

**TOWN OF LYONS BOARD OF TRUSTEES MEETING
LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO**

[**Join Zoom Meeting**](#)

<https://us02web.zoom.us/j/88164473970?pwd=QldTcE9XQ29LN3BpcjZnZ24rYVlodz09>

Meeting ID: 881 6447 3970

Passcode: 212894

Dial by your location

+1 689 278 1000 US

Meeting ID: 881 6447 3970

DRAFT AGENDA

Monday, March 6, 2023

*Workshop
5:45 pm – 6:30 pm
LEAF Update
6:30 pm – 6:50 pm
Tierra Resources*

**7:00 BOARD OF TRUSTEES REGULAR MEETING
HYBRID MEETING**

- I. Roll Call and Pledge of Allegiance – **Present:** Mayor Rogin, MPT Farrell, Trustee Elson, Trustee Daty, Trustee Oetting, Trustee Delman, Trustee Williams
- II. Land Acknowledgement
- III. Approve Agenda – **Motion:** move to approve **Moved by:** Trustee Daty **Seconded by:** Trustee Delman **Motion passes unanimously.**
- IV. A Reflective Moment of Silence
- V. Audience Business -
- VI. Boulder County Sheriff's Office Report – Sgt Sears reported that the etching kits for catalytic converters are in; increase in calls; more traffic patrols in town. Nothing out of the ordinary, field-oriented calls. Weapons call on McConnell/Bohn Ct last Thursday; first deputy onsite in less than a minute; safety is number one priority. Debriefed with principal today; he was onsite that day; had school in secure status, not lock down. They did bring in the teams that were practicing on school grounds; were not aware of the soccer team on adjoining field. I would ask of the residents, if you hear sirens and see police activity, stay inside, we can never get ahead of social media; try to get information out sooner, but is difficult when in progress/active investigation. Information will get out as soon as possible. Mayor Rogin thanked them for their quick response. MPT Farrell heard from different parents, the girls on the ballfields, I would envision that the school would know, or deputies would patrol; once it was clear and the kids inside the school could go home, there were still officers with their long guns, was that necessary? Communications from sheriff's department went out about 9pm. I didn't see that until emailed from town administrator next morning; how does the public access that information. The school should have had that report and shared that. Communication

between school/sheriff and then the town. Get protocols out to community. Sgt Sears there is the Everbridge alert system that residents can sign up for. There was only one call; important to get the facts and then those go out. Send out an all-clear message in the future. Worked with Richard Peoples, security for SVVSD and get communications out sooner.

VII. Ordinances and Public Hearings

1. Public Hearing – 2nd Reading – Ordinance 1141 – an Ordinance of the Town of Lyons, Colorado Amending Chapter 13 Article 3 Section 90 of the Lyons Municipal Code Concerning Fees for the Connection of Fire Sprinkler or Fire Suppression Systems – Director Caplan provided update; clarify for the future that a sprinkler system would not be a tap use and not be charged. MPT Farrell – 8th whereas mentions electric rate structure, is that an error? Attorney Dittman to make errata correction. Public Hearing opened at 7:29 No speaker Closed at 7:29 **Motion:** move to approve **Moved by:** Trustee Daty **Seconded by:** Trustee Delman **Motion passes unanimously.**
2. 1st Reading – Ordinance 1142 – an Ordinance of the Town of Lyons, Colorado Approving an Increase in the Marijuana Sales Tax to 5% - Director Eyestone provided background; at the request of the BOT, increase approved by voters up to 10%. Comparisons provided and reached out to local businesses, one responded not in favor of increase. **Motion:** move to approve **Moved by:** Trustee Daty **Seconded by:** Trustee Williams **Motion passes unanimously**

VIII. Consent Agenda

1. February 21, 2023, BOT Meeting Minutes
2. March Accounts Payable

Motion: move to approve **Moved by:** Trustee Daty **Seconded by:** Trustee Delman **Motion passes unanimously**

IX. Items Removed from Consent Agenda

X. Boards & Commissions

XI. General Business

1. Discussion/Direction to Staff on Lyons promoting a Boulder County Solar Co-Op – Director Caplan gave background, BOCO reached out to gauge interest. No concerns from utilities perspective; no harm in trying. Discussion on moving forward, how much do we want to promote it? We don't have to do anything; Trustee Elson, Co-Op for installation, they need 30 people from Boulder County, not a certain number from Lyons. Discussion on how they would educate community, how much of an effort from TOL; big kick-off planned, no individual events. If you sign up you're not locked into anything. Board consensus is to promote BOCO Co-Op.
2. Discussion/Direction to Staff Regarding Naming of Alleys – Planner Kimmett reported, come to light that most alleys not named, not uncommon. Desire to name the alleys for emergency services provisions and from planning/permitting lens, we have many ADU's already built in alleys with the potential for more. I offered some names, felt it would be good to name after local geology or represented things from Lyons. Don't really like the idea of naming them after people, but happy to entertain any ideas. Discussion on process of choosing names; SAC provided some feedback; options to include elementary school kids; not be words that have different meanings in different parts of the nation. Mayor Rogin – once named and assigned how to get that information out. Consider impacts of changing addresses, like a credit report. Minimal cost, take it in steps. Get HHS involved for those that find this too overwhelming.
3. Follow-up from BOT Goal Setting Retreat – Mayor Rogin thanked the board for participating. Working on drafting legislative policies; Trustee Daty very important for any board to reevaluate and look at priorities.

XII. Trustee Reports

1. Trustee Elson – EAB meets this Thursday, and SFC meets next Tuesday.
2. Trustee Daty – EVC and HHS meeting next week; HHS pretty busy with Summit, two sessions this Wednesday to assist; good to work with Highland Property Management to understand what the process looks like. Attended DOLA webinar and discussed Prop 123. EVC meets next week; Lucky Lyons race this Sat morning.
3. Trustee Oetting – Missed last UEB; Aaron will provide updates at next meeting. SAC met last night discussed alley names; have 3-4 meetings till they graduate, discussed recruitment. Chair will be Destin Soma next year. Next generation of kids will be very accepting of different forms of housing. Will pass ideas for Bronco money to parks department.
4. MPT Farrell – Casey McPherson from DOLA presented at last PCDC meeting; Mitch Hendrick w/DOLA presented on STR's.
5. Trustee Delman – PRC has not met since last meeting.
6. Trustee Williams – \$25K grant awarded to HPC for historical context survey.
7. Mayor Rogin – went to see Kamala Harris today; discussed infrastructure bill, enough money to replace every lead pipe in the next 10 years. Attended FEMA presentation given by Administrator Simonsen. Dinner with Janice Marchman after local town hall; Promising bill that would give right of first refusal to purchase properties for affordable housing. Tea with trustees. Volunteer myself for March 26th time TBD at a local public place to talk to folks. Trustee Williams to join but needs to leave at 3:45pm

XIII. Staff Reports

1. Administrator's Report – Administrator Simonsen reported FEMA sent 20 staff to tour the projects left for close out; excellent visit, exceeded their expectations. Their main contact is retiring at the end of the month; discussion on claw backs; there will be some items that will be ineligible; claw backs can come from OIG after FEMA closes so unknown. Only one bid for US 36 project; going to readjust. Reached out to those that came to pre-bid but did not apply, one had other projects in Estes, one requested one lane of traffic those summer months, which I think we can do, and one had heartburn with the Memorial Day deadline. Mr. Kimmett made inroads with google maps; if he sends certain types of files and has correct contacts can request changes. BOCO collaborative signed 3 more close out docs with them. Blood drive extremely successful; next one is May 2nd in the afternoon at the library. MPT Farrell curious about spill on Apple Valley, how can that money be spent? Administrator Simonsen, they stated they would be contacting us to brainstorm ways to use that money and how it would be allocated, I have not received that call/email. During April limb drop off looking at having bear proof bins available; BOCO has very specific metrics on how those are distributed.
2. Legal Update -

XIV. Summary of Action Items

1. Ordinance 1142 moved to 2nd Reading.
2. Promote BOCO Co-Op
3. Research implications on changing addresses and draft process to BOT.
4. Tea with Trustees on 3/26 with Mayor Rogin and Trustee Williams Time TBD
5. Potential tour of Summit houses when available
6. Find out how many bear proof bins available.
7. Forward Tierra resources power point to BOT
8. Work with Sheriff on protocol
9. Who were McCall and Bloomfield
10. EPA funds follow up

11. Meeting with Principal Chris Frank from high school on protocol

Motion: Enter into Ex Session **Moved by:** MPT Farrell **Seconded by:** Trustee Elson **Regular Meeting ended at 8:38 pm**

Entered into ex session at 8:45 pm. Ex session concluded at 9:27 pm
Regular Meeting Opened at 9:27 pm Direction to staff is to form sub-committee (Mayor Rogin/Trustee Williams) to meet with LEAF Board with draft lease. **Moved by:** Mayor Rogin **Seconded by:** Trustee Daty **Motion Passes unanimously.**
MPT / Willimas

XV. Executive Session – An executive session pursuant to C.R.S. Sections 24-6-402(4)((a)) and 24-6-402(4)(e) for the purposes of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators with regard to the potential lease Agreement with Lyons Emergency Assistance Fund (LEAF) for Use of Town of Lyons Property located at 432 5th Avenue

AND

Executive Session - Executive Session - An executive session pursuant to C.R.S. § 24-6-402(4)(f) for the purpose of discussion of personnel issues for Town Administrator Simonsen's performance evaluation and proposed salary. The employee was previously informed of the meeting and does not wish to have the discussion in an open session.

XVI. Adjournment – **Motion:** move to adjourn **Moved by:** MPT Farrell **Seconded by:** Trustee Williams **Meeting adjourned at 9:34pm**

Respectfully submitted by:

Dolores M. Vasquez, CMC – Town Clerk

Mayor Hollie Rogin