of \$34,000 to be paid by the School District no later than December 31, 2003, and that future public school facilities of any kind located within the present and future boundaries of BRRTA will not be assessed an impact fee." Later in the November meeting, BRRTA Manager Conner Shepherd, distributed photocopies of the

D-38 check for \$34,000 along with a copy of the signed Oct. 16 agreement.

Wording in the agreement is different from either of these announcements, using the words "the Payment" instead of "donation" or "impact fee." Wording in the agreement says the \$34,000 "Payment" is "full and final settlement of all sums BRRTA alleges it is owed by the district as a result of construction of Creekside Middle School with BRRTA's current boundaries."

The agreement leaves unresolved the validity of one government entity being able to tax another, stating: "The parties acknowledge that this payment is the settlement of the disputed claim and that in making the Payment, the District is in no way acknowledging the legal authority of BRRTA to collect any fee or charge from the District, and in fact, the District expressly denies BRRTA's authority to do so. Likewise, BRRTA, in accepting the Payment as a final, one-time only payment from the District, is in no way acknowledging the correctness of the District's legal position, and in fact, BRRTA expressly asserts its right to collect fees or charges for not only the Creekside Middle School but any other District construction within its boundaries, as now

constituted or subsequently revised."

BRRTA and the district also agreed that any future litigation regarding impact fees would be presented to the county district court, and the prevailing party would be able to recover costs and attorney fees. D-38 Board of Education President Jeffrey Ferguson and Treasurer Tommie Plank, and BRRTA's Glenn and Betty Konarski signed the agreement.

Items from Citizens

Fox Run resident Steve Waldmann addressed the board. He asked for specifics on estimated Baptist Road traffic counts between Desiree and Tari Drives, before and after the proposed extension of Baptist east from Roller Coaster Road to Hodgen Road. (This is the steepest part of Baptist Road, and there are no plans to reduce the approximately 10 percent grade that far exceeds county standards for a major arterial roadway and is treacherous in snow and ice.) The board offered no response.

Andre Brackin, of El Paso County Department of Transportation (EPCDOT), suggested Waldmann contact Dick Carlson of EPCDOT for the most recent traffic counts and projections. There was a short discussion about the wide variation in traffic count projections, as well as configurations of Baptist Road, in studies done by consultants hired by government agencies and developers. There is no traffic study based on the current configuration of Baptist and Jackson Creek Parkway south of Baptist. County Commissioner Wayne Williams, who is BRRTA vice-president, observed that BRRTA's own study of Baptist Road traffic count projections presumed that the extension of Baptist to Hodgen was already in place. He did not specify the number of stores in the Monument Marketplace or what the traffic configuration for Wal-Mart would be in his remarks about BRRTA's traffic study projections.

Financial Matters

Shepherd distributed handouts listing October expenditures and the proposed budget for 2004. The board unanimously approved payments of \$4,377.83. Grimshaw and Harring received \$1,710.58 for legal services, and R.S. Wells L.L.C. received \$2,667.25 for BRRTA management. Budget highlights, listed below, were discussed, then unanimously approved:

Revenue: The initial 2003 budget estimated revenue of \$105,000—\$100,000 of impact fees and \$5,000 interest income. Through Sept. 30, impact fees of \$49,500 and interest income of \$2,492 produced \$51,992 in revenue. Now the 2003 end-of-year estimated revenue is \$211,000 in impact fees and \$3,200 in interest income. Impact fees for 2004 are estimated to be \$290,000, from Home Depot and Wal-Mart. Interest for 2004 is estimated at \$5,000.

Expenditures: The initial 2003 budget estimated expenditures of \$321,300. Through Sept. 30, expenditures were \$79,571. The 2003 end-of-year estimated expenditures are now \$92,692. Expenditures for 2004 are expected to be \$639,750. Engineering expenses for 2003 drop from \$190,000 estimated to \$45,570 actual, then grow to \$475,000 for 2004. Legal services were expected to be \$5,000 for 2003 but are now projected to end the year at \$15,500 due to the issue with the school district and research associated with the forced inclusion of several properties. The 2004 budget for legal expenses is \$10,000. There were no right-of-way acquisition costs for 2003. The 2004 estimate for ROW acquisition is \$30,000. Revenues for 2003 are expected to exceed expenditures by \$121,508, while, due to the resumption of the engineering and design work, expenditures for 2004 are expected to exceed revenues by \$344,750.

General fund balance: The BRRTA general fund started at \$281,851 for 2003 and is now expected to be \$454,545 at the end of this year, rather than

(Continued on page 7)

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BRRTA (Continued from page 6)

the original estimate of \$333,037. Fund balance for end-of-year 2004 is \$109,795. The 3 percent TABOR emergency reserve requirement for end-of-year 2003 is \$6,426 and for end-of-year 2004 is \$8,850.

Discussion: Williams asked if a better name for "impact fees" might be "user fees." Shepherd replied that a name change would be confusing if there was a sales or use tax in the future. Glenn asked how the right-of-way fees were estimated. Shepherd said they were based on the estimates that BRRTA consultant Loris and Associates submitted to EPCDOT. Actual costs may be slightly less through careful easement planning that might require less land. Brackin noted that easements would cost between \$4,000 and \$5,000 each for six to 10 properties. The budget was approved unanimously. Williams stated for the record that his yes vote on the budget does not presuppose a positive position on any prescribed project contained therein (e.g., Wal-Mart) which he might have to vote on in the future.

Reports

The board next heard reports from Monument and county planners and engineers on issues regarding BRRTA impact fees and Baptist Road development.

Shepherd briefed members on various monthly Monument meetings from a report prepared for BRRTA by Mike Davenport, assistant town manager and town planner. In December, the Monument Board of Trustees (BOT) will hold hearings on a preliminary plat for the Academy View subdivision, zoning in Regency Park, a Chick and a Windshield's license renewal under the town's new parking lot business regulations, and a preliminary review of the town's draft Parks, Trails, and Open Space Plan. The latter will incorporate the 2.2-mile trail to be built along Jackson Creek Parkway from Lyons Tail to Higby, using, in part, a recently awarded Greater Outdoors Colorado grant. The BOT will also review the town's comprehensive plan and recently consolidated planning and zoning regulations.

Shepherd reported that the sewer pipe for Home Depot, which is to run east along Baptist Road to the intersection with Jackson Creek Parkway, will have to be re-routed when the bridge across Jackson Creek is widened. He said the county and Home Depot have not yet had discussions about this. He also pointed out that a 14-foot trench across Baptist Road will have to be dug. Glenn said there would be a detour rather than a shut-down during this trenching project. He later added that Home Depot has to rebuild Baptist Road and would use a jack and board technique to re-route traffic.

It was pointed out that several years ago that the Pikes Peak Area Council of Government's traffic study for Baptist Road projected 10,000 trips per day in 2025. Actual traffic is currently at 16,000 trips per day, already greatly exceeding pro-

jections.

Brown asked about the status of the Struthers Road bridge. Brackin said the county had looked at building the proposed bridge, which would cross mouse habitat. He said the cost for the bridge alone is between \$1 million and \$1.5 million, not counting the expense of extending Jackson Creek Parkway north to Baptist. The plan has changed to have the Struthers Ranch developer build the bridge since, according to Brackin, a developer can get permission to construct a simpler and cheaper bridge than the county would be allowed to do. This new plan would place responsibility for negotiating mouse habitat issues with the U.S. Fish and Wildlife Service on the Struthers Ranch developer. Brackin added that the county would need to use eminent domain to take up to 60 foot-wide portions of five lots in Chaparral Hills since there is currently only enough right-of-way easement for two lanes rather than the four lanes to be eventually constructed. Brackin noted that easements might be narrowed slightly.

Engineering and Design Contract

Brackin reported that four bids were received to complete the engineering and design work for BRRTA started by Loris & Associates. The contract selection committee, with representation from BRRTA, EPCDOT, the Forest Lakes Metropolitan District, the Triview Metropolitan District, and the Town of Monument, recommended the bid from consultant PBS&J. Through a contract with Colorado Department of Transportation, PBS&J designed the improvements for the I-25 interchanges at Baptist Road and Northgate Road. The vote to approve PBS&J as the new BRRTA consultant was unanimous. Williams remarked, "It makes sense to coordinate what the state is going to do with what BRRTA is going to do."

Glenn said there needs to be reassurance that the current Baptist Road bridge over I-25 has the structural integrity to hold the very heavy trucks now parked on the bridge for extended periods because of the newly installed traffic lights. Williams said he had asked the Colorado Department of Transportation to continually review timing to minimize dangerous exit backups that extend beyond the off-ramps and onto the shoulders of I-25 during peak traffic.

Items from the Attorney

BRRTA Attorney James Hunsaker summarized the settlement with District 38 regarding Creekside Middle School. It was unanimously ratified.

Changes to the impact fee schedule were discussed. Shepherd said that impact fees had initially been set low to encourage development, with the prospect of sales and use taxes offsetting the low fees. Since there have been no sales or use taxes approved, he suggested the fees could be increased. Konarski said, "I don't see any point. Down the road maybe. Right now, it would be a disincentive." Glenn commented

that the current impact fees are not a disincentive. No action was taken.

Forest Lakes has purchased some adjacent land to the south and southeast. The vote to include this land was 4-0, with four votes being required. Shepherd noted that Hay Creek Ranch, the Total Station, and the Foxworth-Galbraith property have already been included into BRRTA.

Concluding Items

The board set dates and times for its 2004 quarterly meetings. Times for 2004 meetings were changed from 1:

30 p.m. to 2:30 p.m. The board will meet in the county's hearing room in downtown Colorado Springs on Jan. 9 and Jul. 9 and in the Monument Town Hall on Apr. 9 and Oct. 9. These are all the second Friday of the first month of each quarter. Notices for the meetings are posted not less than 24 hours ahead at the Monument Town Hall, the Baptist Road King Soopers, and the County Office Building, 27 E. Vermijo, Colorado Springs. The meeting adjourned at 2:22 p.m.

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Monument Board of Trustees meeting Nov. 3

By Jim Kendrick

Monument’s Board of Trustees (BOT) held its first November meeting at Creekside Middle School at 6:30 p.m. Trustee George Brown was absent. No Jackson Creek residents attended. Only Tommie Plank, representing the Historic Monument Merchants Association, and reporters attended. There were no public comments or scheduled guests.

Draft Policy on Board Members Voting by Telephone

Background: At several recent BOT meetings, Brown and/or Trustee Glenda Smith had questioned the validity of Mayor Betty Konarski being able to vote via speakerphone on the proposed emergency ordinance to place a ballot measure on the Nov. 4 ballot. The measure, if approved, would have given tax money to the Triview Metropolitan District for paving Jackson Creek Parkway. In each of the meetings, Konarski had said at least once that she was unable to hear parts of the discussion and asked the trustees to speak louder and/or repeat what they had said, which they did. Town Attorney Gary Shupp said in response to each query that there were no definitive statutes or precedents prohibiting the practice, hence the Board could choose to adopt a policy or not have one. Shupp urged caution, so as not to set a precedent that might “lead to a BOT teleconference meeting where no trustee was actually present in Town Hall.” At each of these September meetings, Konarski asked trustees for approval of her participation and vote by phone, saying she would abide by their decision.

Shupp drafted a policy for the Oct. 3 BOT meeting, but the issue was postponed at Smith’s request since she could not attend that meeting. Shupp’s original draft was considered at the Oct. 20 BOT meeting. After discussion, he was directed

by the board to re-draft the policy, narrowing it to apply only to major decisions, preferably ones that have a hard deadline, that are not quasi-judicial, and that require the board to hear and see the presentation adequately for voting. The issue was then formally postponed to the Nov. 3 meeting.

Discussion: Konarski asked if the trustees had any questions or comments about the substantially revised policy draft. Trustee Byron Glenn asked that the phrase “major decisions, preferably” be deleted from paragraph 2. Shupp and all other board members voiced no exception to this change. The motion to adopt the policy passed 5-1, with Trustee Doug Warner voting no. The adopted policy states:

The Board of Trustees of the Town of Monument hereby approves the following policy relative to voting by Trustees who are not physically present for a meeting.

- 1. Voting by telephone or other electronic means shall be the exception rather than the rule.*
- 2. Voting shall be allowed only on decisions in which an absolute deadline exists which cannot be postponed. The following situations qualify for voting by telephone if all other conditions discussed herein are met:*
 - a. Budget Approval.*
 - b. Grant Applications which must be submitted and for which the deadline will expire prior to the next possible meeting of the Board of Trustees.*
 - c. Statutory time limits such as placing an item on the ballot.*
- 3. There must be a quorum of board members physically present. Those voting by electronic means cannot be counted in determining whether or not a quorum exists for the conduct of business.*
- 4. No voting by telephone shall be allowed on any quasi-judicial matters.*
- 5. If voting is to be allowed by telephone or other electronic means, the Town shall insure that the absent elected official can hear all proceedings and, if applicable, shall be able to view all visual presentations.*
- 6. The board of Trustees shall vote on whether or not voting by electronic means shall be allowed in a specific situation. If a majority of the Board present votes to allow the voting it shall then be up to the absent official as to whether or not conditions allow that person to adequately assess the situation and cast a vote. The absent official shall make the determination as to whether or not (s)he shall vote by telephone or other electronic means after determining that voting is appropriate based upon the official being able to hear and/or view all pertinent information needed in order to cast a vote.*
- 7. The record of the proceeding shall include a statement that voting was conducted by telephone or other electronic means and shall note which official(s) cast such vote.*

Financial

The board unanimously approved one disbursement over \$5,000—for a month-long billing from GMS, the town’s engineering consultant, totaling \$15,648.30. The board also unanimously approved the final payment of \$9,928 to Even-Preisser for the installation of two pedestrian-initiated traffic lights on Second and Third Streets at the intersections with the Santa Fe Trail. This payment includes the incremental charge for changing the lights from conventional green-yellow-red to flashing yellow-to-red at the request of Planning Commissioner Lowell Morgan.

Annexation and Planning Policy

Assistant Town Manager and Town Planner Mike Davenport requested BOT direction on a draft annexation and planning policy. The purpose of the policy, which incorporates recommendations con-

tained in the town’s recently updated Comprehensive Plan, is to provide guidance to town staff and applicants on annexation. Several related questions were also submitted for the board to review.

The proposed policy regarding capital improvements says, “The developer is responsible for any onsite or offsite improvements needed to serve the development, but would be eligible for recoupment payment(s) later from other development(s) that also will need to use those improvements.” Davenport said that currently, “There is no good way of dealing with it.” Costs should be divided on a fair share basis, although a methodology was not defined in the draft annexation policy and is not currently defined elsewhere. The revised and consolidated land use regulations document that will be presented to the board in December will establish a recoupment mechanism. Glenn mentioned the possible need for the first developer to install water and sewer pipes that would be oversize initially, in order for later developments to tap into them—as is currently the case with Home Depot.

Davenport reviewed another example that could be expected in the future: the installation of a traffic light serving six properties that would eventually contribute to the traffic increase. If the first development triggers the installation, then that developer must pay all the signal installation expense and then get reimbursed later by the other developers as each of the five remaining developments is constructed. Shupp said implementing recoupment only requires a simple contract. However, the mechanical record-keeping is the hard part. In this example, Sonnenburg said the town would collect the five subsequent developers’ shares, then distribute them to the first developer. However, the shares would not necessarily be six equal sizes. Shares could be based on front footage, building footprint square footage, total building square footage, or some combination of these. Each circumstance will require its own negotiations and binding agreements.

In the case of oversized pipes, as with Home Depot, Davenport said the town will never be in a position to finance every oversized pipe’s incremental cost. In general, the town cannot be in the business of assisting with front-end costs unless they have already been approved as specific line items in the capital budget for a particular unique circumstance. There was consensus on this position.

Public Land Dedication: Konarski abstained from participation in this topic because of a conflict of interest, moving to a seat in the audience during this discussion. The proposed policy regarding public land dedication is: “Adequate land is available for public facilities to serve the development [such as Santa Fe Trails], including parks, trails and open space, police, fire, schools, and road maintenance.” There are three ways developers can comply with land dedication requirements:

- Giving ownership of a portion of the land to the town for parks, trails, etc.
- Setting aside privately owned open space to be maintained by a homeowners association
- Cash-in-lieu of land dedication, where the developer gives money to the town in lieu of land

Discussed were these choices along with the different requirements for land dedication by residential versus commercial developments and the land dedication standards for historical downtown versus the rest of Monument. Open space allocation is becoming more prevalent because municipalities do not have the resources to maintain newly dedicated land. However, there is no guarantee open space will be properly maintained, through regulations and/or performance bonds, by a landowner or hom-

(Continued on page 9)

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BOT NOV. 3 (Continued from page 8)

owners association.

Davenport said commercial developers feel Monument's 20 percent dedication requirement, increased from 10 percent in 2000, is higher than the norm and may be discouraging some builders. Warner and Smith asked if there could be different standards within the town. Davenport said this is already the case, since R-1 zoning has no open space requirement while R-3 requires 20 percent. Further, non-residential developers are not required to help build additional parks and schools as residential developers are. Trustee David Mertz asked how many applicants had been lost due to the 20 percent requirement. Davenport said three of the last six developer applicants moved forward with applications after learning of the rule. Mertz said that lots are too small downtown for the requirement. Davenport said the standard cannot be the same for downtown as at the edge of town because of the number of previously platted quarter-acre lots.

After more discussion, the consensus was to defer a decision on the size and type of dedication requirement for commercial development until the board made a decision on regulation revision.

Planning: Konarski asked for a discussion of water rights. Davenport said that in 2000 the BOT made a policy that any transfer of water rights within Monument required BOT approval. An applicant has asked Davenport what the water rights transfer policy would be for annexed land where water was provided by a special district. Davenport suggested that the most likely occurrence of this particular situation is annexation of land north of Higby Road where water and sewer are supplied by Woodmoor Water and Sanitation District. He said water transfer rights in this specific case should stay with the district, not given to the town as would be the case of unincorporated land outside a water and sewer district. Regency Park retains its water rights per the Intergovernmental Agreement.

Town water consultant Krassa and Halepaska recommends the following for future town water rights policy: (1) okaying water rights transfer within the district if there is adequate evidence of excess water rights, (2) considering an increase in town water conservation requirements, and (3) increasing the town's 100-year water supply rule to 300 years. The consensus was that special districts should retain their water rights entirely upon annexation.

Downtown or Near Downtown Development: Davenport asked if the BOT would be receptive to annexing land near downtown along the railroad tracks, with a request that it be zoned as light industrial (wholesaling or office/warehouse). There was also an inquiry about land being annexed as mixed use for building a private or charter school along with residential and business uses. There was consensus in favor of both inquiries.

Review Process: Current law requires annexation be concluded within 60 days and rezoning within 90 days thereafter. The process can require one to four review steps at the board's discretion, and requires a public hearing by the BOT with proper

notice. Typically, developers prefer a faster process wherein the specific rezoning is known ahead of actual annexation, to minimize developer risk and time required for approval. Warner said he favored streamlining whenever possible. Mertz asked Davenport for a recommendation; Davenport said the current wording allows for needed flexibility in a complicated annexation. Konarski said there have been no problems to date, so it's best to leave the annexation policy wording unchanged; Shupp concurred. Consensus was reached on accelerating annexation and rezoning whenever possible but leaving the regulations unchanged.

The BOT will formalize its position on all these specific annexation and planning policies when it considers consolidated land use regulations next month.

Forest Lakes Filing No. 1

Davenport recommended that the town approve a referral from the El Paso County Planning Commission regarding a section of the Forest Lakes subdivision. This development is part of unincorporated land south and west of the town near the Santa Fe Trailhead at Baptist Road and Old Denver Highway. He said the proposal for the 135.5-acre tract meets all town standards. It includes a 33-lot residential section, an elementary school site, a park site, several utility sites for use by Forest Lakes Metropolitan District, and an open space tract. The motion to recommend that the county approve the referral as proposed passed unanimously.

Final PD Site Plan for Safeway Fueling Center Davenport reported on the resubmission of plans for a gas station in the Safeway parking lot. Davenport had requested more spacing between the pumps and an adjacent medical building, as well as improving parking lot traffic flow. Konarski complimented Davenport on successfully negotiating an agreement between the two parties. No board action was required.

Glenn asked if special protection was required for the six-inch water main near the station's planned storage tanks. Davenport said Public Works Supervisor Tom Wall had reviewed the plans and approved them without a concrete encasement for the water main, due to the high pressure within the pipe precluding any possible leakage of fuel. Smith asked who Wall had consulted on the concrete encasement option. Davenport will report back on that at the next meeting. Smith also asked if a neighboring well had adequate safeguards. War-

ner asked if there would be sufficient remaining parking spaces after the gas station is completed. Davenport said yes. Smith asked when the Safeway traffic light would be installed. Sonnenburg said that Mark Andrew of the Colorado Department of Transportation (CDOT) is to get a \$100,000 check from Safeway to pay for construction before the bond expires in early December. Arby's will retain its separate cul-de-sac, and the old I-25 exit, though closed, has been converted into a large radius turnaround in case trucks turn the wrong way (east) exiting the north driveway of Conoco.

Reports

Konarski distributed to trustees copies of a document on the Fountain Creek Watershed from the Pikes Peak Area Council of Governments. Also, she displayed two Monument Lake dam renovation awards to be placed on the Town Hall "pride wall" she and Sonnenburg will be developing. One was the 2003 National Rehabilitation Project of the Year award from the Association of State Dam Safety Officials. The other was a Merit Award for Engineering Excellence from the American Council of Engineering Companies.

Mertz thanked Sonnenburg for his work with CDOT to change the sequencing of traffic lights at I-25 and Exit 158. The new lights by Baptist Road and Struthers had caused overflow backups on the northbound exit and dangerous stacking onto the shoulder of the north lane of I-25. Mertz also thanked Chief Joe Kissell for his coordination with the Sheriff to minimize parking of "for sale" cars along the north shoulders of Baptist Road at several places east of King Soopers.

Smith asked Sonnenburg to report on the projects and tasks being undertaken by the new town engineer, Tony Hurst, at a future BOT meeting.

The meeting was adjourned at 7:45 p.m.



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Monument Board of Trustees meeting Nov. 17

By Jim Kendrick

The Monument Board of Trustees (BOT) held special and regular meetings on Nov. 17 beginning at 5:30 p.m. The special meeting focused on 2004 budget input from local merchants. The regular meeting dealt with financial aspects of the 2004 budget. The board also accepted a donation of land for paving Leather Chaps Drive and Jackson Creek Parkway extensions. Trustee Doug Warner was absent.

Special Meeting

Mayor Betty Konarski announced that the second agenda item, a budget request by the Historic Monument Merchants Association, would be postponed until the regular meeting.

Warner resignation: Konarski announced she had received a letter of resignation by Warner. She then asked if the board wanted to appoint another trustee so close to the April election. The board was divided over initiating the advertising process but also concerned about not having a quorum at important upcoming meetings. Konarski said it is an enormous thing to ask of someone on short notice, particularly when the need to run for election so soon is considered. She was also concerned that there might not be a good range of candidates to choose from for the appointment and that the board might feel compelled to take an unqualified volunteer. Trustee George Brown was opposed to appointing someone. A consensus was reached to advertise for a volunteer appointee.

EDC Business Forecast Proposal: Lee Kilbourn of the Tri-Lakes Economic Development Council (EDC) asked the board for permission to work with Town Treasurer Judy Skrzypek on preparing an income forecast to show the negative business impact of closing the I-25 weigh station exit between Arby's

and Conoco. He also wanted to be able to forecast the negative effect on Foxworth-Galbraith revenues once Home Depot opens. He said he and Skrzypek have differing information sources and together they could more quickly get a firm understanding of town revenue shifts. Town Manager Rick Sonnenburg said it would be a few more months before they would have enough lagging tax revenue data to document any trends. Kilbourn has access to real-time revenue figures that would help the town shape its 2004 budget more effectively in the next few weeks. October revenue numbers are not available to Skrzypek until the second week in December, but Kilbourn has access to those numbers already. Konarski said that without this help, the budget revenue estimates would have to be very conservative and the board could only prepare a wish list should revenues end up higher than expected.

Trustee Dave Mertz asked what the EDC gets out of the proposed study. Kilbourn, a professional business forecaster, said EDC provides local businesses with timely advice on business trends and its purpose is to improve its ability to create and manage growth. Konarski said that the town could help the EDC and more quickly test their own budget assumptions to make better decisions next year. Cooperation would improve the town's ability to collect and present accurate market data to promote new businesses. Kilbourn said information passed would be percentage changes rather than specific numbers and that this proposal was meant to be a one-time proposal during this transitional period, not a continuing process.

Kilbourn addressed concerns that individual business owners might have with he or Skrzypek inadvertently passing their proprietary

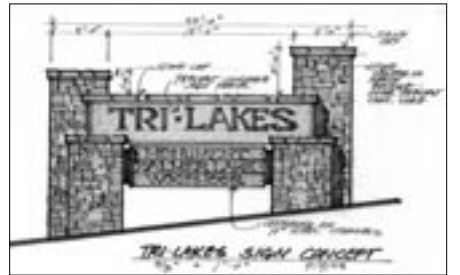
information to each other. He assured the board that he and Skrzypek could pass general information to each other without violating their positions of trust. Brown asked if there were reasons not to have them work together. Konarski said there is a legal prohibition against town staff revealing confidential revenue information from any business to other citizens. Trustee Glenda Smith concurred on the need to adhere to the statutory prohibition against disclosing specific business revenue data.

Konarski said the board must decide because the treasurer works for the board. She said she was not seeing any objections, so she concluded there was a consensus to approve the consultation. No vote was taken.

I-25 Exit Sign Contribution: Kilbourn reported the Colorado Department of Transportation (CDOT) has agreed to partially fund signage on the new Highway 105 bridge being built over I-25. The signs that say Tri-Lakes, would be near the new stone fascia of the main abutments. Kilbourn said CDOT is asking for a contribution of \$2,000 to \$5,000 from the local governments to help pay the estimated \$92,000 for these signs.

In discussion, Glenn noted that northbound I-25 motorists would see this sign too late to exit into the town. Kilbourn said this was an identity sign rather than a destination sign. Its purpose is to identify the roadway as Tri-Lakes rather than solely Monument Hill, the site of numerous icy accidents. Brown asked if Kilbourn would be making similar requests from Palmer Lake and the Monument Chamber of Commerce. He said yes because he needs a commitment from all parts of the community. Trustee Frank Orten asked if CDOT had been surprised by the \$92,000 price tag and did not have enough money. Kilbourn said yes.

Konarski said the board should defer voting on cost sharing until the regular meeting because of a similar request from downtown merchants for a Monument sign to be erected on the southwest corner of the intersection of Highway 105 and Second Street. The trustees agreed.



Draft 2004 Budget Issues

Proposed Salary Increases for Police Officers: Chief Joe Kissell proposed two alternatives for salary increases. He presented a study by Town Salary Consultant Alan Jaramillo, who had previously done a salary study on town staff positions, to support his proposals. The study showed that some staff are below midpoint in pay and others are above midpoint in pay. In the first proposal, comparatively lower-paid individuals would receive a 6 percent increase and comparatively higher-paid individuals would receive 2 percent increase. The percentages in the second proposal were 7.5 percent and 2.5 percent, respectively. The survey also recommended adding two positions between the levels of patrol officer and sergeant. Kissell recommended that one promotion go to the newly established investigator position and the other to a patrol officer who meets promotion criteria.

Orten, Glenn, Mertz, and Smith endorsed the higher pay raise option because of the greater workload created by a growing population and by an increasing amount of crime committed by people living outside Monument. The latter requires more investigations in Colorado Springs and, so, more travel time. Longer night shifts have also been added recently, spreading staff thinner. Konarski said the board should consider the difference in pay raises proposed for police compared to Public Works and Town staff. Public Works Superintendent Tom Wall said the Public Works area of responsibility was also growing, but unlike the Police Department, staff was not being added.

The board approved the higher pay raise for the 2004 draft budget. Sonnenburg noted that the two extra positions are already in the 2004 budget proposal.

Cemetery Fees Increased: A new fee schedule proposal was approved. Many of the fees have not changed for a number of years. The fees will be made effective by resolution at the next meeting. Plots rise steeply from \$350 to \$800, grave opening/closing fee goes up from \$300 to \$350, and the additional fee for Saturday grave opening/closing increases from \$100 to \$150. Cremation sites increase \$200 to \$350,

(Continued on page 11)

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(Photo of same Model built elsewhere)

BOT NOV. 17 (Continued from page 8)

with similar \$50 increases for site opening/closing. Disinterment (week-day only) rises \$250 to \$750.

Mountain States Employers Council Membership: This nonprofit organization, headquartered in Denver, can provide a number of real-time information services and online standardized legal documents. These would reduce the amount of time needed for review by Town Attorney Gary Shupp. The town would avoid a \$300 subscription fee to the Fair Labor Standards Act booklet service. The board endorsed this entry, which is already in the 2004 draft budget. The annual membership fee will be \$2,955.

Purchase of railroad land adjacent to Limbach Park was deferred to the regular meeting.

Regular Meeting

Historic Monument Merchants Association Grant Request: Tommie Plank presented a grant request, asking that the town's Community Development Fund (CDF) provide \$20,000 toward the new Monument entry sign to be constructed at the southwest intersection of Highway 105 and Second Street. CDF is financed by the town's business license renewal fees to finance improvements, beautification, and promotion of historic downtown. Konarski proposed providing \$20,000 toward Plank's grant request.

Town Planner Mike Davenport said cost estimates for the Monument entry sign, two banner poles, and related landscaping are \$30,000 to \$40,000. Preliminary design of the entry sign, poles, and landscaping was paid for by the GOCO grant that supported development of the downtown master plan study recently done by graduate students from the University of Denver. Remaining costs for final design and construction of the sign and landscaping would be partially paid for by the \$20,000 grant request. A 2004 budget general fund line item of \$11,276 would pay for construction. A state matching grant is being sought to pay approximately \$3,000 for trees to be planted along Second Street from the new sign to Beacon Lite. Remaining costs would be covered by a mix of other CDF and/or general funds.

Konarski also proposed \$10,000 from CDF go toward Kilbourn's request for signage funding. Kilbourn noted that the destination signs on I-25 would also have banner poles. Both proposals were adopted. Konarski added that the budget estimate for the fund is \$47,541, so there will be \$17,541 remaining for other grant applications if either of them have to come back for additional funding.

Street Signs Standardized: The board approved making all new street signs black letters on a white background, with a decorative finial, mounted on 2-inch diameter metal poles painted black.

Limbach Park Purchase: Konarski asked for permission to negotiate for 5.2 acres of railroad land adjacent to the park that is being offered for sale

for \$134,000. This land, in combination with a dedication from Monument Addition No. 5, would provide the space and parking needed to expand and enhance the park. Railroad land west of the tracks would be used for parking. The purchase would need to be made after Jan. 1. The board endorsed her proposal.

Mouse Mitigation Refund: The El Paso County Board of County Commissioners will be refunding \$33,500 that will go into the water fund.

Treasurer's Budget Update: Skrzypek said that some parts of the 2003 capital improvements will not be completed in time and will roll over to the next year, along with their funding. Needed property tax information will not be available until the Dec. 1 meeting.

Revision of Refuse Abatement Code: Kissell noted that the revision removes the current requirement to seek board approval before citing refuse violations. The board approved the revised ordinance.

Donation of Right-of-Way: Vision Development Inc. is donating land for the right-of-way for extensions of Jackson Creek Parkway and Leather Chaps Drive needed for construction of Monument Marketplace. Glenn asked if there was a problem in letting them make a tax-deductible donation rather than a routine dedication. Davenport said that although they count toward the dedication percentage, they are not parks or open space. Wall asked who would maintain these roads. Maintenance will be according to the Intergovernmental Agreement between the town and Triview Metropolitan District.

Financial Issues: Skrzypek reported that sales tax revenue is \$3,200 behind the plan. She has not yet been able to build the \$82,000 TABOR reserve needed by the end of the year, and she is concerned by the growing BOT wish list. Orten said this was a small percentage shortfall. Skrzypek said that revenues were behind those of 2002. The board approved the 54-page October report.

Rockwell Ready-Mix/Kalima Masse lawsuit status: Shupp reported that the suit against the Board of Trustees was entering C.S.R. Rule 106 (a) (4) Alternate Dispute Resolution (ADR). ADR is a routine mediation process performed to avoid actual court

hearings if possible. The mediator for ADR is a disinterested lawyer. He said the suit is broken into two parts for ADR, business license renewal and building permit. Shupp said no ADR meetings are expected to occur until January at the earliest.

Shupp will be the town's lawyer for the building permit mediation. Attorney J. Andrew Nathan will represent Monument regarding license renewal. Nathan was hired by

Colorado Intergovernmental Risk-Sharing Agency (CIRSA), the town's liability insurance provider. Shupp suggested that Sonnenburg be appointed the board's representative for mediation sessions. Sonnenburg was unanimously approved to represent the board in both parts of ADR. However, decisions required for ADR will be made by the board.

The meeting adjourned at 7:45 p.m.

Trustee Vacancy

Monument Trustee Doug Warner's resignation was accepted at the Dec. 1 Monument BOT meeting.

Colorado state law requires that a volunteer replacement be appointed within 60 days. An appointee must be 18 years old and have been a Monument resident for 12 or more consecutive months prior to the prospective appointment date of Jan. 5, 2004. Note that this appointee will have to stand for election in April 2004 to continue serving.

Volunteers should submit a signed letter of interest to the Board of Trustees stating their eligibility-

and their reasons for volunteering to become a trustee. Signed letters may be mailed to Monument BOT, c/o Town Manager Rick Sonnenburg, P.O. Box 325, Monument, CO 80132. Letters may also be hand delivered to Town Hall, 166 Second St., or faxed to 884-8011. They must be received no later than noon Jan. 2.

Volunteers must expect to attend the BOT meeting on Jan. 5 at 6:30 p.m. for a public session interview. For further information, contact Rick Sonnenburg at 884-8012 or rsonnenburg@townofmonument.net.

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Monument Board of Trustees Dec. 1

By Jim Kendrick

The Monument Board of Trustees (BOT) held a regular meeting at 6:30 p.m. at Town Hall on Dec. 1. Mayor Pro Tem Byron Glenn presided. Mayor Betty Konarski and Trustees George Brown and Doug Warner were absent. This short meeting consisted mainly of approvals of a small number of briefly discussed budget and financial transactions.

Scheduled Guests: Lee Kilbourn, chairman of the Tri-Lakes Economic Development Council (EDC), presented the finished Application for Economic/Community Development Grant, requesting a \$10,000 matching fund for two "monumented signs" (stone pillars that look like a monument) to be constructed next to the shoulder on I-25 by the new Highway 105 bridge. The names Monument, Palmer Lake, and Woodmoor are to be listed in smaller type on the signs below the word Tri-Lakes. The board had already approved a \$10,000 contribution in principle at its Nov. 17 meeting, along with a \$20,000 grant requested by Historic Monument Merchants Association for a similar sign at Second Street and I-25 and associated landscape improvements between Highway 105 and Beacon Lite.

The EDC grant application says that although the Colorado Department of Transportation (CDOT) has a bid from Lawrence Construction for \$96,000, EDC's architect estimates the signs' cost to be \$20,000 each, or \$40,000 total. CDOT's match is \$20,000. Neither the EDC estimate nor the CDOT matching amount was

discussed at either meeting. The application was approved unanimously. **Synthes Replat:** The applicant and planning staff requested that this item be continued until Dec. 15 to let the board complete its consideration of related changes to the comprehensive update of subdivision and zoning ordinances. Synthes needs two water taps, using a looped line. Current regulations that restrict commercial properties to a single tap per lot, are being proposed for amendment so Synthes would not need a variance for its second tap. The 15-day notice requirement for the proposed regulation change cannot be fulfilled until Dec. 15. Synthes is consolidating seven platted lots on its parcel into a single large commercial lot in the proposed replat. This replat is required by the town as a condition of its approval of their now-completed building expansion. Continuation was approved unanimously.

Part II of Comprehensive Update to Subdivision and Zoning Ordinances: Continuation was approved unanimously.

Resolution to Revise Cemetery Plot Fees: The increase in fees approved by the board in principle at the Nov. 17 meeting was approved unanimously. Confirmation of cemetery fees is performed annually in December.

Financial Matters

Monthly Forecast: Treasurer/Clerk Judy Skrzypek noted that recent property assessments resulted in an increase of \$10,000 in taxes for the board's contingency fund in 2004. While her monthly forecast figures reflected a pay raise for town police effective Nov. 17, the board changed the effective date for pay raises to Dec. 1 after she mentioned the savings in two weeks' taxes that would accrue. The raise was unanimously approved.

Changes to Draft 2004

Budget: Three significant line item changes were listed by Skrzypek. A \$2,150 increase in the police budget covers clothing, uniforms, and weapon for a new officer. Several 2003 capital outlays for streets and parks are rolled over to 2004, reflecting their revised completion dates next year—\$320,500 for streets and \$18,340 for parks. Glenn reminded all that the budget would be finalized at a special meeting on Dec. 9 at 6:30 p.m.

Disbursements over \$5,000: Unanimously approved were payments of \$11,366.58 to GMS, Inc. for monthly engineering consultant services and \$44,381.16 passed through to Triview Metropolitan District for its half of the 2003 property tax allocation collected by the state. The mill levy used by Triview was 6.469 percent.

Monument Lake Dam Rehabilitation: GMS, Inc. recommended payment of \$1,530 to Aquatic and Wetland Company for "Payment No. 1" site preparation work for the Preble's meadow jumping mouse habitat enhancement and construction. Other work already completed by Aquatic will be billed later. Total contract value for its portion of the mouse mitigation work is \$61,257.50. Payment was unanimously approved.

Well No. 7 Distribution System: GMS, Inc. recommended final payment of \$3,675.18 to J&J Excavating for work performed on a contract valued at \$72,503.65 plus \$1,000 in change orders. Glenn asked who tears down and removes the silt fence associated with this work, being done along Beacon Lite near Highway 105. Public Works supervisor Tom Wall said the town usually does this once adjacent vegetation is firmly established. Payment was unanimously approved.

Warner's Resignation: Warner emailed his resignation as trustee to Town Manager Rick Sonnenburg and Mayor Konarski on Nov. 17. He cited the expansion of his business, requiring more of his

election, before the regular April election. Sonnenburg said he would place three advertisements in the Tribune. Glenn said that ads in the Gazette may be necessary to provide adequate notice for an interview at the Jan. 5 BOT meeting. Orten concurred. Smith noted that *Our Community News* would be delivered to nearly every resident by Dec. 6. Sonnenburg noted that the town newsletter does not go out until after the Jan. 5 BOT meeting, which would not be in time for the required interview.

The vote to accept Warner's resignation, starting the 60-day volunteer appointment window on Dec. 1, was unanimous.

Town Manager Announcements: Railroad repairs are being conducted north of town. Repair crews are moving south and should be in Monument during the first two weeks of December. Warning signs at the Second Street crossing are the best visual source for the latest information. Police Chief Joe Kissell will be notified as soon as the railroad sets firm crossing closure times.

After 50 years, the Humane Society's contract with Colorado Springs has been terminated; however, no change is to be made in Monument.

Tommie Plank announced that Historic Monument Merchants Association's "Small Town Christmas" will be held during business hours on Dec. 6. A parade permit on Washington Street between Second and Third will allow for hayrides with Santa. Numerous craft activities are planned, in addition to special displays of seasonal merchandise throughout downtown.

Lewis-Palmer School District 38 installed the second section of orange fencing along the west side of Beacon Lite Road to stop traffic from using the unauthorized curb-cut and dirt driveway as a shortcut to the rear side of Grace Best Elementary School.

The Sertoma Club will be holding the Fourth of July parade on Monday, July 5, 2004.

Smith asked if a new meeting recording system could be purchased that would have the capability of amplifying trustee and citizen voices to encourage attendance by citizens who do not hear well. Orten agreed that adding loudspeakers is a good idea. Glenn asked if such a recording/amplifying system would come from the 2004 contingency fund. Sonnenburg said it is not budgeted, but the contingency fund has just increased from \$25,000 to \$35,000, per the treasurer's financial report. Smith said she thought the mayor would be reluctant to spend \$35,000 for recording equipment. All agreed. Sonnenburg will provide costs and options to the board.

The special BOT meeting on the 2004 budget will be held Dec. 9 at Town Hall at 6:30 p.m. The Parks and Landscape Committee will also meet that night. The next regular BOT meeting is Dec. 15 at Town Hall at 6:30 p.m.

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Monument Planning Commission Nov. 12

By Jim Kendrick

The Monument Planning Commission (PC) met at Town Hall on Nov. 12 at 6:30 p.m. All members were present. The main agenda item was a follow-up review of the comprehensive update of zoning and subdivision regulations.

The Monument Board of Trustees (BOT) held two hearings on these updated regulations and provided numerous verbal and written comments, which the Planning Commission reviewed and discussed at length. Some of the specific items discussed from the 150-page document were:

Item 4, Downtown Parking (Table ST): The definition of downtown has been broadened to include the area from I-25 west to the railroad tracks. Parking requirements are grandfathered and will remain unchanged in the future unless there is an increase in a building's area or the use necessitates more parking spaces. Staff recommends that parking waivers be considered on a case-by-case basis rather than try to write a more complex set of rules. This allows affected neighboring residents to make written comments when warranted before a waiver is approved. There was consensus to create a committee to look into possible changes to Table ST next year and make recommendations to the Planning Commission.

Item 7, Amending the Comprehensive Plan (AM.20): Town Attorney Gary Shupp said Colorado state law gives final approval authority for comprehensive plans to planning commissions only. The BOT provides feedback without approval or endorsement. All agreed that the Planning Commission has final say on the wording of statutes and regulations, but the wording of the annexation document will be changed to reflect that the commission will continue to seek comment and final endorsement from the BOT.

Item 8, Amendment procedures for preliminary and final PD site plans (AM.40): Although the type of amendment differs, the procedure is the same for both. Preliminary plan amendments usually concern zoning, use, and/or density, while final plan amendments are about plan specifics like parking or setbacks.

Item 16, Board of Adjustment Membership (BO.30.20): Because of recent difficulties in filling positions on the Board of Adjustment (BOA), it was determined that a trustee or commissioner could serve on this board only in emergencies where a quorum cannot be achieved otherwise. Shupp said there is no conflict of interest because the BOA addresses different issues than the BOT or PC and any appeal of its decisions goes directly to the district court. There have been no BOA meetings in the past 12 months.

Item 23, Drainage Standards (DR.30): Several commissioners asked if backyard detention ponds were explicitly covered. Davenport said the town uses the Colorado Springs/El Paso County Drainage Criteria Manual volumes 1 and 2 that cover backyard detention ponds.

Item 25, Penalties for violations of regulations: Citizen concerns centered on whether making a zoning violation a misdemeanor would lead to a criminal record. Police cite violators who are taken to court if the situation is not brought into compliance. Consensus was that fines of \$100/day/lot were an appropriate method and that use of the word misdemeanor should be avoided if statutes permit. Shupp will research the statutes to see if the municipal courts could enforce the fines without a criminal proceeding. Davenport also said it is common practice to forgive fines for prompt voluntary compliance.

Item 32, International Building Code (IBC) or Uniform Building Code (UBC) definition of floor ratio (FL.5): The nation is moving toward IBC, but the standard for now in the West, and El Paso County in particular, is UBC. No change from

UBC by Regional Building is expected in the next year at a minimum. Fire code inspection changes to IBC would occur only after adoption of IBC by Regional Building.

Item 35, Restrictions on development approvals (IM.40.40): In most cases, town acceptance of curbs, streets, and gutters signals the start of the two-year warranty bond period associated with a land use permit. The purpose of the warranty bond is to let the town correct defective or incomplete capital improvements if the developer fails to do so. An example of a normally permitted exception would be not pouring asphalt roads in January. Should paving not be done promptly in warmer weather, the town can still withhold the certificate of occupancy, even though the warranty period would have already begun. Davenport's recommendation to not change the wording was accepted.

Item 39, Mobile home (MO.10) and mobile home park (MO.20) definitions: Mobile homes are permanent residences, and recreational vehicles are not.

Items 40, 43, 44, Mobile home park minimum standards (MO.30): Comments were that various new mobile home park standards were too high. Although MO.30 standards are not retroactive—hence not applicable to current mobile home parks—Davenport said new requirements for curbs, gutters, walkways, and lighting should be left unchanged so as not to lower standards in the future.

Item 48, Open space (OP.10): A comment suggested the town's requirement for 100-foot buffers with other subdivisions and 50-foot-wide internal corridors should only apply to a large land use rather than a residential major subdivision (OP.30) and should be deleted. PC members concurred that the 100-foot and 50-foot standards should not be changed.

Item 58, Preliminary plan time limit (RE.70.30): A 36-month limit was agreed upon to parallel state law regarding vested rights. The town limit was previously 24 months.

Item 67, Subdivision improvement agreement

(SIA) (SU.30): All agreed there was a lack of specifics on how an SIA could ensure maintenance of a development's private facilities. Davenport said the current wording doesn't take into account the fact that there might not be a homeowners' association. There was concurrence that future applicants should have to list specifics for adequate fees and a realistic plan to maintain common areas to minimize the likelihood of future town intervention.

Items 88, 89, Flag lot specifications: Based on recent hearing experience, flag lot regulations were amended to allow required direct access onto a public street across an intervening tract but not across another lot. Minimum frontage on any lot will now be 40 feet.

Item 94, Water demand in the downtown area (WA-35): The town goal of fostering commercial development downtown conflicts with the town rule that lots comply with a water availability requirement of 1.25 acre-feet per acre and be at least one-half acre. There are a number of one-quarter-acre lots, platted 50 years ago and now bracketed by houses, that cannot comply with this water requirement, although they were completely legal when created. Davenport said the town's regulations must be flexible enough to allow a restaurant to be built on one of these lots even though the lot cannot possibly meet the requirement without some related transfer of water rights from elsewhere. Also, there are numerous recently built homes in Jackson Creek on lots smaller than one-half acre.

Item 95, Lot drainage: There was consensus regarding the following change: "DR.35 Drainage impact. The grading or development of one parcel shall not adversely affect downstream parcels with respect to drainage, erosion, or sedimentation." The countywide drainage plan, which allows up to a 50 percent credit on impact fee and recoupment, currently applies in Monument until the town's master drainage plan is completed and implemented.

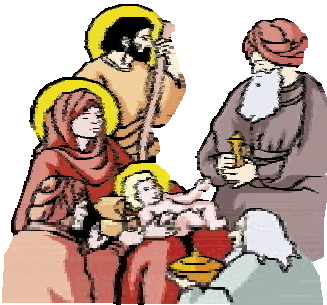
Item 98, Dedication requirement (Table ST): A suggested change to reduce the dedication for non-

(Continued on page 14)

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PLANNING COMMISSION (Continued from page 13)
 residential development to 10 percent, to help the town become the business center for the Tri-Lakes area, was rejected. Davenport said the current 20 percent requirement was above average for a town, although Castle Rock requires 30 percent. The county requirement is 3 percent to 5 percent. Morgan noted that when the dedication requirement was increased from 10 to 20 percent for all development in 2000, there was no concern or discussion about a

lower standard for businesses. Davenport repeated his suggestion of having an open space requirement in lieu of land dedication or a cash-in-lieu option.
 In response to questions from Morgan, Davenport noted that the only piece of property affected by this change from 20 percent to 10 percent is that near Monument Lake—the Lake of the Rockies property. Morgan pointed out that the town might not want dense-pack development right next to the lake. Davenport replied that the property will prob-

ably be residential rather than commercial even though it is currently zoned commercial. The Planning Commission agreed unanimously not to lower the land dedication requirement.
 These BOT proposed land use regulation changes, as amended by the Planning Commission during discussion, were approved unanimously. The meeting adjourned at 8:50 p.m.

Monument Parks and Landscape Committee Nov. 11

By Jim Kendrick
 The Monument Parks and Landscape (P&L) Committee held a 6 p.m. work session Nov. 11 with Public Works Superintendent Tom Wall before the regular meeting at 6:30 p.m. at Town Hall. Maintenance of parks and other town property was the topic for the work session. The draft Parks, Trails, and Open Space Plan and the Land Use Regulations update were the main agenda items for the regular meeting. All members were present.
Work Session
 At the Oct. 14 P&L meeting, Chair John Savage asked for a copy of the

1994 parks budget to provide background on evaluating the possibility of outsourcing park and cemetery maintenance, as was done in 1994. The 2004 budget calls for \$2,400 from park rentals and \$14,000 from the Conservation Trust Fund for tree maintenance, portable bathrooms, and miscellaneous park upkeep. The total amount budgeted for the Parks Department for 2004 is \$124,500.
Discussion: Committee member Monika Marky said that though the Parks Department is given plenty of money, she did not see things being done and wondered where the money

is going. Wall said Public Works is providing a level of service rather than meeting a standard for appearance. The department can't water the parks because of a lack of funds and having to prioritize watering athletic fields. He added that grass that isn't watered doesn't require mowing. A new well will be in operation by the end of next year, which may alleviate the problem. Parks are reserved, used, and cleaned up year-round, not just a few months in the summer. Repairs are typically made from January to April. CIRSA, the town's liability insurer, has not forwarded the results of its just completed annual safety inspection that typically lists an additional 12 to 15 required repairs. The skateboard park requires about six man-hours per week for repairs and clean-up of trash and graffiti.
 Savage asked where the \$124,500 budgeted for 2004 will go. Wall said that regardless of the category, all park money comes from the general fund. His four staff members in Public Works divide their efforts across three departments: parks, streets, and the cemetery. The actual workload called for in the parks budget would require 3.2 full-time equivalents (FEQ). An FEQ is 1,728 work hours per year. The most he can provide to parks is 0.6 FEQ, given the total workload for Public Works. One FEQ is worth approximately \$40,000, with a 32.6 percent burden rate for benefits and taxes. Savage said that 0.6 FEQ is only \$24,000. The overhead costs for Wall and Town Engineer Tom Hurst are spread across the three departments.
 Wall said that supply and vehicle expenses for parks are normally between \$60,000 and \$70,000. Savage asked if the remaining funds could be spent on additional summer student workers (four were hired in 2003) or a landscape contractor who is able to hire lower wage workers than Public Works personnel, who have commercial driver's licenses and skills that span all three departments. Wall said the leftover FEQ hours from the Parks Department are reallocated to other Public Works departments for work given a higher priority. The problem has been identified at town retreats. Town infrastructure—streets, curbs, gutters, pipes—continues to grow though the budget and FEQ allocation does not. Committee member Linda Pankratz asked if anything

can be done. Wall said he is asking for more people. However, the draft 2004 budget does not call for new hires and two Public Works positions were lost by attrition in the past three years due to budgetary constraints.
 Davenport said the town is shifting toward asking developers to allocate open space for homeowner association maintenance rather than seeking land dedication that increases the workload of Public Works. Grants are only for acquisition, not upkeep. Parks don't generate revenue. Counties are no longer accepting responsibility for roads in new subdivisions because they can't afford to maintain or plow them. Wall added that he couldn't hire a landscape maintenance person, because he wouldn't get another personnel slot for this lesser qualified individual. Laying off a more diversely skilled worker to get a landscape specialist is a false saving. Savage agreed. Davenport suggested that the committee recommend more park staff and propose budget changes through the Parks, Trails, and Open Space Plan.
 Two major 2004 budget items involve the P&L committee:
 1. The town was successful in getting a Greater Outdoors Colorado (GOCO) grant to widen 2.2 miles of trail along Jackson Creek Parkway from Lyons Tail to Higby and along Leather Chaps from Creekside Middle School to the Parkway. The grant would pay half the roughly \$200,000 total cost. The matching half is Triview Metropolitan District's cost for the narrower trails that had been planned for Jackson Creek Parkway and Leather Chaps. Triview is responsible for future maintenance of the trails up to Higby Road; the town of Monument will maintain the remainder of the trail north of the Triview district to Highway 105.
 2. The new Monument signs and associated landscaping at Highway 105 and Second Street are expected to cost between \$30,000 and \$40,000, to be paid for by funds in the 2004 capital budget and the community development fund. Final design, engineering, and landscaping costs have not been determined. A state matching grant is being sought for roughly \$3,000 to pay for new trees along Second Street west from the signs to Beacon Lite Road. Wall said the Parks, Trails, and Open Space Plan must

(Continued on page 15)



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PARKS (Continued from page 14)

reflect this new responsibility to justify more manpower and maintenance funds. He suggested the design not include grass and that P&L members plan some funds to repair vandalism.

The work session was concluded at 6:55 p.m., and the regular meeting was called to order.

Regular Meeting

Parks, Trails, and Open Space Plan (draft): The plan includes four updated maps—a future land use map, parks plan map, view corridor map and composite parks, trails, and open space map—prepared by the University of Denver's Colorado Center for Community Development. Their year-long study and draft plan preparation are also funded by a \$10,000 GOCO grant. Additional citizen comment will be solicited via an inserted combined plan map, plan summary, and citizen questionnaire in the town newsletter. Citizens' responses are requested, to be returned before the December P&L meeting, special Board of Trustees (BOT) budget meeting, and Planning Commission meeting. The Planning Commission will incorporate this 24-page draft plan into the Comprehensive Plan per state law; P&L will ask for an endorsement by the BOT as well. Some \$40,000 of the \$50,000 total for the new Monument entrance sign would come from community development funds. The Second Street trees are to be paid for by a matching grant.

Savage asked about parks and trails money for Monument Lake. There is no chance for GOCO funding in 2004 because there is no matching money or likely project plan until the lake is refilled, which is unlikely in the next two years. The GOCO grant for the 2.2-mile trail along Jackson Creek Parkway was successful because the sidewalk was already there and the state liked the idea of connecting Woodmoor and Lewis-Palmer High School to Monument Marketplace, Jackson Creek, and Gleneagle. No other town plans for trails and parks expansion currently provide as effective a match this coming year. Part of this trail is concrete because it widens the sidewalk already planned. Likewise, the other part is crushed rock because it widens the crushed rock trail already planned. The Triview Metropolitan District will be responsible for the planning, engineering, and design for the trail project.

The draft Parks, Trails, and Open Space Plan was approved unanimously and forwarded to the Planning Commission for comment.

Regulations Update: Pankratze asked that Ponderosa

pine, tam juniper, and Russian olive be deleted from the recommended drought tolerant evergreen trees list of preferred landscaping materials (LA-2) because of their poor appearance when not properly watered and maintained. Martin asked if yucca could also be dropped. Davenport suggested adding buffalo juniper and tall wild grasses.

2004 Budget: Davenport reported back to the committee about which of their recommendations for the 2004 budget were included.

Downtown Entry Sign: Phase 1 of the downtown entry landscape design is a sign at the southwest corner of Highway 105 and Second Street. It was recommended by the graduate students from University of Denver's Colorado Center for Community Development.

Downtown follow-up: Per the 2003 Comprehensive Plan, \$10,000 is allocated for detailed planning, guidelines, or standards for building designs and streetscape improvements. Committee member Toni Martin expressed concern that the

downtown development plan would not be implemented and that funding for phase II of the program would be for naught.

Proposed additions to the 2004 budget included matching funds for the GOCO grant for trails along Jackson Creek Parkway and Leather Chaps and street trees on Second Street between Highway 105 and Beacon Lite Road.

Davenport reviewed the agenda for the next meeting, Dec. 9 at 6:30 p.m. He reminded members that there will also be a special BOT meeting on the budget that night at the same time in order to meet the BOT's 2004 budget approval deadline of Dec. 15. He added that the Planning Commission will meet at 6:30 p.m. on Dec. 10.

He encouraged members to consider attending the other two meetings to speak about their concerns about the budget and the plan, respectively.

The meeting adjourned at 7:53 p.m.

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Palmer Lake Town Council workshop, meeting Nov. 13

By Judy Barnes

New trustee Brent Sumners was sworn in, filling the vacancy left by the resignation of Scott Russell. All trustees were present.

3.2 percent Beer Off Premises Liquor License – Sylswap Corp DBA Palmer Lake Country Store & Deli.

Applicant Sylvia Amos presented the results of the survey conducted in a 1,500-foot radius of the store (the approved canvas radius). Of the 79 people who participated, 73 were in favor of the license and six were opposed. The Palmer Lake Liquor Licensing Authority unanimously approved the license.

The trustees discussed establishing a radius of canvassing on a possible application for a retail liquor store. A motion to define the survey neighborhood for a liquor store as being the boundaries of the town carried unanimously.

Committee Reports

Parks: Trustee Cindy Allen, Parks and Recreation, thanked Steininger Landscaping for the care of the parks and Jason Little for hauling rock for the trails. She also reported that Kim Makower of Palmer Lake Tennis Center requested permission to conduct classes in January and February 2004 on Saturdays and Sundays. This was approved by the council, but no vote was required.

Water: Trustee Chuck Cornell reported that the new filter plant is on schedule for completion in January. The reservoir is down six feet. “We’re not out of this drought yet by any means,” said Cornell. Trustee Cornell thanked Tara Berreth and the rest of the office staff for the updated Emergency Operation Plan (EOP). Colorado Rural Water contacted the town asking for permission to use the

town’s EOP as a prototype for other small entities.

Roads: Trustee Randy Jones brought a motion before the council for a driveway agreement for Bill and Susan Kraus, who asked for permission to use a portion of Gillia St. to access their property located at 405 Upper Glenway. The motion passed unanimously.

Jones informed the council that a letter was received from Western-Citadel Heights, who own approximately 350 acres in Douglas County, requesting use of Pineview Road as the beginning/ending access point of their Emergency Access Easement. The advantages of granting this request are improvement of ingress and egress to and from homes in the area and enhancement of the ability of firefighters to monitor forest conditions and quickly spot and respond to fires. The Palmer Lake Volunteer Fire Department will have a key to this gated access. The requestee will correct the drainage problem of Pineview Road. A motion to grant the request passed unanimously.

Police: Trustee Ed Kinney said there were 124 calls for service and 15 traffic citations given in October.

Community and Economic Development: Trustee Susan Miner described the annual Christmas decorating contest. The Art Center will judge five categories of decorations, based on their spirit. Prize money will be given in the form of Palmer Lake Dollars—coupons redeemable at participating businesses around town.

Fire: Town Clerk Della Gins presented the fire department report. To date, there have been 166 calls for service. In October, there were 17 calls for service.

Mayor’s Report: Mayor Nikki McDonald thanked the voters for passing the two ballot issues. The Palmer Lake Citizens for Community Awareness (PLCCA), formerly the Visioning Committee, met and is ready to choose a citizen facilitator, who will give

a monthly report on PLCCA activities to the trustees.

New business license: A license was approved for Richard Harding of Ocean Construction. Harding will do general woodworking, including furniture and cabinets.

Lake update

Cornell read an update on the problem and possible solutions to the dropping water level in the lake. Solutions and their ramifications included the following:

- Drawing water from the reservoir would take water needed by Palmer Lake residents. In the past, water has been diverted from the reservoir to the lake, but Town Attorney Larry Gaddis stated that such a practice is illegal, even if the water is overflowing the reservoir.
- Drawing from the Denver aquifer (D-2) well would be costly and impractical since the well can be run only for 45 days and then must be shut down for up to six months to let the aquifer recharge.
- Drilling a well on the north end of the lake is not a good choice due to the proximity of the D-2 well.
- Drilling a well on the south end of the lake could be an option, but would cost more than \$300,000. Additionally, the state might not issue a permit for such a use.

Cornell noted that these options all create a moral dilemma: How can the town justify taking water from the citizens to put into the lake while they are on water restrictions? And what ramifications would such action have with the developer of the lower portion of Ben Lomond, who was told by the town that there isn’t water to supply this development? Further, would they be putting the town at risk of having insufficient water for fire suppression?

Paintball discussion

Gary Atkins, George Winnick, and Suzanne Coons were on the agenda to address the council about their concerns with Fusion Extreme Gaming’s paintball facility at 797 Highway 105. Gaddis stated that before taking any action, the council needs to have a hearing at which the opponent can hear what is said and respond to it. Council would listen to the speakers, but in the event of a hearing, the information would be presented again.

McDonald stated that another location near the town maintenance shop that was offered to Fusion would not work. An alternate location on land that lies between County Line Road, the railroad spur, and vacant land to the north and south was

looked at; the closest homes at the north end of town are approximately 1 mile away.

Atkins, Winnick, Coons, and Alan Bockhaus voiced their concerns about the impact of the facility on their neighborhood. Coons noted that after 7 p.m. Colorado noise ordinances change; she would like paintball gaming to cease at 7 p.m. Atkins questioned how much information about the nature and impact of Fusion’s paintball business was disclosed to the trustees during the business application process. He suggested that if the owners misrepresented their business on the application, then that would be grounds for revocation of their license. Atkins also referred to the Notice to Abate, dated Sept. 25, that the owners of Fusion received from the town. The notice declared escaping paintballs to be a nuisance under Palmer Lake Municipal Code and ordered the owners to “immediately take steps to cause such nuisance to abate.” Penalties for failure to abate include a fine of up to \$1,000 and/or up to one year imprisonment. Atkins pointed out that the problems with escaping paintballs continue and asked that the town act on the abate order. In response to Winnick’s claim that the marshal’s office would not file a complaint against Fusion, Gaddis suggested Winnick file a civil suit in county court. Bockhaus’s biggest concern was that “the place is always a shambles.” “Have them make it look decent for the neighborhood,” he requested.

2004 Budget

Gins asked if it was a correct assumption that since only Allen had responded to the budget presented at the October meeting, that council was “approving” the budget as presented? Kinney asked for approximately \$20,000 for a new vehicle for the police department. Council rejected the request.

A request was received to increase the employee benefit money by \$50 per pay period. The money would come from the \$2,500 budgeted in the past for the gaslights and from approximately \$6,000 of unappropriated money.

Public Input

Bockhaus cautioned council that if a new vehicle were to be approved, an additional \$10,000 would be needed to outfit the vehicle.

Miner recommended that any trustee leaving the board stay on their particular committee for at least one year for transition purposes.

Kim Makower stated that many people in the community appreciate the time trustees put in for the good of the people.

Bockhaus said that some of his neighbors requested that he ask council if fireworks would be permitted on New Year’s Eve. The response was that only “safe and sane” fireworks are allowed within the town limits.

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Palmer Lake Citizens for Community Awareness

By Kim Makower

The recently formed Palmer Lake Citizens for Community Awareness is a committee of concerned citizens that, according to its mission statement, is "to act as a conduit and a source of information between the government of Palmer Lake and its citizens." The committee has met on several occasions since summer 2003. At the Oct. 30 meeting, nine members were present along with Mayor Nikki McDonald, Trustee Susan Miner, and Town Clerk Della Gins, who were there as citizens of Palmer Lake. The agenda was to discuss issues relating to the charter document that would guide and define the activities of this committee. The mission statement was agreed upon at the October meeting.

McDonald expressed her desire that the committee meetings be attended by at least one of three town officials: herself, Gins, or Police Chief Dale Smith. In addition, she felt it would be appropriate for the group to nominate and elect a citizen facilitator to attend each meeting and attempt to keep it focused and on task. The group informally elected Jacqui Parker as the facilitator for this meeting; it was unclear whether she would assume this responsibility for a longer period. The discussion of the draft document for the charter evolved into a discussion of the intent and wording of several goals and objectives for the committee. The full text of this document may soon be available through the town's Web site at www.ci.palmer-lake.co.us; click on the Citizens for Community Awareness tab on the left side of the home page.

As bulleted items on the draft document were discussed, there were references to various issues that have divided citizens and the Palmer Lake Board of Trustees in the past. Specifically, the lack of water in the lake was discussed as a complex environmental, legal, and political issue. Parker suggested it might be a good idea "to have a citizen contest to help find a solution" to solving the problem of not having the lake full. Her idea of a contest was swiftly criticized by Miner, who insisted, "a contest is a bad idea and won't work." One aspect discussed that seemed to receive wide

support was emphasizing to residents that the lake bottom exposed by the current low water levels has allowed a magnificent opportunity to see birds not usually seen in Palmer Lake.

Much discussion centered on the mission of the committee. McDonald stated it was her hope the committee would "promote citizen participation" in all town issues and not just economic development, budget constraints, comprehensive planning, and zoning issues. Gins commented on her effort to encourage citizen participation by distributing town agendas to citizens via e-mail. To date, she said she has collected approximately 150 addresses, which includes most businesspeople in town. Gins encouraged people to e-mail her at palmerlk@quik.com to be added to the list.

After the stated business of the committee concluded, Miner informed the committee "I am here for a reason." She explained she started work as chairman of the Economic Development Committee with 27 active and motivated people. However, she lamented, "The last three meetings that I arranged, no one came." Miner described the student-generated streetscape plan for the Highway 105 business corridor that has been added to the town's comprehensive plan. She is seeking help with implementation of the plan. She is interested in more community involvement with her group and would like people to call her at 481-2953 or e-mail her at sminer@quik.com.

Committee member Dani Hebenstreit commented that this meeting was the best yet, as the committee was able to "accomplish more than ever before." She said her general impression was that this committee will definitely improve and "promote community awareness."

The next meeting is scheduled for Dec. 3 at 7 p.m. in Town Hall. All concerned citizens of Palmer Lake are welcome to attend.



Community Awareness Committee participants Oct. 30: Clockwise from the foreground: Della Gins, Nikki McDonald, Ann Sparks, Susan Miner, Dani Hebenstreit, Jacqui Parker, Todd Williams, Cyndi Henson, and Denese Cornell. Photo by Kim Makower

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Donald Wescott FPD Board meeting Nov. 19

By Jim Kendrick

Donald Wescott Fire Protection District (DWFPD) held its Directors Meeting at Station No. 2 on Nov. 19 at 7 p.m. All members of the board and the district's attorney Peter Obernesser were present. There were no public comments.

Treasurer's Report

Dennis Feltz reported that there were no issues regarding the budget.

Inclusion Update

Chief Bill Sheldon reported that the Gleneagle Sertoma Club gave a grant of \$2,196 toward a new Lifepack 500 defibrillator, which brings the station up to its goal of one unit for each vehicle. The Interquest Rotary Club gave a matching grant of \$1,000 toward a field day of student outdoor activity and training at Antelope Trails Elementary School. Fox Run resident Joel Azrikan is developing a pamphlet that teaches students real-world analysis of potential fire problems. This is part of a nationwide program sponsored by Rotary International.

Sheldon asserted that Tri-Lakes Fire Protection District (TLFPD) went against Wescott in the Nov. 4 inclusion election involving 635 properties in Black Forest and said he has passionate concerns about this.

He said tearing down TLFPD Station No. 2 at Roller Coaster Road and Highway 105 has placed many of its residents east of I-25 outside five road miles of an active station. Feltz asked what the financial impact would be. Sheldon replied the immediate result would be nearly doubling affected homeowners' insurance rates. He questioned what the time line would be for construction of a larger replacement station on the Roller Coaster site, considering the high debt TLFPD already has incurred—and in light of additional building costs for a Jackson Creek station right next to DWFPD. He said this is bad for all taxpayers in the north end.

Director Joe Potter asked if DWFPD could recoup expenses by billing residents outside the district's boundaries. Sheldon said that automatic aid requires they answer fire calls in Jackson Creek and Fox Run; waiting for a mutual aid request from a delayed TLFPD would only make the fire worse, risking people's safety. Currently, only the primary fire district can bill the insurance companies involved, and that district should list the supporting fire departments that also fought the fire. He said this listing does not guarantee payment to the other districts by the insurance companies.

Director Brian Ritz asked what direction the board should provide Sheldon. Sheldon replied that no DWFPD personnel would fail to respond to a fire call or watch a building burn down in another district. He felt that useful talks on cooperation and merger need to be elevated to the board level, as the firefighters have to focus on the upcoming winter fire and traffic accident season. He asked all board members to be proactive on merger of the four districts for the benefit of taxpayers. Bill Lowes directed Sheldon to contact TLFPD Chief Robert Denboske to learn of Tri-Lakes' plans now that Station No. 2 is gone. Lowes added that there will be no consideration of merger issues until after the new year.

Executive session

A 45-minute executive session with Obernesser was held after the inclusion election report to determine how to proceed on post-election action items, personnel items, and construction bid procedures.

Policy/Procedures Update

The final draft of this revision was distributed to all the directors for their comments. Feltz said favoring full-time firefighters over volunteers for overtime pay was prejudicial and not cost effective. (Volunteers only get paid for overtime.) Sheldon

said that overtime pay for full-time personnel is needed to improve retention in a low-paying environment. He added that volunteer seniority was used for vacation prioritization. Using only seniority for overtime would allow longtime volunteers to take all available overtime at the expense of career people. Feltz responded that overtime pay for volunteers is only two-thirds the cost. Sheldon said he and Feltz would meet before the next board meeting and report back.

Station No. 3 expansion

Director Kevin Gould distributed a copy of a floor plan and front/side/rear elevations he drafted that will be put out for bidding. His latest draft shows the modifications requested by board members and firefighters. Gould said to avoid the possible appearance of a conflict of interest, he will not participate in the actual design or construction. He will distribute the request for a proposal for preliminary design immediately and expects to have all proposals available for board consideration at the Dec. 8 meeting. Per Special District Association (SDA) written guidelines, DWFPD will have to advertise for construction bids at a later date. Advertising is not required for architect proposals.

The meeting adjourned at 9:30 p.m.

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Edward Jones ranks among the best advocates for its customers according to the "Winning the Changing Financial Consumer" study by Forrester Research. The firm, the highest-ranking brokerage named on the list, placed second in the customer advocacy ranking.
- *Kiplinger's Personal Finance Magazine*, May 2003
In this profile story titled, "Street Smart," Edward Jones is described as "America's Main Street Broker."
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Tri-Lakes FPD to build Station 2

By John Heiser

At its meeting Nov. 20, the Tri-Lakes Fire Protection District board of directors passed a resolution to proceed with construction of fire station 2 on Roller Coaster Road and Highway 105 whether the El Paso County Board of County Commissioners approves the project or not. Director Gary Morgan was absent due to illness.

Financial Report

District Director and Treasurer John Hildebrandt presented a draft 2004 balanced budget showing total anticipated revenues and expenditures of \$1,146,745, a 10 percent increase from the 2003 budget of \$1,280,292. Of the revenue, \$861,194 comes from property tax and the remaining \$285,551 comes principally from specific ownership taxes and ambulance revenues.

The budget was unanimously approved subject to final adjustment based on county assessor's office changes to the assessed property values in the district.

Chief's Report

Chief Robert Denboske reported that during October, the district responded to 96 calls, bringing the total for the year to 934. Of the 96 calls, there were 37 medical, 25 traffic accidents, 22 fires, 11 public assists, and one involving hazardous materials; 24 people were transported to area hospitals.

Denboske said district personnel participated in water and ice rescue training with the Woodmoor-Monument Fire Protection District. He said the district also participated in ladder training with the Palmer Lake Volunteer Fire Department. He added, "The line-level guys have a wonderful working relationship."

The chief reported that the Larkspur Fire Department is giving the Tri-Lakes district its spare air compressor.

EMS Report

Ron Thompson, assistant chief and Emergency Medical Services (EMS) coordinator, reported that Tom Mace and Brian Jack have completed EMTi 99 training. He said, "It is quite an accomplishment."

Thompson said the district would resume teaching CPR classes to the public in the next few months. He noted, "It helps us. If community members start CPR [on a patient], we have a better chance of reviving the person."

Denboske added that the district is looking at ways to have automatic electronic defibrillators (AED) available at the schools and other strategic locations. He said the AEDs are very easy to use and, if readily available, can save lives.

Station 2

Board President Charlie Pocock reported that he met with Bruce Wright, the district's attorney, and County Commissioner Jim Bensberg. Bensberg agreed to ask for reconsideration of the May 22 denial of a subdivision exemption for station 2. The reconsideration is scheduled for Dec. 11. Pocock encouraged everyone to attend that hearing and express support for the station.

Pocock distributed copies of a resolution citing Colorado Revised Statute 30-28-110 (1) (c) and "public safety necessity" that would authorize proceeding with the project in the event the county commissioners rule against it. The resolution was

unanimously approved.

Pocock noted that demolition of the existing station 2 building is nearly complete. After the meeting, Denboske said he contacted several insurance companies and was told that as long as the district plans to build a new station no increase in insurance premiums would result from demolition of the existing station.

Pocock said the new owner of the house behind the station 2 site wishes to transplant 17 to 19 trees that will have to be removed to make room for the new station. In lieu of any further landscaping costs to the district, the board unanimously agreed to split the cost for transplanting the trees up to a maximum \$750 expenditure by the district.

Inclusions

Pocock said several people have approached the district to investigate inclusion of their property. He said Elk Creek residents have submitted a petition. The board unanimously approved accepting the petition. Since all the Elk Creek property owners did not sign the petition, an inclusion election must be held. Pocock added, "When people can see we are moving forward on station 2, I think there will be others."

Executive Session

The meeting ended with an executive session to discuss strategies for negotiating with the county commissioners regarding station 2.

The Tri-Lakes Fire Protection District board normally meets at 7 p.m. on the third Thursday of each month at the district firehouse, 18650 Highway 105 (near the bowling alley). The next meeting is scheduled for Dec. 18.

For more information, call Chief Denboske at 481-2312. The Tri-Lakes district has a new Web site: www.trilakesfire.com.

Reconsideration of the proposed station 2 on Roller Coaster Road will be held Dec. 11, 9 a.m., at the Board of County Commissioners 3rd floor hearing room, 27 E. Vermijo, in Colorado Springs. The agenda for that meeting is available on the county Web site at www.elpasoco.com.



Station 2 has been almost completely demolished.

Photo by John Heiser

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Woodmoor-Monument FPD Board meeting Nov. 21

By Jim Kendrick

The Woodmoor/Monument Fire Protection District (W/MFPD) held its board meeting on Nov. 21, at 8 a.m. Board Secretary Bob Harvey was excused due to illness.

Old Hire Pension: Chief David Youtsey reported that proceeds for this unclaimed pension will be about \$325,000. Attorney Tim Schutz will file the final claim paperwork. Half the proceeds by law can be used for any fire-related purpose, and the other half must be used for paying the district's Social Security and pension fund contributions. Proceeds will not be available until February.

Budget Status: The district is approximately \$27,000 ahead of projections for year-to-date.

Reflex / Response Times: Youtsey reported that El Paso County Sheriff's Office times are becoming more accurate, perhaps because of interest expressed by W/MFPD in apparent previous discrepancies. District times continued to show significant improvements toward the goal of 60 seconds for reflex time and five minutes for response time. An electronic computer-aided dispatch system costing \$22,000 was

not approved because it was not clear how widespread deployment of the system throughout the county would be. Also, handheld stopwatches have proven to be sufficient in promoting better performance and providing crosschecks with regard to published county dispatcher times. No further action is expected on this expenditure. Director Tom Conroy asked Youtsey to crosscheck a portion of the reflex/response times as an internal audit on actual performance.

New Department SUV: Three bids were received for a new Chevrolet Tahoe SUV. The low bid was accepted, and Youtsey will prepare a letter of commitment for delivery early next year. The vote was unanimous.

Budget Hearing on Dec. 8: The 2004 budget will be voted on at the next meeting so it can be finalized and forwarded to the county treasurer by Dec. 15.

Joint Working Group Update: Conroy said discussions with the Palmer Lake Volunteer Fire Department have resumed now that Palmer Lake's board is forming a new inclusion team. They are evaluating the W/MFPD proposal and should have a response prepared soon. Conroy said

the Donald Wescott Fire Protection District is interested in renewing discussions next year but that Tri-Lakes Fire Protection District (TLFPD) has withdrawn from discussions entirely. He added the TLFPD station at Roller Coaster and Highway 105 had been torn down and that future plans for replacing the station are unclear. He recounted his visit to the Colorado Springs fire museum display showing several hose companies having a riotous brawl at an 1894 fire rather than cooperating with each other and fighting the fire. The building burned to the ground. All agreed there has been a "slight increase" in cooperation since then.

Lessons Learned from California Fires: Youtsey said that little new was learned from these fires other than the fact that records were set for the speed of spreading and for distances that the fire jumped across highways. Director Si Sibell noted that many people could not outrun or outdrive these fires.

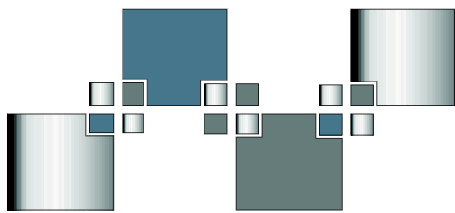
Snowmobiles: Conroy asked if the district needed to consider keeping snowmobiles on hand. Youtsey said the district had them for about 20 years after the 1977 blizzard. They

were rarely used and were a maintenance nightmare. Just a few months after they were sold, in 1997, the next blizzard hit. Youtsey said residents with snowmobiles have come forward in times of need over the past few years. He has a list of five volunteers and will make sure his list is current, while asking for more volunteers.

The meeting adjourned at 9:10 p.m. to go into executive session on a personnel matter. Youtsey later told OCN the board had prioritized the applicants for the assistant chief position and asked the top candidate to take a physical exam.

OCN subsequently learned that W/MFPD has hired James Rackl to the newly created position of assistant chief, directly under Chief Dave Youtsey. Rackl comes directly from the Black Forest Fire Department, where he is a part-time fire marshal. He is also a retired assistant chief of operations at the Air Force Academy's Fire Department. He will assume this position with W/MFPD by mid-December.

The next meeting is Dec. 8 at 8 a.m.



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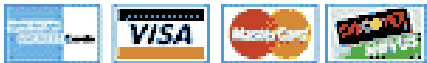
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Lewis-Palmer School Board Nov. meetings

Special Meeting, Nov. 13

A special meeting was held to swear in the new board members elected on Nov. 4. Outgoing Board President Jeff Ferguson and Secretary Tommie Plank presented a large bouquet of flowers to Joanne Jensen, secretary to the board, thanking her for her extraordinary work during their years on the board. Ferguson then swore in Lou Ann Dekleva, Stephen Plank, and Jes Raintree, and Ferguson and Tommie Plank took their seats in the audience. Several administrators spoke in appreciation of the many years of service the two retiring board members had devoted to District 38.

The newly seated board then elected Raintree president for the next two years. Hugh Eaton will remain vice-president; Bob Manning will continue to serve as treasurer; Dekleva will hold the duties of secretary; and Stephen Plank will serve as district representative to the Board of Cooperative Services.

Regular Meeting, Nov. 20

Director of Auxiliary Services Hal Garland and architect Rick Barnes reported on the status of the new transportation facility. They commented that

the project has gone smoothly, there has been a good working relationship between the parties, and the project has come in under budget and on time. The new building will be turned over to the district in December.

The board accepted the draft of the annual Stakeholders' Report, which will be mailed to the community in December. This year, the report will also be available at the district's Web site, www.lpsd.k12.co.us.

Superintendent Dave Dilley presented three draft versions of a mission statement for the Professional Learning Communities. The board will hold a workshop in early 2004 to expand and further develop the statement.

District Accountability Chairman Pete Heinz reported that the Grace Best Elementary School (GBES) accreditation review, which was the topic of the November DAAC meeting, was very impressive. DAAC will not meet in December; the next monthly meeting will be held Jan. 13 at Lewis-Palmer Middle School.

The Kilmer Elementary School bell choir, under the direction of music teacher Andrea Mooney,

performed two pieces.

Commendations were given to GBES parent Gina Hagglof for her work in improving the school's playground. Hal Garland, director of Auxiliary Services, and Merrilee Orcutt, a Lewis-Palmer Elementary School parent, received commendation certificates for their assistance with the Bully Proofing programs in District 38 schools.

The next regular meeting of the board will be Dec. 17 at 7 pm.

Walters' Commons moves to meet WIA requirements

By Chris Pollard

At the Woodmoor Improvement Association (WIA) Board meeting Dec. 3, President Susan Cooley announced that the developers of Walters' Commons had submitted a new set of plans for approval by the Architectural Control Committee. The revised plans showed a reduction in units from 299 to 291 and addressed most of the deficiencies from earlier proposals. The only remaining issue was with 1-foot or 2-foot spacing issues with two of the buildings.

Vice President John Ottino raised concerns about ensuring that the proposed conservation easement would also go ahead if the Walters' Commons project were approved by the County. After the application to the County was researched, it was found that the easement proposal was in fact incorporated in the new planning document.

Although the board initially considered delaying the vote, Paul Lambert asked for an open vote rather than an e-mail one. After some discussion, the board created and approved a motion approving the recommendations from the Architectural Control Committee; however, the board added a note expressing its remaining serious concerns about the impact of the project on the local community, particu-

larly with regard to traffic.

The Walters' development will be presented to the El Paso County Planning Commission at their Dec. 16 meeting (9 a.m., 27 E. Vermijo, 3rd floor hearing room, info: 520-6300). Some residents said they are planning to address the Commission with their own concerns and present a petition.

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Letters to Our Community

Letter Guidelines

Our Community News welcomes letters to the editor on topics of general interest. The *OCN* editorial board has established a policy that we do not knowingly print letters that have appeared in substantially the same form elsewhere.

Please include full name, home address, and day and evening phone numbers. A limit of 300 words is recommended. Letters may be edited for length, grammar, and accuracy. Send your letter to editor@ourcommunitynews.org or mail to Our Community News, P.O. Box 1742, Monument, Colorado 80132-1742.

In response to problems receiving e-mail, if you send your letter by e-mail, we will send an e-mail acknowledgement. If you do not receive an acknowledgement, please call 481-4164 to confirm that we have received your letter.

If we need a Home Depot, then why not have a Wal-Mart?

I am writing to express my concern over a Wal-Mart superstore and Home Depot in our neighborhood. I have lived in this area for 25 years and moved from the Red Rock Ranch area to Gleneagle seven years ago. After reading all the articles on Wal-Mart and the traffic, I must say the Jackson Creek area has also caused some major traffic problems that I did not have to deal with when I moved to Gleneagle.

My main concern is that everyone talks against Wal-Mart, but I have not seen anyone discuss Home Depot. Have you ever driven the 12 miles to Home Depot and seen their parking lot that is overflowing with cars? Think about the traffic problem Home Depot will create. Do the people complaining about Wal-Mart traffic considered the traffic to and

from Home Depot? Or is it because it is north of Baptist Road? Just because you will be turning at the frontage road and not in front of King Soopers makes the traffic problem okay?

Reading *Our Community News* about the condemnation due to easements needed for gravity sewer connection from the Marketplace site brings questions to mind. It seems people are concerned about Wal-Mart, and forcing business in Monument to close brings this question to mind: Does anyone care what will happen to Foxworth-Galbraith when Home Depot opens? Foxworth-Galbraith, which was Brookharts, has served this community in good faith for a number of years and all some people care about is Home Depot and not the fact that Foxworth-Galbraith may close. If we need a Home Depot, then why not have a Wal-Mart?

DeWayne Stevens

What's the plan?

I'd like to point out that the map of the 1987 Major Transportation Corridors Plan depicted on page 2 [of the November issue of *OCN*] was different than the map we saw posted during the meeting [on Oct. 23]. The map you printed shows a "planned" connection between Higby and Hodgen Roads, which was not depicted on the map during the meeting I attended. I admit I am against connecting Baptist Road to Hodgen for all of the reasons you printed in your paper, but I am also against a Higby connection. I was actually surprised when I looked at the map at the meeting and noticed that Baptist Road connects to Highway 83 well south of Hodgen, which was not what we had been led to believe. I pointed this out to one of the county roads personnel, much to her surprise as well. The connection from Higby to Hodgen was not on that map that I showed her.

I know there is a small group of people living on Higby who would like to have this connection built, but I am firmly against it as they have connections to Highway 83 via Highway 105 or Northgate already established. We need to spend our tax dollars on fixing the roads we have, not creating new expensive roads that interfere with existing neighborhoods.

Doug Woodbury

Editor's Note

OCN printed the Tri-Lakes portion of the 1987 Major Transportation Corridors Plan because that is the current, approved plan. It was posted on an easel at the Oct. 23 meeting. It shows some connections, such as the one from Higby Road to Hodgen, that are no longer planned for implementation. It also shows some planned connections that have been implemented differently such as the connection of Baptist Road to Roller Coaster Road, which was constructed much further north than depicted on the 1987 plan.

Several revisions to portions of

the 1987 plan have been proposed. For example, the 2000 Tri-Lakes Comprehensive Plan update, available at http://adm.elpasoco.com/planning/comp_plan, included a transportation plan (http://adm.elpasoco.com/planning/comp_plan/pdf/transport.pdf) that received some heated discussion at the meeting. Attendees learned that some of the Tri-Lakes area north-south connections shown on that plan are not favored by the County Department of Transportation. None of the proposed revisions to the 1987 Major Transportation Corridors Plan have been approved for incorporation into that plan.

The open house was a first step in deciding what changes to the 1987 plan are appropriate. *OCN* published the 1987 plan so readers could become familiar with it and recognize the extent of the changes needed.

Let's call it The Three M's Area

The Tri-Lakes region riparian area so loved by the anti-growth crowd will bring us more mosquitoes next year. Perhaps we should rename Monument Lake, Palmer Lake, and Woodmoor Lake, the "West Nile Breeding Grounds." The new name should include the hatching grounds for the mosquitoes. Without these lakes, our community has lost its identity and now does not deserve the name

Tri-Lakes. The Tri-Lakes area's name should also be changed.

Let's pause and think about it a minute. What should the Tri-Lakes area be called? The wrath of the U.S. Fish and Wild life Department (USFW) has come down on the Tri-Lakes area with the help of all the environmental folks and has plagued us with the Preble's Meadow Jumping Mouse to stop growth and increase our mosquito population. We now have several of our residents infected with West Nile virus, and we have lost one of our longtime citizens to that virus. The same folks who have fought growth in our area and have tried to divide our town want more areas to breed mosquitoes right among our homes.

What has been the cost to accommodate the mice and mosquitoes?

On highways alone, we have to spend several million dollars to accommodate the mice and there have been lives lost because of our government's

inability to repair the roads—because they have to keep out of the "habitat for the mouse." In Jackson Creek, the field of dreams is gone. Even when there have been unsuccessful attempts to catch the little mouse, the land is taken for them anyway. The environmentally accepted theory is that if you build a habitat they will come. Bunk! If that were true, the areas that have been there for years would be full

of mice. We all know why the mouse is so admired and revered by the anti-growth crowd. They know the mouse

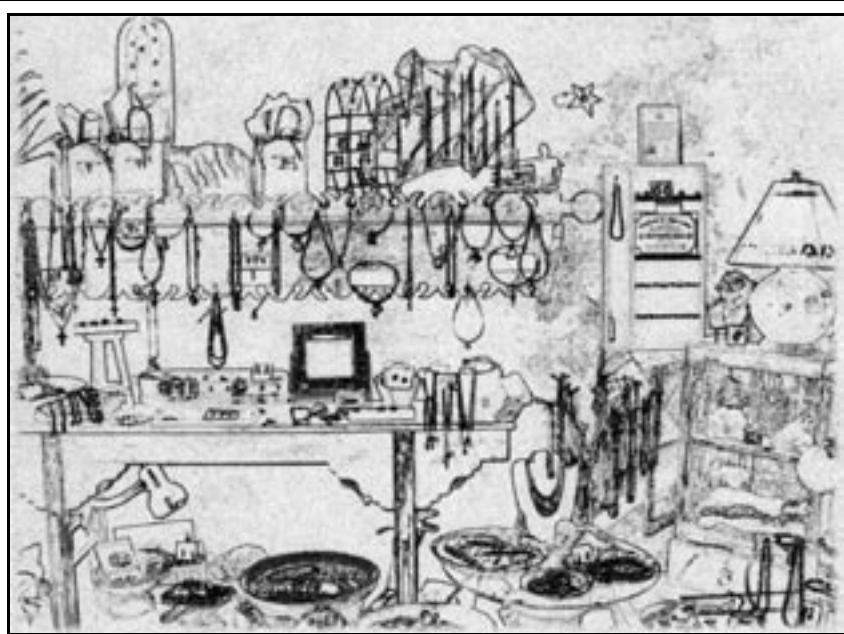
(Continued on page 23)



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LETTERS (Continued from page 22)

makes it much more expensive and in some cases almost impossible to develop land.

The idea of affordable housing is gone forever. It is not like the state of Colorado doesn't have a place for the mice. Over 60 percent of Colorado belongs to the state, federal government, and cities where there will never be any development of any kind. USFW has chosen the Tri-Lakes area to raise their mouse and West Nile mosquitoes. They go hand in hand. They both like the so-loved mud holes and swamp land. Now, let's see if we can come up with a new name. How about the Three M's Area: Mice, Mosquitoes, and Marshes.

Ernie Biggs

Tennis Anyone?

These are serious times in the neighborhood as we deal with unprecedented growth and the inevitable issues of change that it causes. It is a time for thoughtful and tolerant people. We need to ask ourselves, what is the economic, social, and legal impact of these issues? Growth is a problem that affects incoming business, existing business, and the citizens. How can we balance these mutually exclusive interests and still maintain our quality of life?

A review of the business history of tennis in Palmer Lake can highlight some of the issues. The Palmer Lake Tennis Center (PLTC) had a grand opening party on June 18, 2001. Prior to this party, it exercised great care to obtain a business license, ensure the town revenue through the implementation of a reservation system for one of the two courts, and participate in numerous citizen "input" sessions. It also received a \$10,000 grant for resurfacing the town's two tennis courts. The PLTC's party of 50 curious citizens was crashed by two women who live in Palmer Lake. Ms. B. and Ms. G tried to convince all the attendees that teaching tennis to kids at an affordable price was a bad thing.

The women were not present during the legally prescribed public process. The PLTC allowed them to exercise their right to free speech and exhibit their rudeness to the party attendees. They continued to harangue Palmer Lake trustees by submitting to them a nonsensical letter signed by four additional Palmer Lake residents. This all happened after the time of public input had passed. Finally, sensibility prevailed, and the PLTC taught 226 people, mostly children, how to play tennis over two eight-week summer seasons in 2001 and 2002.

In July 2002, an unidentified man felt he did not have to comply with the longtime procedure of relinquishing the town-owned courts at the top of the hour when another party is waiting to play. He was verbally hostile to my approach, in the presence of two small children, their father, and two tennis industry professionals. I complained to the police, who did not completely investigate this serious and unlawful verbal assault. No interviews were conducted with the witnesses, so we must assume that the Palmer Lake Marshall's office is unaware of the name of this man. After a private investigation, his name was discovered, and it turns out he lives in Black Forest. He is not even a Palmer Lake resident paying his share for this town-owned facility.

Because we were unable to ensure the safety of the children attending the PLTC classes, liability and other concerns led the PLTC board to discontinue tennis programming for 2003. The cost of no tennis to the community is that 113 kids had to go elsewhere for recreation. The town lost business revenue, not limited to business license revenue, but also tax revenue from PLTC users eating and shopping in town; and it was one less option for recreation in Palmer Lake. The cost was staggering.

We have decided to try again. Please

see the PLTC ad in this issue of OCN. Hopefully, the winter program will go on without angry residents or unlawful actions by nonresidents. Hopefully, the marshal's office will respond with more authority to any unsafe situations to ensure the safety of the people.

We may wish to remember that even Palmer Lake is part of the world community and is governed by the laws of our country. If you are unaware of the public process laws and procedures, please find a way to educate yourself prior to launching an attack on a legal business. If you eliminate one business, it will be replaced by another, perhaps one that turns out to be worse than the one that you assisted to leave. Help support the return of tennis to Palmer Lake, by enrolling in our winter program, buying a gift certificate at our new store in Monument, or by telling others that we are back. Tennis is a family and community activity, and is good clean fun. Please visit www.palmerlaketennis.com, info@palmerlaketennis.com or call 719-487-9184 for more information.

Kim Makower

The Fire District Situation

Folks, we have an issue facing us about which some serious action needs to take place. It's our fire and emergency medical service here in the north end of the county. The boards governing these districts continue to bicker over turf while we are subjected to a disjointed system for the provision of our most critical need...emergency service.

Right now we don't have a coordinated emergency delivery system. There are four fire departments serving this area. They do cooperate and there is a mutual aid pact among them. But they also compete. For emergency services. For territory. And for dollars. This is supposed to be a public service much like a utility. Why can't they all be together, pool resources, develop an intelligent plan to serve the whole area and quit the parochial baloney?

Looking at the area bounded on the south by Northgate, east to Highway 83, north on both sides of 83 to County Line Road, west to the mountains and back south to the Academy, that describes our north end area. Shouldn't that area be considered a single space for defining our section of the county? And shouldn't that area have well defined emergency services as the

growth out here takes up the last remaining bit of open space?

Most of us have our largest major investment in our home. Many of us are in forested areas paying high homeowner's insurance premiums, not enough water, experiencing serious trepidation about how we get sufficient fire services to our homes to protect our investment.

A coordinated effort to plan the provision of service to the total area is imperative. Growth will soon outstrip our ability to provide services to the entire area. Intelligent placement of fire stations, not just within existing districts, but within the overall area according to a central plan is essential. And the time to act on a revised organizational structure and to devise a master plan for the future is now.

We are lucky to have a dedicated group of professional firefighters, emergency medics and volunteers. They keep it together for us while the organizational politics of the fire districts plays to a strain of chaotic inaction. The consultation by Emergency Services Consulting Group, completed last year and pointing to the merger of the departments, seems to have fallen on deaf ears. Either that or there is an unwillingness on the part of the fire boards to cause a right solution to the situation.

It's not an easy task bringing four departments together. Nevertheless, it needs to be done. We don't need competition in the provision of emergency services. We just need assurance they will be here when we need them - that's all. The apparent inability of the fire boards to achieve a middle

(Continued on page 24)

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LETTERS (Continued from page 23)

ground and engineer an acceptable solution points toward a need for change. We all need to be mindful of this lack of success and push them to meet their obligations as our elected officials.

We need a single fire district here in the north end with an action plan that takes into account the inevitable growth of the area. The cost for such a program is within acceptable limits. Such a program would provide excellent professional growth opportunities for our valued firefighters and volunteers. And the potential for homeowners in terms of savings on insurance costs and more effective emergency service is enormous. We all need to work to make it happen.

Glenn Scott

Lessons from Milam Road

The Friends of Black Forest Regional Park have spent the last three years trying to protect Black Forest Regional Park, to enforce the Federal Statute known as the Sisk Act and to preserve the park for the use for which it was intended.

The county acquired a portion of the park, the southern 80 acres under the terms of the Sisk Act, which states that the acquired park land must be used for the same purpose for which it was being used at the time of conveyance – a regional park, not a traffic corridor.

During litigation Friends of Black Forest Regional Park were forced to seek an injunction to prohibit the county from proceeding with the con-

struction of the road until the courts determined the legality of such a road.

The Board of County Commissioners, prior to the injunction stated that because there was no injunctive language in the suit, they would proceed to allow the development of the road. It was admitted by the county (both the Board of County Commissioners and the County Planning Commission) that if the road was built and was ultimately found to be illegal, the developer would be responsible for repairing the damage to the park and putting the park back to its original condition. How this would be accomplished with the clearing of 100+-year-old trees was not a concern.

The Colorado Supreme Court, has just denied the County's petition to review the case, thus up-

(Continued on page 25)

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6. My sister just had her first baby and I don't have the time to cook for her when she first gets home.
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8. My Dad just got out of Rehab and he needs help with dinners his first couple of weeks home.
9. I just wanted to say "I Love You".
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LETTERS (Continued from page 24)

holding both lower court rulings (the District Court and the Court of Appeals) The Courts ruled that the proposed road through the park would indeed be a violation of the Sisk Act and thus prohibited.

The Friends of Black Forest Regional Park are pleased with this ruling. However, the County now intends to proceed with the condemnation (Eminent Domain) of land belonging to property owners bordering the park to continue the northward extension of Milam Road to the proposed development. This proposal would condemn private property to get the road north of the Sisk Act 80 acre parcel and then move the road over into the remaining portion of the Park. This road would only serve the ingress-egress needs of the Cathedral Pines development. Individual property rights seem to be of no concern to the Board of County Commissioners. As there are three other existing

roads that could service this development, it is apparent that property rights only apply to those that the Board of County Commissioners deem worthy.

To implement this condemnation, the BOCC has agreed to spend \$200,000 of taxpayer money from the road & bridge fund. At a time when El Paso County has a deficit of millions and millions of dollars for existing road and bridge repairs, this fiscally irresponsible position begs the question of why this is being pursued. This occurrence is not an isolated incident if one follows the actions of the Board of County Commissioners.

I would urge citizens to contact the County Commissioners with comments as property rights are being eroded in El Paso County. When it is your property, will there be anyone there to voice concern? I would welcome comments at <http://www.golfenviro.com>.

Gary Schinderle

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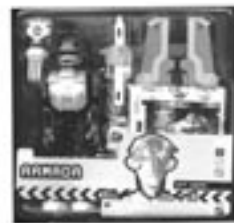
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Letters from Law Enforcement

There's a reason for ordinances

By Joe Kissell,

Chief, Monument Police Department

For the past several months, articles have appeared in the town newsletter to make people aware of what constitutes a violation of ordinances. The articles included weed violations, junk vehicles, and refuse accumulations, and they explained that violations of these ordinances would result in further action by the town.

The Police Department recently went through town and listed addresses and specific violations related to the address. We are now serving notices to property owners, advising them they are in violation of an ordinance and giving them a specified time to comply. Those who do not comply within that time will be issued a citation to appear in Monument Municipal Court.

The town has a master plan for the com-

munity that includes improvements to encourage visitors to take advantage of the many opportunities Monument and the surrounding area offers. Ordinance violations such as unsightly weeds, junk vehicles rusting away, and the accumulation of refuse reflect poorly on the town. Another side effect is the potential of decreased property values. I do not believe this is the way the residents of Monument wish to be viewed.

We would like to avoid issuing citations and creating hardships on people by making them appear in court. We are asking your assistance in eliminating the unsightly violations. If you are served with a notice, please cooperate and correct the situation. Together, we can maintain the quality of life enjoyed here in the Tri-Lakes area and create a healthy environment for the town's residents.

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Between The Covers at the Covered Treasures Bookstore
For Your Gift-Buying Pleasure



By Judith Pettibone
A bookstore's bounty at the holiday season is only constrained by how many books one can display on the available shelves. Considering that almost daily our UPS driver brings new holiday books as well as customers' special orders, it's no wonder we sometimes throw up our hands and wish we could clone more space. Here are some books that will surely delight you or someone on your list.

Holiday Books
Shepards Abiding
By Jan Karon (\$24.95)
As the book jacket says, "There's no place like Mitford for the holidays." Continuing the Father Tim storyline, this is a Christmas-themed book about a gift from the heart (Father Tim's

heart). A surefire hit for your Karon collector.

Christmas Parties: What Do I Do?
By Wilhelmina Ripple, \$19.95
Complete holiday fun for all venues ... school, work, home, youth groups!

Stories Behind the Great Traditions of Christmas
By Ace Collins, \$15.99
Your answer to poinsettias, Handel's Messiah, holiday movies, Yule logs and more.

Truffle's Christmas
By Anna Currey, \$15.95
Charmingly illustrated, tender story of a mouse that can't make up her mind about what to put on her Santa list.

The Biggest, Best Snowman
By Margery Cuyler, \$15.95
Little Nell lives with BIG Mama, BIG Sarah and BIG Lizzie. Guess who builds the biggest snowman? Clever and amusing illustrations.

Snow Bear
By Piers Harper, \$15.95
This "soft-to-touch" book makes

for a tactile read. Each page of the little polar bear's adventure has a velvety illustration. Perfect for the young one on your list.

General Books
The Complete Far Side, \$135.00
Keeping Gary Larson very much in the forefront is this complete collection of his cartoons. A guaranteed hit, this 600-page tome weighs in at 20 pounds and is printed on lovely paper with gorgeous color. As one reviewer said, "If nothing else, it has to be a candidate for the most coveted bound gift of the season." Note: It may be as difficult a gift to find as those past holiday crazes. Demand already has outpaced the first printing.

The World According to Mister Rogers
By Fred Rogers, \$16.95
Filling the void left by Fred Rogers' untimely death, this is a small treasure book of his wisdom. The book is subtitled

(Continued on page 28)



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BOOKS (Continued from page 27)

Important Things to Remember, which is illustrated by a line in the book: "Discovering the truth about ourselves is a lifetime's work, but it's worth the effort." P.S. A line drawing of one of his sweaters is on the cover.

The Hidden Alphabet Book

By Laura Vaccaro Seeger, \$17.95
You wouldn't have to be a lover of alphabet books to find this one appealing—humorous, graphically gifted, and ever so clever. Each page

has an illustration and a flap. The flap frames the illustrative word, i.e., P is for Partridge. Lift the flap and you find a very large P transformed into a Pear Tree. You must see this book to fully appreciate it.

Not Until the Fat Lady Sings

The Most Dramatic Sports Finishes of All Times By Les Krantz, \$29.95
This coffee-table book of essays, with DVD narrated by Jim McKay, will, we predict, be a holiday best seller. Even less-enthusiastic sports fans are bound to be interested in these sports

adventures at the high school, college, and professional levels. Number 39 is a baseball game played in 1908!

America 24/7

Extraordinary Images of One American Week, \$50.00
Twenty-five thousand digital photographers participated in this event. The images are moving and remarkable. After purchase, you can submit your own digital photograph and the company will create a custom cover for you. Imagine: your grandchild, a wedding photo ... limitless possibilities.

Alice's Adventures in Wonderland

By Robert Sabuda, \$24.95
This is a pop-up adaptation of Lewis Carroll's original tale. If you are unfamiliar with Sabuda, you are missing an amazing artist's work. To describe it as a "pop-up" book does not do it justice. Each page is an incredible feat—and just wait until you see the very last image.

Stocking Stuffers

Traveling Curmudgeon
By Jon Winokur, \$16.95

Cranky, but extremely funny comments on travel by the world's greats.

Duct Shui

By Jim & Tim the Duct Tape Guys, \$7.95
"A new tape on an ancient philosophy."

The New Yorker Book of Dog (and Cat) Cartoons, \$10.00

A treat for the animal lover and the fan of the New Yorker wit.

DK Pocket Book Series, \$6.99

Called "Pockets Full of Knowledge"; includes reptiles, insects, space facts, etc.

What Cats (Dogs) Teach Us

By Glenn Dromgoole, \$14.95
Lovely little photos; lovely little quotes.

As you check those lists ... twice ... perhaps you now have a few new ideas as to how to fill them!

Happy Reading and Happy Holidays!



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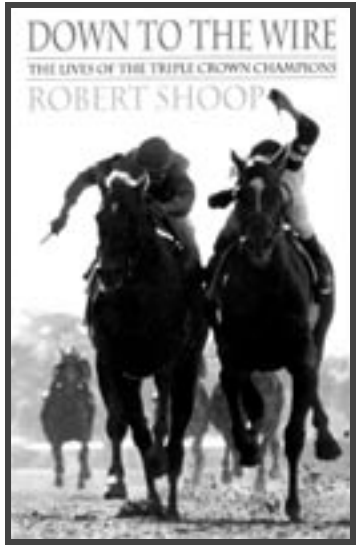
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Tennis center exploring expansion in Larkspur



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NEW LOCATION: Monte Verde Building
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Kim Makower, manager of the Palmer Lake Tennis Center (PLTC), made a presentation to the Larkspur town council outlining a plan for the PLTC to join with the town and Douglas County to build three new courts at Larkspur’s Community Park. Larkspur Mayor Myrna Beene and many volunteers are credited with the development of the park, which now includes a walking and biking path, several picnic areas, a baseball field, and soon-to-be-finished amphitheater. The town council authorized Beene to explore the feasibility of the tennis courts, and she expressed excitement and optimism over the idea. She said volunteers could

be involved in the construction of the courts and stated that the Douglas County and Great Outdoors Colorado (GOCO) were possible sources of funding. Makower mentioned a matching grant program through the Concept Fund at the Denver Community Foundation as an additional source of construction funding. The PLTC has committed to run a teaching program for at least two years if the facility is built. For more information about the project or to offer assistance and support, contact Myrna Beene at larkspur9524@yahoo.com or (303) 681-2324.



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Wine tasting event a smashing success

Wine and Roses II, presented by the Tri-Lakes Women's Club at Pinecrest Event Center in Palmer Lake on Nov. 13, raised more than \$10,000 for local nonprofit service organizations.

Around 300 people attended, including nine celebrity wine servers—some from Colorado Springs radio and TV stations, with Tri-Lakes community celebrities Marylou Doehrman and Eldon McKinnis.

Through the efforts of The Wine Seller, 150 varieties of wines from around the world were donated and served.

Food was donated, prepared, and served by Black Tie Gourmet Catering, Have It Homemade, The Broiler Room, The Slick Pig, The Villa World Bistro, Wild West Bakery, Woodmoor Pines Country Club, Marigolds, and Sinton Dairy.

The silent auction included a New Mexico getaway; wine and roses for a year donated by The Little Flower Shop, Safeway, Eagle Wine and Spirits, and Monument Cork and Bottle; a gourmet dinner for eight people; and an original Joe Bohler signed artist proof of Friends.

Proceeds from this event will go to qualified nonprofit service organizations within the boundaries of School District 38 in the spring of 2004.

For more information about the Tri-Lakes Women's Club, visit www.tlwc.net.



Photos provided by the Tri-Lakes Women's Club

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Special Events and Notices

Christmas Handbell Concert

Tri-Lakes Community Adult Handbell Choir is hosting a Christmas concert **Dec. 6** at 7 p.m. at the Monument Community Presbyterian Church, 238 3rd Street. The concert features multiple choirs—including a youth handbell choir, a sing-along, and the ever-popular Monument Hill Brass Quintet. Admission is free and everyone is invited. For information, call Betty Jenik at 488-3853.

Palmer Lake Yule Log Hunt and Ceremony

The 70th annual Yule Log celebration will be held at the Palmer Lake Town Hall, 28 Valley Crescent, on **Dec. 14** at 1 p.m. The hunt for the hidden Yule Log will take place concurrently with a program inside Town Hall.

Library Channel airs local program

Adelphia cable channel 17, the Library Channel, will air *Tri-Lakes Today*, a 30-minute public affairs program featuring news and information about the Tri-Lakes area, on **Dec. 19, 20, and 21** at 1, 3, 5, 7, and 11 p.m. Tri-Lakes Today normally airs the third weekend of each month.

Bluegrass Concert at TLCA

The Tri-Lakes Center for the Arts presents a bluegrass concert **Dec. 28** by *Broke Mountain Band*, winner of the 2003 Rocky Grass band contest, the premier bluegrass contest in the west. Admission at the door is \$8 for members and \$10 for non-members. Doors open at 5:30 p.m. and the show starts at 6 p.m. A portion of the proceeds will benefit the Tri-Lakes Center for the Arts. TLCA is located at 304 Highway 105 in Palmer Lake, CO. For more information, call 719-481-0475 or visit www.trilakesarts.com.

Palmer Lake Christmas decoration contest

Palmer Lake's fourth annual Christmas decoration contest is now under way. There will be a prize for the winner in each of five categories: theme, door decoration, yard decoration, house decoration, and most creative use of materials. As in past years, the judges from the Art Center will consider the spirit of the decorations, not just the quantity of lights. Entry forms are available at the town office or

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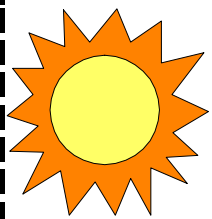
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EVENTS AND NOTICES (Continued from page 32)

at the Palmer Lake Post Office. You can enter a house other than your own in the contest, even if you live outside Palmer Lake. If you see decorations you admire in Palmer Lake, feel free to pick up an entry form and enter that house. Entry forms must be received by **Dec. 15**. For information, call 481-2953.

Christmas Unlimited seeks toy donations

Drop off toys, books, puzzles, games, sporting goods, and art and craft supplies at the Tri-Lakes Chamber of Commerce, 300 Highway 105; Tri-Lakes Fire Station No. 1, 18650 Highway 105; or Woodmoor-Monument Fire Station No. 1, 1855 Woodmoor Drive. Items must be new and unwrapped. They will be distributed to families in need. The last day to donate is Friday, **Dec. 19**. For more information, call 481-3282.

Winter break tennis tournament

Play in El Paso County's first DNTRP E-Open tournament, **Dec. 15 through Jan. 5**. Players register online, and matches are played at players' convenience at participating facilities: Colorado Springs Racquet club, Country Club of Colorado, Memorial Tennis Center, Palmer Lake Tennis Center, Woodmoor Pines Country Club, and Widefield Community Center. Players will be paired with others of the same Dynamic National Tennis Rating Program (DNTRP) levels in singles, doubles, and mixed doubles. The registration fee is \$9.95. For more information, contact Donna, 444-0331 or donna@PPCTA.com; or Kim Makower, 487-9184. Or register online at www.palmerlaketennis.com.

AARP Driver's Safety course for seniors coming in January

Brush up on the rules of the road and earn discounts on your insurance. Students must attend both days, **Jan. 19 and 20**, noon to 4 p.m. Advance registration and a \$10 fee are required. Classes fill up, so register early. Classes will be held at Monument Branch Library, 1706 Lake Woodmoor Dr. For information, call 488-2370.

Volunteer opportunities with HAP

The Tri-Lakes Health Advocacy Partnership needs volunteers for several of its community programs. The foot clinic, at the Tri-Lakes fire station on the third Friday each month, needs pedicurists to clip toenails for seniors. Call Sue Meiler at 535-2749. The Respite Program that provides rest for in-home caregivers, needs volunteers. Free respite training is available. Phone Liz Slusser at 488-8639 for more information.



New Piano Teacher to Area!
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Take 10 week course on how to play piano by ear! (This is a pre-requisite to becoming my piano student, if you want to continue.) Classes begin in January. Final project includes CD recording of your playing. Come have fun!

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Prior to Super Bowl Sunday, the Tri-Lakes Health Advocacy Partnership and the Tri-Lakes Chamber of Commerce are sponsoring the third annual "Kick Off" to good health!



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"Touchdown": Saturday, January 17

11 a.m. - 3 p.m., Lewis-Palmer High School in Monument

Lots of **HEALTH SCREENINGS** will be available so we should "score" a good crowd.

HEALTH PROFESSIONALS: "Sideline" Jan. 17 and reserve your booth today! The cost is \$40 for chamber members and \$50 for non-members. Tables are available for rent for \$10 and tablecloths for \$15. Join us for the opportunity to "tackle" new customers. Call the Tri-Lakes chamber at **481-3282** for more information.



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Our Community Calendar

Although we strive for accuracy in these listings, you are strongly urged to double-check the time and place of any event you wish to attend by calling the info number for that event.

GOVERNMENTAL BODIES

- **Woodmoor-Monument Fire Protection District Board Meeting**, Mon., Dec. 8, 8 a.m., 1855 Woodmoor Dr. Normally meets the 4th Mon. each month. Info: 488-3303.
- **Monument Parks and Landscape Committee**, Tue., Dec. 9, 6:30 p.m., Monument Town Hall, 166 2nd St. Normally meets the 2nd Tue. each month. Info: 884-8017.
- **Town of Monument FY 2004 Budget Public Hearing**, Tue., Dec. 9, 6:30 p.m., Monument Town Hall, 166 2nd St. Info: 884-8017.
- **Woodmoor Water & Sanitation District**, Tue., Dec. 9, 1 p.m., 1845 Woodmoor Dr. Normally meets the 2nd Tue., of each month. Info: 488-2525.
- **Triview Metropolitan District Board Meeting**, Wed., Dec. 10, 4:30 p.m., district office, 174 North Washington St. Normally meets the 4th Wed. each month. Info: 488-6868.
- **Monument Planning Commission**, Wed., Dec. 10, 6:30 p.m., Monument Town Hall, 166 2nd St. Normally meets the 2nd Wed. each month. Info: 884-8017.
- **Donald Wescott Fire Protection District Board**, Wed., Dec. 10, 7 p.m., Station #2, 15000 Sun Hills Drive. Normally meets the 3rd Wed. each month. Info: 488-8680 or 599-4068.
- **Palmer Lake Planning Commission Workshop**, Wed., Dec. 10, 7 p.m., Palmer Lake Town Hall, 28 Valley Crescent. Normally meets the 2nd Wed. each month. Info: 481-2953 or visit www.ci.palmer-lake.co.us.

- **El Paso County Board of County Commissioners hearing on TLFPD Station 2**, Thu., Dec. 11, 9 a.m., 27 E. Vermijo, 3rd Floor Hearing Room. One of the anticipated agenda items is reconsideration of the Tri-Lakes Fire Protection District Station 2. Info: 520-6300.
- **Palmer Lake Town Council Meeting**, Thu., Dec. 11, 7 p.m., Palmer Lake Town Hall, 28 Valley Crescent. Normally meets the 2nd Thu. each month. Info: 481-2953 or visit www.ci.palmer-lake.co.us.
- **Monument Board of Trustees Meeting**, Mon., Dec. 15, 6:30 p.m., Monument Town Hall, 166 2nd St. Normally meets the 1st and 3rd Mon. each month. Info: 884-8017.
- **El Paso County Planning Commission**, Tue., Dec. 16, 9 a.m., 27 E. Vermijo, 3rd Floor Hearing Room. Normally meets the 3rd Tue. and optionally the 4th Tue. each month. Info: 520-6300.
- **Palmer Lake Planning Commission Meeting**, Wed., Dec. 17, 7 p.m., Palmer Lake Town Hall, 28 Valley Crescent. Normally meets the 3rd Wed. each month. Info: 481-2953 or visit www.ci.palmer-lake.co.us.
- **Lewis-Palmer School District 38 Board Meeting**, Thu., Dec. 18, 7 p.m., Lewis-Palmer Administration Building, 2nd and Jefferson. Normally meets the 3rd Thu. each month. Info: 488-4700.
- **Tri-Lakes Fire Protection District Board Meeting**, Thu., Dec. 18, 7 p.m., conference room at Tri-Lakes Station 1, 18650 Hwy 105 west of Monument near the bowling alley. Normally meets the 3rd Thu. each month. Info: 481-2312.
- **El Paso County Planning Commission**, Tue., Dec. 23, 9 a.m., 27 E. Vermijo, 3rd Floor Hearing Room. This hearing will be held only if there are more items than can be completed Oct. 21. Info: 520-6300.
- **Monument Board of Trustees Meeting**, Mon., Jan. 5, 5:30 p.m., special workshop; 6:30 p.m., regular meeting. Monument Town Hall, 166 2nd St.. Normally meets the 1st and 3rd Mon. each month. Info: 884-8017.
- **El Paso County Water Authority**, Wed., Jan. 7, 9 a.m., 27 E. Vermijo, 3rd Floor Hearing Room. Normally meets the 1st Wed. each month. Info: 520-6300.
- **Woodmoor Improvement Association Board Meeting**, Wed., Jan. 7, 7 p.m., Woodmoor Barn, 1691 Woodmoor Dr. Normally meets the 1st Wed. each month. Info: 488-2694 or visit www.woodmoor.org.
- **Baptist Road Rural Transportation Authority Quarterly Board Meeting**, Fri., Jan. 9, 2:30, 27 E. Vermijo, 3rd Floor Hearing Room. Info: Conner Shepherd, 303-779-4525.

LOCAL LIBRARY EVENTS

- **The Palmer Lake Library** hours are Monday 10 a.m.–6 p.m., Wednesday 10 a.m.–8 p.m., Friday 10 a.m.–6 p.m., and Saturday 10 a.m.–2 p.m., 66 Lower Glenway. Info: 481-2587.
- **The Monument Branch Library** hours are Mon.–Thur., 10 a.m.–9 p.m., Fri. & Sat, 10 a.m.–6 p.m., Sun., 1–5 p.m., 1706 Lake Woodmoor Dr. Info: 488-2370.
- **Monument Library Storytimes**, every Tue., 10:15 & 11:00 a.m. For preschoolers ages 3-7. Monument Branch Library, 1706 Lake Woodmoor Dr. Info: 488-2370.
- **Palmer Lake Library Storytimes**, every Wed., 10:30 a.m. Stories and more for toddlers and children. Palmer Lake Branch Library, 66 Lower Glenway. Info: 481-2587.
- **Monument Library Toddler Time**, every Thu., 10:15 a.m. and 10:45 a.m., Rhymes & rhythms for kids up to 24 months. Monument Branch Library, 1706 Lake Woodmoor Dr. Info: 488-2370.
- **Monument Library Snuggle-Up Storytimes**, every Thu., 7 p.m. Evening stories; PJs and blankies welcome. Monument Branch Library, 1706 Lake Woodmoor Dr. Info: 488-2370.
- **Monument Library: Teen Read ‘n’**

Feed, Tue., Dec. 7. 3:30–5 p.m. Try a new genre or author this month. Meets every 2nd Tue. of the month. Monument Branch Library, 1706 Lake Woodmoor Dr. Info: 488-2370.

Adult Programs

- **Monument Library: Talk English!**, every Mon., 6:30–8:30 p.m. Intermediate and advanced adult English learners can practice speaking social English at these free informal conversation groups. Monument Branch Library, 1706 Lake Woodmoor Dr. Info: 488-2370.
- **Monument Library Discussion Groups for Adults: Socrates Cafe**, every Tue., 1-3 p.m. Discuss philosophy, religions, spirituality, and the common threads among humanity. Monument Branch Library, 1706 Lake Woodmoor Dr. Info: 488-2370.
- **Monument Library Discussion Groups for Adults: Conversational Coffee**, every Wed., 10–noon. Discuss a variety of topics and current events over coffee. Monument Branch Library, 1706 Lake Woodmoor Dr. Info: 488-2370.
- **Palmer Lake Library: Wednesday Evenings @ Your Library**, every Wed., 6–8 p.m. The staff of the Palmer Lake Branch Library invites you to come to your library on Wed. nights for refreshments! This is a great time to find out about library services, chat with your fellow book lovers, and have some “adult time!” Palmer Lake Branch Library, 66 Lower Glenway. Info: 481-2587.
- **Monument Library Teen Volunteer Drama Troupe Holiday Skits**, Sat., Dec. 6, 2 p.m. Come and enjoy two zany skits for the whole family. Monument Branch Library, 1706 Lake Woodmoor Dr. Info: 488-2370.
- **Monument Library Fur Day**, Sun., Dec. 7, 1–5 p.m. Bring your pets to the library; enjoy treats, crafts, and stories for people and pets. Pets must be under control and both people- and pet-friendly. Monument Branch Library, 1706 Lake Woodmoor Dr. Info: 488-2370.
- **Monument Library: Colossal Cookies!** Sat., Dec. 13, 11 a.m.–3 p.m. Children of all ages are invited to decorate cookies. Monument Branch Library, 1706 Lake Woodmoor Dr. Info: 488-2370.
- **Monument Library Classes for Seniors: Internet Travel**, Wed., Jan. 7, 10:30–11:30 a.m. Learn to make travel reservations on the internet. No registration needed. Monument Branch Library, 1706 Lake Woodmoor Dr. Info: 488-2370.
- **Monument Library History Buffs**, Wed., Jan. 7, 1–3 p.m. Read a historical book, share what you learn. Monument Branch Library, 1706 Lake Woodmoor Dr. Info: 488-2370.
- **Palmer Lake Book Group**, Fri., 9 a.m. Normally meets the 1st Fri. of each month. Palmer Lake Branch Library, 66 Lower Glenway. Info: 481-2587.
- **Monument Library’s December Art Display:** Pencil Drawings by John DeFrancesco & Model Lighthouses by Chuck Webster. Monument Branch Library, 1706 Lake Woodmoor Dr. Info: 488-2370.

For other library events, please check <http://ppld.org/communityconnections/calendar>.

LPHS EVENTS

Info: Ken Emry, Lewis-Palmer High School Athletic/Activities Director, 488-4732

- **Music at LPHS**
Tue., Dec. 16, Band Concert, 7 p.m.
Thu., Dec. 18, Choir Concert, 7 p.m..
- **Swim/Dive (Girls) at Woodmoor Pines Country Club, 18945 Pebble Beach Way**
Wed., Dec. 17, vs. Air Academy, 4 p.m.
Mon., Jan. 26, vs. Liberty, 4 p.m.
- **Varsity Basketball (Boys) at LPHS, all at 7 p.m.**
Sat., Dec. 6, vs. Pueblo County
Tue., Jan. 6, vs. Thomas Jefferson
- **Varsity Basketball (Girls) at LPHS, all at 7 p.m.**
Tue., Dec. 9, vs. Ponderosa
Thu., Jan. 8, vs. Sierra
- **Varsity Wrestling (Boys) at LPHS**
Sat., Dec. 13, LP Invitational, 10 a.m.
Wed., Jan. 14, vs. Pine Creek, 6 p.m.

OTHER EVENTS

- **Air Force Academy Toastmasters Club**, every Monday, 5:30–6:30, Oracle Building off Voyager Parkway. Info: call Don, 481-8435, or visit www.d26toastmasters.org.

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- **NEPCO meeting**, Sat., Dec. 6, 9:30 a.m., Monument Branch Library, 1706 Lake Woodmoor Dr. All are welcome to this meeting of local homeowners associations. Keep up with new developments in northern El Paso County. Info: Steve Sery, 488-8533.
- **Historic Monument Small Town Christmas**, Sat., Dec. 6, 10 a.m.-3 p.m., downtown Monument. Drop in for treats at the shops and enjoy the activities. See the Special Events and Notices page for a schedule of activities. Info: 481-3282.
- **Booksigning by Ed Rowell at Covered Treasures Bookstore**, Sat., Dec. 6, 12-2 p.m. Author and Senior Pastor Ed Rowell of the Tri-Lakes Chapel will sign his recently published novel, *Emma's Journal*. Corner of 2nd and Washington Streets. Info: 481-2665.
- **Christmas Handbell Concert**, Sat., Dec. 6, 7 p.m., Monument Community Presbyterian Church, 238 3rd St. Free concert features handbell choirs, a sing-along, and Monument Hill Brass Quintet. Info: Betty Jenik, 488-3853.
- **Tri-Lakes Center for the Arts' "Icicles and Mistletoe Winter Art Show."** The show opened Dec. 5 and runs through Jan. 9. Info: 481-0475 or visit www.trilakesarts.com.
- **Women's Business Owners and Managers Luncheon**, Tue., Dec. 9, 11:30 a.m., Gleneagle Golf Club. Annual holiday mini-showcase and special luncheon. Members can reserve a table and show their wares. Info: 481-3282.
- **Black Forest Chapter of AARP Potluck Luncheon**, Wed., Dec. 10, 11:30 a.m., Black Forest Community Church, Shoup and Black Forest Road. Normally meets the 2nd Wed. of each month. Info: Electa Beckner at 596-6787 or Chuck Eaton at 495-2443.
- **Tri-Lakes Marketing Forum**, Wed., Dec. 10, 8:30 a.m., Gleneagle Golf Club. Info: 481-3282.
- **Ben Lomond Gun Club, Tri-Lakes Chapter**, Thu., Dec. 11, 7 p.m., Tri-Lakes Fire Station 1, 18650 Hwy 105 west of Monument near the bowling alley. Normally meets the 2nd Thu. each month. Info: 481-3364.
- **Tri-Lakes Networking Team Monthly Social & Dinner**, Thu., Dec. 11, 6:30-9 p.m., Woodmoor Country Club. Connect with women in business. Normally meets the 2nd Thu. each month. Info: Tonya Whaley 484-0677; Rhonda Fullmer, 481-6352.
- **Western Museum of Mining and Industry Super Saturday: What's Mined is Music!** Sat., Dec. 13, 1 p.m. Celebrate December by listening to seasonal and historic music at the museum. Learn how mined minerals become musical instruments, and make your own instruments from recycled materials. Cost: \$3, members free. 1025 E. Northgate Rd. Take I-25 to the Gleneagle Exit (156A); the museum entrance is immediately east of the interstate, just opposite the north entrance to the U. S. Air Force Academy. Info: 488-0880 or visit www.wmmi.org.
- **Palmer Lake Yule Log Ceremony and Hunt**, Sun., Dec. 14, 1 p.m. at Palmer Lake Town Hall, 28 Valley Crescent. Info: Town Office, 481-2953.
- **Tri-Lakes Chamber of Commerce Annual Holiday Business After Hours**, Tue., Dec. 16, 5:30-7:30 p.m. Peoples National Bank in Monument-the east side location. Enjoy lots of free goodies, music, and fun. Normally meets the 3rd Tue. each month. Info: 481-3282.
- **MOMS Club of Monument New Member Social and Business Meeting**, Wed., Dec. 17. New member socials are normally held the Friday before the last Wednesday of the month. Come meet other stay-at-home moms and kids! Info: Denise Bowe, 488-0552.
- **Downtown Monument Merchants "Small Town Late Night,"** Thu., Dec. 18. Most of the downtown shops will be open until 8 p.m.
- **Gleneagle Women's Club Christmas Tea**, Fri., Dec. 19, 1-3 p.m., Liberty Heights at Northgate. Carolyn Ford, musician, will play Christmas music on both piano and harp. For reservations call Cecilia Neill, 481-1283; for info call Mary Drexler, 488-8298.

- **Tri-Lakes Women's Club Luncheon**, Fri., Dec. 19, 11:30 a.m., Radisson Hotel, 8110 N. Academy. Susan Carnahan's presentation, "What's sex got to do with it?" will address communication between men and women. All interested women living in School District 38 are invited to join. The club has various interest groups throughout the year and sponsors the annual Pine Forest Antiques Show and Sale. Reservations are required; call Jackie Timura, 481-6923; or at www.tlwc.net under reservations. Info: visit www.tlwc.net or call Theresa Lee, 487-3017, or Junette Pearson, 481-0771.
- **Western Museum of Mining and Industry Treasure Hunt!** Sat., Dec. 20 through Jan. 3. Hunt for treasure at the museum during the winter break. Cost: \$7 Adults, \$5 Students & Seniors, \$3 Children 3-12, members free. 1025 E. Northgate Rd. Take I-25 to the Gleneagle Exit (156A); the museum entrance is immediately east of the interstate, just opposite the north entrance to the U. S. Air Force Academy. Info: 488-0880 or visit www.wmmi.org.
- **Western Museum of Mining and Industry Holiday Comfort**, Tue., Dec. 23, 9 a.m.-4 p.m. Enjoy a free cup of coffee and browse the museum store for unique and educational stocking stuffers while the kids get their photos taken, for free, with donkey mascots Oro and Nugget. Afterward, at customary admission, enjoy a guided tour of the museum. Cost: \$7 Adults, \$5 Students & Seniors, \$3 Children 3-12, members free. 1025 E. Northgate Rd. Take I-25 to the Gleneagle Exit (156A); the museum entrance is immediately east of the interstate, just opposite the north entrance to the U. S. Air Force Academy. Info: 488-0880 or visit www.wmmi.org.
- **Western Museum of Mining and Industry: Gems that are Colorado Treasures**, Sat., Dec. 27, 1 p.m. Learn about the gemstones found in Colorado and the geological forces that created them. Create your own simple craft jewelry to take home. Cost: \$7 Adults, \$5 Students & Seniors, \$3 Children 3-12, members free. 1025 E. Northgate Rd. Take I-25 to the Gleneagle Exit (156A); the museum entrance is immediately east of the interstate, just opposite the north entrance to the U. S. Air Force Academy. Info: 488-0880 or visit www.wmmi.org.
- **Bluegrass Concert at TLCA**, Sun., Dec. 28, 6 p.m., featuring Broke Mountain Band, winner of the 2003 Rocky Grass band contest. Admission at the door is \$8 for members, \$10 for non-members. Doors open at 5:30 p.m., show starts at 6 p.m. A portion of the proceeds will benefit the Tri-Lakes Center for the Arts. TLCA is located at 304 Highway 105 in Palmer Lake, CO. Info: 481-0475 or visit www.trilakesarts.com.
- **Western Museum of Mining and Industry Mining Camp Game Day**, Fri., Jan. 2, 1 p.m. Enjoy fun family games like "Ride the Rim Relay" and "Pack your Burro" while learning about life and leisure in Colorado's historic mining camps. Special admission prices of \$3 per person. 1025 E. Northgate Rd. Take I-25 to the Gleneagle Exit (156A); the museum entrance is immediately east of the interstate, just opposite the north entrance to the U. S. Air Force Academy. Info: 488-0880 or visit www.wmmi.org.
- **Western Museum of Mining and Industry: Electrify the New Year**, Sat., Jan. 3, 1 p.m. Explore the marvels of electricity through games, presentations, and the actual operation of power plants. Learn about early inventors who experimented with electricity. Cost: \$7 Adults, \$5 Students & Seniors, \$3 Children 3-12, members free. 1025 E. Northgate Rd. Take I-25 to the Gleneagle Exit (156A); the museum entrance is immediately east of the interstate, just opposite the north entrance to the U. S. Air Force Academy. Info: 488-0880 or visit www.wmmi.org.


To have your Tri-Lakes area event listed in Our Community Calendar, please contact Judy Barnes at (719) 481-4164, FAX (719) 488-3455, P.O. Box 1742, Monument, Colorado 80132-1742, or our_community_calendar@hotmail.com.



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