



Town Council
Tuesday, June 9, 2020
ON-LINE MEETING

*This agenda and the meetings can be viewed at www.Townofeagle.org.
Times listed are approximate and are subject to change.*

MEETING ACCESS

1. Register in advance for this meeting:

[REGISTER FOR THE MEETING HERE](#)

After registering, you will receive a confirmation email containing information about joining the meeting.

Please note: All participants are automatically muted. In order to be called upon and unmuted you will need to use the "raise hand"

All votes will be by roll call. When it's your turn to speak, the moderator will unmute your line and you will have two (2) minutes for public comment.

For technical difficulties please email bill.shrum@townofeagle.org and we will do our best to assist you.

CALL TO ORDER - 6:00 PM

ROLL CALL - 6:05 PM

ADOPTION OF AGENDA - 6:05 PM *Opportunity for amendment or deletions to the agenda.*

PUBLIC COMMENT - 6:05 PM *Citizens are invited to comment on any item not on the Agenda subject to a public hearing. Please limit your comments to three (3) minutes per person per topic unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to sign in.*

PRESENTATIONS - 6:10 PM

1. Knapp Ranch, Tom Cartwright

CONSENT AGENDA - 6:20 PM *Consent agenda items are routine Town business, items which have received clear direction previously from the council, final land use file documents after the public hearing has been closed, or which do not require council deliberation. (5 Minutes)*

1. Minutes - May 26, 2020
2. Bill Pay - May 2020

STAFF REPORTS - 6:25 PM *The Town Manager and department staff prepare and provide internal updates to the council.*

1. Town Manager Update
2. Department Update
3. Lower Basin Water Treatment Plant Project Report

BUSINESS ITEMS - 6:30 PM *Items and / or Public Hearings are listed under Business may be old or new and may require review or action by the council.*

1. Ordinance 13, Series 2020, "Amending Section 4.04.070 of the Eagle Municipal Code to allow Residential Dwelling Units Above Street Level as a Special Use in the Commercial General Zone District"
2. Mobile Vendor Policy Proposal
3. Open Space Advisory Committee
4. Short Term Rental Registration Application, Self-Compliance Affidavit and Good Neighbor Guidelines
5. 2020 COVID-19 Budget Work Session Follow Up

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 7:15 PM

1. November Election Items
2. Council Committte Updates
3. In Person Council Meetings

EXECUTIVE SESSION - 7:25 PM

1. To hold a conference with the Town's attorney to receive legal advice on specific legal questions and to develop a negotiation strategy and instruct negotiators, as it relates to the IGA with Mountain Recreation and the Eagle County School District and request to adjourn the regular meeting at the conclusion, pursuant to C.R.S. § 24-6-402(4)(b) and (e).

ADJOURN - 7:50 PM

I hereby certify that the above Notice of Meeting was posted by me in the designated location at least 24 hours prior to said meeting.



Jenny Rakow, CMC
Town Clerk

PUBLIC WIFI - TOEG – townofeagle2019



MEETING MINUTES
Town Council
Tuesday, May 26, 2020
ON-LINE MEETING

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MEETING ACCESS

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CALL TO ORDER - 6:00 PM

Mayor Turnipseed called the meeting to order at 6:00 p.m.

ROLL CALL - 6:05 PM

COUNCIL MEMBERS PRESENT

Matt Solomon, Andy Jessen, Mikel Kerst, Scott
Turnipseed, Ellen Bodenhemier, Adam Palmer, David
Gaboury

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Brandy Reitter, Town Manager
Matt Mire, Town Attorney
Bill Shrum, Assistant to the Town Manager
Jenny Rakow, Town Clerk
Jill Kane, Finance Director/Treasurer
Chad Phillips, Comm Dev Director/Town Planner
Bryon McGinnis, Public Works Director
Joey Staufer, Police Chief
Lynette Horan, Human Resources Manager
Brian Hall, Special Events Manager

ADOPTION OF AGENDA

Mayor Turnipseed requested to amend the agenda to include a MEAC discussion at the end.

MOTION: Council Member Matt Solomon motioned to Amend the Agenda to include a MEAC discussion. The motion was seconded and passed with a vote of 7 in favor (Solomon, Palmer, Gaboury, Bodenhemier, Kerst, Turnipseed and Jessen) and 0 opposed.

PUBLIC COMMENT

Mayor Turnipseed opened Public Comment for items not on tonight's agenda, there was no public comment.

CONSENT AGENDA

Council Comments: request to change Motion approving Resolution 26 appointing David Gaboury.

MOTION: Council Member Matt Solomon motioned to Approve the Consent Agenda amending motion approving Resolution 26. The motion was seconded and passed with a vote of 6 in favor (Solomon, Palmer, Gaboury* Bodenhemier, Kerst, Turnipseed and Jessen), 0 opposed and 1 abstain (*Gaboury abstained from appointment Resolutions involving

himself).

1. Minutes - May 12, 2020 and May 18, 2020
2. Town Council Appointments
 - a. Resolution 30, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing David Gaboury to the Vail Valley Partnership's Economic Development Advisory Council"
 - b. Resolution 31, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Matt Solomon as Representative to the Northwest Colorado Council of Governments"
 - c. Resolution 29, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing David Gaboury to the Economic Vitality Committee"
3. Resolution 33, Series 2020, "A Resolution of the Town of Eagle, Colorado Extending the Declared Local Disaster Emergency"

STAFF REPORTS

1. Town Manager Update

Brandy Reitter requested approval to follow Eagle County's Stage 2 fire restrictions to inform the Sheriff. Council approved.

Council Comments: request for Board retreat dates. Brandy stated end of June using 25—27 as hold dates.

BUSINESS ITEMS

1. Ordinance 06, Series 2020, "An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending Title 5 of the Eagle Municipal Code by the Addition of a New Chapter 5.17, Regarding Short-Term Rentals"

Matt Mire introduced this item.

Council Comments: Inquiry on language related to regulating and controlling use regarding a registration process. Matt Mire stated the language referencing a regulatory process to require registration is standard language. Inquiry regarding definition for Bed and Breakfast. Attorney Mire indicated that definition is already in our code. Discussion on inspections and when allowed. Attorney Mire indicated the Town would only have the right to enter with probable cause. With regarding health safety, a municipal warrant would be required. The owners will sign a sworn affidavit regarding compliance items. Reference to the affidavit within the Ordinance is not necessary as that is an administrative process. Timing of implementation will be updated by Town Manager with a draft affidavit and application at an upcoming meeting.

Mayor Turnipseed opened public comment. There was no public comment.

MOTION: Council Member Matt Solomon motioned to Approve Ordinance 06, Series 2020, "An Ordinance of the

Town Council of the Town of Eagle, Colorado, Amending Title 5 of the Eagle Municipal Code by the Addition of a New Chapter 5.17, Regarding Short-Term Rentals". The motion was seconded and passed with a vote of 6 in favor (Solomon, Palmer, Gaboury, Bodenhemier, Kerst, and Turnipseed), 0 opposed and 1 abstain (Jessen).

2. Ordinance 17, Series 2020, "An Emergency Ordinance Authorizing the Town Clerk to Approve Temporary Modifications of Liquor-Licensed Premises"

Mayor Turnipseed opened this item. There were no council comments.

Mayor Turnipseed opened public comment. There was no public comment

MOTION: Council Member Andy Jessen motioned to Approve Ordinance 17, Series 2020, "An Emergency Ordinance Authorizing the Town Clerk to Approve Temporary Modifications of Liquor-Licensed Premises". The motion was seconded and passed with a vote of 7 in favor (Solomon, Palmer, Gaboury, Bodenhemier, Kerst, Turnipseed and Jessen) and 0 opposed.

3. Resolution 32, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Adam Palmer as an Alternate to the Eagle County Climate Action Committee"

Council Member Adam Palmer volunteered for this appointment.

MOTION: Council Member Andy Jessen motioned to Approve Resolution 32, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Adam Palmer as an Alternate to the Eagle County Climate Action Committee". The motion was seconded and passed with a vote of 7 (Solomon, Palmer, Gaboury, Bodenhemier, Kerst, Turnipseed and Jessen) in favor and 0 opposed.

4. Noon Ball Discussion

Mayor Turnipseed stated this discussion may lead to an executive session regarding the contract with Mountain Recreation and the Eagle County School District with the intent to discuss a negotiation strategy.

Mayor Turnipseed opened public comment.

Philip Qualman, Superintendent of Eagle County School District and resident of Eagle. Provided his support of noon ball and desire to move to a new location to maintain secure schools. Willing to work with third party to reach reasonable value in moving the program.

Janet Bartnik stated the Mountain Recreation board has met and agreed to move the program to the Gypsum Recreation Center to ensure student safety. Willing to offer program free of charge for three months. The Pool & Ice expansion could include a double gym expansion within 30-36 months.

Philip Qualman at the time this IGA was written, school security was vastly different from what it is today.

Sandra Mutchler provided that current access to the program takes place by checking in with front desk and submitting a driver license for sexual offender check. Prior to the remodel there was a back entrance, but that is not good practice to have within the school. Currently there is a lockable door to the showers that is not locked. During the remodel the design was changed, and the separate access was eliminated.

Council Comments: School District did not notify the town regarding change of access plans and its effect on this IGA. Inquiry on making the gym available during all non-student contact days. Currently the gym is available to users when students are not in session. Intent from Mountain Recreation moving to Gypsum Recreation Center is to provide consistent times and access.

Kyle Hoiland 0135 Tanager Circle. Provided his support for Noon Ball and finding a solution to stay at Eagle Valley Middle School and secure the gym.

Juan Baca provided his support for Noon Ball and staying in its current location and not moving to Gypsum.

Derrick Weimer provided his support for the program to continue in its current location as the Mountain Recreation employee who supervises the program.

Donnie Robinson, 135 Mill Road provided his support of the Noon Ball program in its current location.

Chris Fedrizzi provided his support of the program at its current location. Felt that the IGA was not taken into consideration in the design of the building.

Thomas Pohl, Mountain Recreation Board Member emphasized that there is no desire to eliminate the program only accommodation on finding a new location as current location is no longer appropriate.

Liz Jones, Mountain Recreation Board Member stated the Board unanimously wanted to move this program and believes it solves all issues in moving to Gypsum.

Derrick “Fat Freddie” and his wife provided their support for the Noon Ball program in its current location and believed the players and participants are conscious of protecting students.

Chris Fedrizzi followed up that changing location would impact participants that live in Edwards. Felt Noon Ball players should have been involved in the meetings where discussions and decision to relocate were made.

Sandra Mutchler provided that a Safe to Tell incident was reported to the school regarding the showers.

Council Comments: would like to see this program remain in our community.

Mayor Turnipseed requested an Executive Session be scheduled for the next meeting to discuss.

5. 2020 COVID-19 Budget Work Session Follow Up

Brandy Reitter stated we are scheduling another worksession in July to update the Council on impacts.

Council Comments: request to get information prior to the meeting for time to review. Request to have all yellow highlighted items broken out by line item amounts.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

Palmer: BLM and an outdoor group are moving towards management of Bellyache and camping to address safety and appropriately protecting the area from any wildfire hazard.

Jessen – request to reopen town hall public restrooms.

Solomon – requested to add committee updates to the agenda and for Town Manager to have a running tally of updates up on public comments from prior meetings.

MEAC Discussion

Council Comments: Request to review what is being funded and what is not. Jill Kane provided that amounts reflect those events that are currently canceled and not utilizing town funds. There are pending events that have not officially canceled or are anticipated to occur. Those funds are still within this budget number. If the Council decides to utilize the canceled event funds of \$38,500.00 which will increase the transfer from either capital improvements or fund balance. There are also \$13,200.00 in Community Requests anticipated. Request to keep funding available for events to increase confidence for event organizers. Requested staff to provide a new breakdown that includes MEAC and Community Request funding.

MOTION: Council Member Gaboury motioned to allow staff to distribute funds to events in the amounts already approved in the MEAC budget for events that can take place up to \$38,500.00. Motion was seconded and passed with a vote of 5 in favor (Palmer, Gaboury, Bodenhemier, Kerst, and Turnipseed), 1 opposed (Solomon), 1 abstain (Jessen).

Council Comments: This motion will not address all events and MEAC items not discussed.

MOTION: Matt Solomon motioned to approve the \$38,500.00 to work the \$250K remaining budget discussions for remaining events. There was not a second and Motion failed.

Discussion on community events and whether it is requested to allow staff to distribute. All Community Requests are included in Scenario A.

MOTION: Matt Solomon motioned to approve \$18,850.00 to be used for Community Requests for Community Events as listed in the spreadsheet. Motion was seconded and passed with a vote of 7 in favor (Solomon, Palmer, Gaboury, Bodenhemier, Kerst, Turnipseed and Jessen) and 0 opposed.

MOTION: Council Member David Gaboury motioned to fund all programs in the Community Requests spreadsheet totally \$13,200.00. The motion was seconded and Passed with a vote of 7 (Solomon, Palmer, Gaboury, Bodenhemier, Kerst, Turnipseed and Jessen) in favor and 0 opposed.

EXECUTIVE SESSION

- To hold a conference with the Town's attorney to receive legal advice on specific legal questions and to develop a negotiation strategy and instruct negotiators, as it relates to the Eagle River Park and request to adjourn the regular meeting at the conclusion, pursuant to C.R.S. § 24-6-402(4)(b) and (e).
1. **MOTION: Council Member Scott Turnipseed motioned to Adjourn To hold a conference with the Town's attorney to receive legal advice on specific legal questions and to develop a negotiation strategy and instruct negotiators, as it relates to the Eagle River Park and request to adjourn the regular meeting at the conclusion, pursuant to C.R.S. § 24-6-402(4)(b) and (e). The motion was seconded and Passed with a vote of 7 in favor (Solomon, Palmer, Gaboury, Bodenhemier, Kerst, Turnipseed and Jessen) and 0 opposed.**

ADJOURN - 8:45 PM

Approved:
Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

**BILL SCHEDULE
MAY 2020**

GENERAL FUND

Town Council

Signature Signs Inc	Office Supplies	\$	42.00
Total Town Council		\$	42.00

General Government

Eagle Valley Medical Center	Health Benefits	\$	25.00
Meritain Health	Health Insurance Claims Paid		1,138.67
Triad EAP	Employee Assistance Program		7.04
Boneyard	Election Expense		43.95
Earl, Debra K.	Election Expense		480.00
Fraser, Kara M.	Election Expense		480.00
Geiman, Julie	Election Expense		146.25
Henley, Mary L.	Election Expense		292.50
Janssen, Sarah Bowe	Election Expense		506.25
Kathleen A. Hall	Election Expense		60.00
Red Canyon Café	Election Expense		201.28
Schmidt, Katherine	Election Expense		165.00
Verizon Wireless, Bellevue	Utility Services		52.78
Total General Government		\$	3,598.72

General Administration

Eagle County Clerk & Recorder	Other Prepaid Expenses	\$	1,000.00
Talley, Cindy	Planning Deposit - General		577.00
Hartford, The	Disability Insurance		1,733.29
Meritain Health	Health & Life Ins. Payable		35,689.26
Bravo! Vail Valley Music Festival	Facility Usage Deposit Refund		1,125.00
Bright Future Foundation	Facility Usage Deposit Refund		375.00
Greater Eagle Fire Protection Dist.	Facility Usage Deposit Refund		750.00
Jans Ltd	Facility Usage Deposit Refund		750.00
Greater Eagle Fire Protection Dist.	Planning & Zoning Fees		50.00
Eagle Valley Medical Center	Health & Life Insurance		74.00
Meritain Health	Health & Life Insurance		3,040.46
Triad EAP	Employee Assistance Program		17.19
Anthem Branding	Office Supplies		1,118.00
Employer's Council Services, Inc.	Office Supplies		117.00
Anthem Branding	Communication & Transportation		44.39
USPS Postal Store	Communication & Transportation		1,317.35
International Inst. Of Mun. Clerks	Dues & Subscriptions		195.00
Mail Chimp	Dues & Subscriptions		74.99
Century Link	Utility Services		2,068.68
Chase Paymentech	C.C. Transaction Fees		1,330.38
Xpress Bill Pay	C.C. Transaction Fees		489.37

General Administration (Cont.)

Caselle, Inc.	Computer Support	2,190.00
US Bank Equipment Finance	Contract Payments	394.80
Total General Administration		\$ 54,521.16

Community Development

Eagle Valley Medical Center	Health Benefits	\$ 25.00
Interactive Health, Inc	Health Benefits	195.00
Meritain Health	Health Insurance Claims Paid	3,036.46
Triad EAP	Employee Assistance Program	23.50
Glenwood Springs Auto Parts Inc	Vehicle Repair & Maintenance Supplies	11.75
Fleet Services	Gas & Oil	37.52
USPS	Communication & Transportation	35.70
Century Link	Utility Services	358.44
Verizon Wireless, Bellevue	Utility Services	280.92
Info Cubic	Recruitment	243.10
Logan Simpson	Professional Services	5,524.64
McCool Development Solutions, LLC	Professional Services	6,716.00
Alperstein & Covell, P.C.	Planning Reimbursable	55.00
Certified Mail Envelopes	Planning Reimbursable	120.00
Garfield & Hecht, P.C.	Planning Reimbursable	2,058.00
Hoffman, Parker, Wilson & Carberry PC	Planning Reimbursable	2,075.00
Kumar & Associates Inc	Planning Reimbursable	868.70
Resource Engineering Inc	Planning Reimbursable	2,235.00
Hoffman, Parker, Wilson & Carberry PC	Legal	1,573.00
Town Of Gypsum	Contract Services	1,682.50
US Bank Equipment Finance	Contract Payments	394.80
Total Community Development		\$ 27,550.03

Municipal Court

Interactive Health, Inc	Health Benefits	\$ 9.75
Meritain Health	Health Insurance Claims Paid	113.87
Triad EAP	Employee Assistance Program	5.40
Carlson, Edwards & O'Connor P.C.	Legal	1,500.00
Total Municipal Court		\$ 1,629.02

Streets

Pinnacol Assurance	Worker's Compensation	\$ 57.61
Eagle Valley Medical Center	Health & Life Insurance	27.50
Meritain Health	Health Insurance Claims Paid	4,326.95
Triad EAP	Employee Assistance Program	26.79
Cintas Corporation	Office Supplies	20.08
Alpine Lumber Co.	Repair & Maintenance Supplies	43.49
Glenwood Springs Auto Parts Inc	Repair & Maintenance Supplies	240.96
Van Diest Supply Co	Repair & Maintenance Supplies	204.88
Wagner Equipment Co	Repair & Maintenance Supplies	75.76
Wylaco Supply Co	Repair & Maintenance Supplies	(84.36)

Streets (Cont.)

Glenwood Springs Auto Parts Inc	Vehicle Repair & Maintenance Supplies	535.13
MacDonald Equipment	Vehicle Repair & Maintenance Supplies	1,086.52
Fleet Services	Gas & Oil	883.18
Wylaco Supply Co	Equipment - Supplies	264.43
MacDonald Equipment	Communication & Transportation	194.93
Van Diest Supply Co	Communication & Transportation	30.00
Century Link	Utility Services	1,616.88
Holy Cross Energy	Utility Services	53.49
Verizon Wireless, Bellevue	Utility Services	90.42
Info Cubic	Recruitment	49.70
Safety-Kleen Systems, Inc.	Repair & Maintenance Services	154.06
Wagner Equipment Co	Winter Snow Equipment Rental	15,000.00
Eagle Valley Medical Center	CDL Testing	167.00
Cirsa	Insurance	259.55
Total Streets		\$ 25,324.95

Public Safety

Eagle Valley Medical Center	Health & Life Insurance	\$ 50.00
Interactive Health, Inc	Health & Life Insurance	185.25
Meritain Health	Health Insurance Claims Paid	10,021.31
Triad EAP	Employee Assistance Program	62.04
Amazon	Office Supplies	48.45
Sandy's Office Supply	Office Supplies	13.39
Sandy's Office Supply	Office Supplies	87.48
Sandy's Office Supply	Office Supplies	25.88
Amazon	Operating Supplies	143.99
Med Ex Supply	Operating Supplies	(204.36)
Sandy's Office Supply	Operating Supplies	20.29
Zoro.com	Operating Supplies	58.21
Kinsco	Uniforms	399.95
Glenwood Springs Auto Parts Inc	Vehicle Repair & Maintenance Supplies	39.10
Fleet Services	Gas & Oil	1,169.44
Glenwood Springs Auto Parts Inc	Gas & Oil	95.22
AT&T Mobility	Utility Services	586.30
Century Link	Utility Services	1,303.18
Doctors On Call	Recruitment	100.00
Technovia Consulting	Computer Support	2,315.25
Int'l Assoc for Property & Evidence	Training & Travel - Grants	395.00
Eagle County Animal Control	Animal Control	10,540.00
Xerox Financial Services LLC	Contract Payments	190.53
Total Public Safety		\$ 27,645.90

Buildings and Grounds

Pinnacol Assurance	Worker's Compensation	\$ 57.61
Eagle Valley Medical Center	Health & Life Insurance	37.50

Buildings and Grounds (Cont.)

Meritain Health	Health Insurance Claims Paid	2,846.68
Triad EAP	Employee Assistance Program	17.62
Cintas Corporation	Office Supplies	20.09
King Soopers Customer Charges	Operating Supplies	83.76
Alpine Lumber Co.	Repair & Maintenance Supplies	405.08
Costco	Repair & Maintenance Supplies	9.99
G & S Tool Clinic, LLC	Repair & Maintenance Supplies	59.98
Glenwood Springs Auto Parts Inc	Repair & Maintenance Supplies	273.75
Gypsum Eagle Ace Hardware	Repair & Maintenance Supplies	5.97
Mid-American Research Chemical	Repair & Maintenance Supplies	1,872.00
Glenwood Springs Auto Parts Inc	Vehicle Repair & Maintenance Supplies	162.74
Fleet Services	Gas & Oil	222.03
Glenwood Springs Auto Parts Inc	Gas & Oil	39.70
Glenwood Springs Auto Parts Inc	Communication & Transportation	15.99
Mid-American Research Chemical	Communication & Transportation	292.03
Black Hills Energy	Utility Services	1,308.53
Century Link	Utility Services	1,734.86
Holy Cross Energy	Utility Services	767.01
Verizon Wireless, Bellevue	Utility Services	108.97
Sno-White Linen Rental	Repair & Maintenance Services	108.03
Cirsa	Insurance	300.00
Total Buildings and Grounds		\$ 10,749.92

Information Center

Triad EAP	Employee Assistance Program	\$ 14.10
Century Link	Utility Services	403.82
Total Information Center		\$ 417.92

Marketing and Events

Meritain Health	Health Insurance Claims Paid	\$ 759.11
Triad EAP	Employee Assistance Program	5.17
Adobe Acropro Subscriptions	Dues & Subscriptions	24.99
Google	Dues & Subscriptions	1.99
Verizon Wireless, Bellevue	Utilities	52.61
Total Marketing and Events		\$ 843.87

Engineering

Pinnacol Assurance	Worker's Compensation	\$ 224.27
Eagle Valley Medical Center	Health Benefits	5.00
Meritain Health	Health Insurance Claims Paid	1,163.98
Triad EAP	Employee Assistance Program	7.19
Cintas Corporation	Office Supplies	20.09
Fleet Services	Gas & Oil	46.92
Forward Tech Solutions, LLC	Equipment (Non-Capital)	4,175.98
Verizon Wireless, Bellevue	Utility Services	17.41
Info Cubic	Recruitment	85.30

Engineering (Cont.)

Advanced Engineering & Environmental Svc	Consultant	7,500.00
Total Engineering		\$ 13,246.14

TOTAL GENERAL FUND **\$ 165,569.63**

CAPITAL IMPROVEMENTS FUND

Anderson, Gregory	Use Tax Refund	\$ 4,208.97
PCS Mobile	Patrol Vehicles	8,363.96
Total CAPITAL IMPROVEMENTS FUND		\$ 12,572.93

WASTE WATER FUND

Pinnacol Assurance	Worker's Compensation	\$ 224.27
Eagle Valley Medical Center	Health & Life Insurance	49.00
Meritain Health	Health Insurance Claims Paid	3,335.04
Triad EAP	Employee Assistance Program	20.65
Glenwood Springs Auto Parts Inc	Repair & Maintenance Supplies	250.15
Grand Junction Pipe & Supply	Repair & Maintenance Supplies	108.72
Water Technology Group	Repair & Maintenance Supplies	3,622.00
Fleet Services	Gas & Oil	100.82
Glenwood Springs Auto Parts Inc	Gas & Oil	299.99
Federal Express Corp.	Communication & Transportation	119.90
Glenwood Springs Auto Parts Inc	Communication & Transportation	33.85
Nextrust Inc	Communication & Transportation	329.05
Water Technology Group	Communication & Transportation	374.48
Black Hills Energy	Utility Services	3,525.61
Century Link	Utility Services	993.44
Verizon Wireless, Bellevue	Utility Services	118.84
Schmueser, Gordon, Meyer Inc.	Engineering	2,878.25
Veris Environmental LLC	Sludge Disposal	3,292.85
Colo Dept Of Public Health & Environment	Testing & Permits	276.94
Eagle River Water & Sanitation District	Testing & Permits	1,890.00
SGS North America Inc	Testing & Permits	1,012.34
Total WASTE WATER FUND		\$ 22,856.19

WATER FUND

Pinnacol Assurance	Worker's Compensation	\$ 224.27
Eagle Valley Medical Center	Health & Life Insurance	56.25
Interactive Health, Inc	Health & Life Insurance	195.00
Meritain Health	Health Insurance Claims Paid	4,617.95
Triad EAP	Employee Assistance Program	28.64
Cintas Corporation	Office Supplies	20.09
DPC Industries, Inc.	Operating Supplies	2,433.00
King Soopers Customer Charges	Operating Supplies	7.28
Browns Hill Engineering	Repair & Maintenance Supplies	1,145.00
Glenwood Springs Auto Parts Inc	Repair & Maintenance Supplies	35.74
Wylaco Supply Co	Repair & Maintenance Supplies	95.56

WATER FUND (Cont.)

Glenwood Springs Auto Parts Inc	Vehicle Repair & Maintenance Supplies	139.28
Fleet Services	Gas & Oil	162.76
Glenwood Springs Auto Parts Inc	Gas & Oil	21.95
Browns Hill Engineering	Communication & Transportation	8.95
DPC Industries, Inc.	Communication & Transportation	103.50
Federal Express Corp.	Communication & Transportation	54.40
Nextrust Inc	Communication & Transportation	329.05
AmeriGas	Utility Services	3,291.59
Century Link	Utility Services	3,898.35
Holy Cross Energy	Utility Services	1,527.81
Verizon Wireless, Bellevue	Utility Services	197.54
Info Cubic	Recruitment	129.70
Eagle River Water & Sanitation District	Testing & Permits	175.00
US Bank Equipment Finance	Contract Payments	394.81
Mott MacDonald	Tank Replacement	10,945.00
No Hose Irrigation	Violet Lane Water Line	3,651.00
Ground Engineering Consultants	Lower Basin Water Treatment	2,428.00
MWH Constructors Inc.	Lower Basin Water Treatment	789,005.00
Schmueser, Gordon, Meyer Inc.	Lower Basin Water Treatment	44,516.05
Wells Fargo - Comm'l Operations	Debt Service Interest	18,724.42
Total WATER FUND		\$ 888,562.94

REFUSE FUND

Nextrust Inc	Communication & Transportation	\$ 329.05
Vail Honeywagon	Repair & Maintenance Service	103.00
Vail Honeywagon	Contract Services	97,696.77
Total REFUSE FUND		\$ 98,128.82

SALES TAX CAPITAL IMPROVEMENTS FUND

JEV Construction Inc.	Retainage Payable	\$ 26,371.63
UMB Bank	Debt Service Interest	111,868.75
Total SALES TAX CAPITAL IMPROVEMENTS FUND		\$ 138,240.38

OPEN SPACE FUND

Eagle Valley Medical Center	Health Benefits	\$ 0.75
Meritain Health	Health Insurance Claims Paid	22.77
Triad EAP	Employee Assistance Program	4.37
Signature Signs Inc	Repair & Maintenance Supplies	69.00
Vail Honeywagon	Repair & Maintenance Services	124.63
Mountain Pest Control, Inc.	Weed & Pest Control	490.00
Total OPEN SPACE FUND		\$ 711.52

TOTAL	\$ 1,326,642.41
PAYROLL	\$ 425,495.64
GRAND TOTAL	\$ 1,752,138.05



To: Mayor and Town Council

From: Brandy Reitter, Town Manager

Date: June 9, 2020

Re: Town Manager Report

Administration & Organization

Staff continues to work on follow up from the Town Council meetings. Included is a list of items that that staff is tracking in June:

- Mobile vendor policy follow-up – June 23
- Town Council retreat – June 25 -26
- CenturyLink Franchise Agreement amendment – June 23
- Broadband financing proposals – June 23
- Highway 6/Grand Ave. RFP review – June 23

Council Follow Up Status and Running List

- Bring STR application back to council when staff is ready to implement - **Complete**
- Philip to get back to Council on an answer to questions asked - **Complete**
- Executive session on Noon Ball at next meeting - **Complete**
- Send budget memo earlier than the work session - send a doodle poll before July 10 – **In progress**
- Communicate when the TH restrooms are opened - **Complete**
- Add council committee updates on agenda - **Complete**
- Include status of public comment response – **Complete**
- 5/12 - Robert Tadlock public comment response – **Complete**
- 5/12 - Ernest Saeger public comment response – **Complete**
- 5/12 - Yuri Kostic public comment response – **Complete**
- 5/12- Scott Schlosser public comment response - **Complete**

COVID-19 Regional Updates – The pandemic continues to take up a lot of time for the entire organization. Below are a few updates on the impacts to the organization:

- The operations at town facilities will remain the same through July 1. This includes being staffed at 50% on-site and encouraging working from home.

- Limited public access at Town Hall is still a priority which will help the administration manage the potential impacts of COVID-19 on staff and the operations.
- Local governments are working with Eagle County on the \$275M in Coronavirus Relief Funds that are being distributed. This requires an IGA with the County and the identification of COVID-19 related expenses to be reimbursed.

Staff is working on a few requests for proposal. The wastewater tap and fee study was published a week ago and the team is developing the CIP and facilities master plan RFP. Staff will begin working on the community survey RFP in July.

Staff kicked off the 2021 budget development process on May 28. The schedule was shortened this year due to the amount of time the Town has spent responding to COVID-19. Staff will send a doodle poll for budget works sessions in September next week.

Economic Development & Planning

Elevate Eagle

- Staff is planning to engage Logan Simpson this month to finish the Comprehensive Plan and land-use code rewrite project.
- Staff will provide regular updates to the Council on the progress of the project.

River Park

There are a few outstanding issues that the Executive Committee (EC) is working on. Those items are below:

- Mary Elizabeth the water attorney is working with Eagle County on the negotiation of the terms provided in the recent Use Agreement. If any changes deviate from the Council's direction, staff will schedule another executive session.
- The Town has not heard from the USACE yet. Staff will send follow up communication over the next week to see when the Town might receive a response.

Broadband

THOR:

- The project team is still meeting with banks. Unfortunately, Alpine Bank, ANB, and Key Bank have declined to bid on the broadband project. Due to COVID-19, credit markets have pulled back and have reservations about lending.
- The team did meet with the Bank of Colorado and they are interested. Staff is in the process of meeting with other banks.
- Staff hopes to bring a financing proposal to the Town Council on June 23 for consideration. If not, the plan is to present by July 14.
- Town staff was awarded a DOLA broadband grant for \$200,000 that will fund the completion of phase one of the meet-me-center and extend fiber to public works.

Outreach & Meetings – *Updates on participation in community outreach opportunities, regional/community meetings, and project-specific meetings.*

- June 10 – Quarterly project meeting with the Eagle Ranch HOA
- June 10 – Comcast is holding a town hall at 3 PM.
- June 25 – 26 – Council retreat

Sincerely,

A handwritten signature in cursive script that reads "Brandy Reitter".

Brandy Reitter Town Manager



To: Mayor and Town Council

From: Brandy Reitter, Town Manager and Department Leads

Date: June 9, 2020

Re: Department Updates for May 2020

ASSISTANT TO THE TOWN MANAGER

Economic Vitality and Development Work

- I am researching opportunities to use Urban Renewal Authorities in Eagle to assist with infrastructure payment, road maintenance and surfacing, and other capital impacts of development.
- Sherwin Williams is moving to Eagle and taking a 4,500 sq. ft. facility on East Chambers Ave.
- I am working with Community Development to prepare and facilitate a sub-area plan for the RED Development parcel.
- The Economic Vitality Committee has elected Kevin Brubeck Chair, Kat Conner Vice-Chair, and Maren Cerimele Secretary. The meetings will be on the third Monday of the month from 1-2:30pm.

Highway 6/ Grand Ave. Corridor Study

- A draft of the Highway 6/ Grand Avenue Study is being prepared with help from Public Works and Community Development. The draft is expected to be complete by the end of the month.

Wastewater Rate and Tap Fee Study

- The RFP is live and will close June 29th. The expected timetable for the study is to have a Council work session in September and have the report complete at the end of October.

Downtown Broadway

- Red Canyon Café and Katch of the Day have applied for permits in the “Be Our Guest” event.
- Bylaws for the Downtown Business Alliance are drafted.
- The Downtown Business Alliance is planning a presentation to the Council on June 23rd to discuss a Downtown Development Authority.

Project THOR / Broadband

- We have reengaged Uptown Services for broadband assistance and planning.
- The Town of Eagle is hosting a meeting at 3pm on June 17th to bring all ISP’s interested in development in Eagle together with Town Staff and Holy Cross Energy. We will discuss joint-trenching and policies to lessen the construction impact to the Town while saving money on installation of fiber and cable.

- Uptown Services is assisting the Town to develop a rate card for ISP transport and direct internet access costs using Project THOR.
- I am working with Public Works to develop a joint-trenching ordinance for the Town to codify agreements existing in current franchise agreements.
- Comcast is planning a meeting June 10th to talk to Town of Eagle resident-facing staff to explain buildout plans and referral options for residents with questions.

Census

- June 14-20th is 'Census Week' in Colorado with additional promotion and messaging taking place County-wide.

Eagle Branding & Marketing Grant

- Throughout June, we will be engaging residents in Eagle to tell their "Eagle Story" online. Collecting stories of the most important community features will assist the marketing team to develop branding to match the community.
- Creative assets like videos and photos will be shot in July and August.

PUBLIC WORKS

LBWTP Construction

PROJECT UPDATE SUMMARY

- Veneer install around WTP
- Damp proofing on structural CMU
- Structural steel Install
- Process mechanical pipe install
- Process mechanical equipment

PLANNED ACTIVITIES FOR THE NEXT 4 WEEKS:

- Process mechanical equipment
- Continue TPO Roofing Installation
- Duct Bank Install
- Continue Process Mechanical Pipe and Equipment Install
- Cable Tray/Electrical Install
- Yard Pipe Installation

Capitol Street Water & Sanitary Sewer

- Construction documents and specifications are being developed. Construction Advertisement anticipated for July 2020.

Cemetery Tank

- Construction documents are being developed

Source Water Protection Plan

- Plan is being finalized by internal review. Plan will be provided to Council soon.

Water Efficiency Plan

- Draft plan review completed by Colorado Water Conservation Board. 60-day public review will begin next week.

THOR Project

- Grant application was submitted with route along Chambers from Eby Creek handhole. Just received word, TOE will receive grant. Additional study will be started to optimize route.

Comcast ROW Infrastructure

- Meeting weekly with Comcast to review project status. Construction in ROW Permit issued for 20 proposed power supplies for the Eagle build-out. Received and reviewing first Construction in the ROW Permit Application for an area served by underground utilities (EMUX-1) to be built-out. Addressing joint trenching opportunities with THOR Project & other providers.

Black Hills Gas Line Along Highway 6

- Construction Project, installing new 6" high-pressure natural gas line under east-bound lane of Hwy 6, began last week of May. Overseeing backfill of excavation in the roadway. Installing approximately 200 lin. ft. per workday of 3000 linear feet in total. Working with contractor to minimize traffic impacts on Hwy 6.

Public Works Operations & Maintenance

- Yard Waste Facility is open for the season.
- Town parks irrigation is up and running and mowing and weed eating has begun.
- Crew are sweeping the streets.
- Pavement crack filling operations is ongoing.
- Placed two Speed signs for the Police department.
- Crew is in the process of filling potholes.
- Crew is in the process of repairing the streetlights.
- Buildings and Grounds has opened the parks and restrooms and are maintaining the Water park.
- Tree trimming operations in right of way.
- Repair of water meters and remotes now that Covid-19 has allowed access.
- Replacement of street signs.

Public Works Staff

- Full-time staff are at full operations
- Open Space has Halsey back one day a week.

Upper Basin Water Treatment Plants

- Both Pre-Treatment and Treatment Water Plant generators are completed.
- Water Plant is experiencing annual high-water runoff

FINANCE DEPARTMENT

Financial:

- Audit: Staff is continuing to work with Maggard, Hood & Associates on the 2019 Audit. The last day to submit the Town's annual audit to the State Auditor is July 31st. The State's extension deadline for the 2019 Audit is September 30, 2020. Staff may need to file for an extension and will let the Council know as we get closer to July 31st.
- Debt Service: 2016 Sales Tax Revenue Bond Payment - \$111,869 (Last Pmt 2046)
2013 Water Fund Revenue Bond Payment - \$18,724.42 (Last Pmt 2024)
- Conservation Trust Fund: Completed and submitted 2019 annual report
- Changed authorized check signers due to Council transition
 - Authorized signers per Town policy: Town Manager, Town Clerk, Mayor, and Mayor Pro-tem
- Use Tax Process: Staff rolled out new sales tax exemption certificates and process for building community and local retailers. The new process begins June 1st. The new process requires informational sales tax returns to be submitted to Finance in order to allocate sales tax collection appropriately. Staff will be working with retailers and contractor to try to ensure a smooth transition.
- Pavilion & Studio: On June 1st staff will begin to open the Pavilion and Studio for events that are compliant with state and county health orders. Staff created Pavilion and Studio COVID-19 rental requirements and affidavit. Renter will need to sign off on an understanding of the requirements in order to rent the facility. YTD \$8,800 in lost Pavilion/Studio Revenue from cancelations.
- Broadband: Staff is continuing to work with Northland Securities to obtain financing bids for construction
- Policies:
 - Procurement Policies – To be completed in 3rd quarter

Accounts Payable:

ACCOUNTS PAYABLE: INVOICES PAID						
	2017	2018	2019	2020	VARIANCE FROM PY	
JANUARY	289	258	303	205	(98)	-32%
FEBRUARY	245	272	254	237	(17)	-7%
MARCH	340	304	326	234	(92)	-28%
APRIL	267	299	215	137	(78)	-36%
MAY	277	260	275	162	(113)	-41%
YEAR TO DATE	1,418	1,393	1,373	975	(398)	-29%

- The decrease in invoices in 2020 has much to do with removing the info center retail and the budget freeze.
- Finance implemented an electronic filing system and process for invoice approvals instead of having all invoices emailed back and forth for approvals between departments and finance.

Budget:

- Staff held 2021 budget development meeting with all departments. Instructions, budget worksheets, and templates will be distributed in early June.

Training:

- Caselle Webinar – 2nd Quarter Software Upgrades
- Business Briefing – Reopening updates

Payroll/HR:

- Positions: 1 new hire
- Attended 2nd Qtr. Safety Meeting and prepared minutes

Utilities:

- New Accounts Setup: **2**
- Property Transfers: **7**
- Water Usage: Although communities up valley have seen a significant decline in water usage which has been requiring budget cuts, Eagle usage has shown an increase over average over the last few months. May is showing an increase of 36% which would be due to customers being home more and the recent hot weather.

Month	2017	2018	2019	Average	2020	Increase over Average
March	N/A	13,179	14,808	13,994	16,488	18%
April	14,713	14,567	15,917	15,066	15,502	3%
May	N/A	29,507	20,477	24,992	34,009	36%

- Accounts Receivable (A/R): In April staff communicated to customers that the Town would not be charging late fees or initiating water shut offs for unpaid bills through June. A/R changes in May:
 - Water Fund A/R – Increased by \$116,574
 - Waste Water Fund A/R – Increased by \$1,884
 - Refuse Fund A/R – Increase by \$410.42

Staff has seen a significant change in Water Fund A/R increasing by \$116,574 to \$384,360 from \$267,786 in April, which is about average. The average Water Fund A/R for May in 2017-2019 is approximately \$234,000. Part of this increase may also be due to the increased water usage in general. Staff will be able to set up payment schedules for customers who may be unable to pay their utility bills in full at the end of June.

Town Council Department – Budget to Actual:

TOWN OF EAGLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2020

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>TOWN COUNCIL</u>					
10-49-110 SALARIES & WAGES	4,700.00	10,400.00	22,800.00	12,400.00	45.6
10-49-142 WORKERS COMPENSATION	.00	.00	30.00	30.00	.0
10-49-144 FICA - EMPLOYER'S	359.57	795.71	1,745.00	949.29	45.6
10-49-210 OFFICE SUPPLIES	42.00	118.28	200.00	81.72	59.1
10-49-347 PROFESSIONAL SERVICES	.00	.00	18,000.00	18,000.00	.0
10-49-382 COMPUTER SUPPORT	.00	221.00	756.00	535.00	29.2
10-49-371 TRAVEL EXPENSE	.00	.00	1,000.00	1,000.00	.0
10-49-372 MEETING EXPENSE	.00	41.47	2,000.00	1,958.53	2.1
10-49-380 TUITION & BOOKS	.00	.00	1,750.00	1,750.00	.0
10-49-450 SPECIAL BOARD FUNDING	.00	10,000.00	10,000.00	.00	100.0
10-49-510 INSURANCE	.00	232.95	.00	232.95	.0
10-49-915 COMMUNITY REQUESTS	.00	550.00	53,000.00	52,450.00	1.0
TOTAL TOWN COUNCIL	5,101.57	22,359.41	111,281.00	88,921.59	20.1

SPECIAL EVENTS

Town of Eagle - Special Events:

- Worked on Budget review and adjusts with Jill/ Finance to make cuts to department budget where possible.
- Spoke to most event producers and submitting a report to Town Council, of Event still likely to be executed on 2020 for budget review.
- With Town Council voting to unfreeze the MEAC and Community Funding monies, we are now talking to all producers who still plan on executing their events. They will submit an adjusted plan to demonstrate how they will execute them under current safety and health guideline and restrictions.
- We are now reviewing events tentatively scheduled to be executed until July and August – with calls going out to events tentatively scheduled for the Fall and early winter.
- We have decided to cancel the Eagle Flight Days 2020.
- We have cancelled the Eagle July 4th Fireworks presentation
- We have cancelled the Eagle Kids July 4th Bike Parade for July 4th, 2020.
- Bonfire Brewery currently scheduled to August 28-30, 2020, but they have sent us a one sheet discussing an idea to present 5 smaller one-off concerts at various locations instead. We are waiting to see a more comprehensive plan from them for review.
- Eagle Outside Fest - currently scheduled Aug. 28-30, 2020. But discussing other plans that might work better with the current Health and safety guidelines and restrictions.

MEAC:

- MEAC meetings continue in the Zoom platform.
- With Eagle TC committing to funds for MEAC funding, we will be reviewing current event proposals.
- Updating the Eagle Events schedule as new information becomes available

Eagle Info Center:

- Eagle Info Center will remain closed until End of June.
- We are currently developing plans to open beginning of July and operate for the 2020 Summer taking into consideration current health and safety guidelines and restrictions.
- Info Center staff have been furloughed as of May 9, 2020 until the end of June.
- List of physical improvements and renovations to the building inside and out are on hold at this time.
- Plans for future inside enhancements, repairs and upgrades to décor and exhibits are on hold.
- Working with Eagle Historical Society to discuss Summer 2020 operations plan for our Info Center and their Historical Museum in regard to current health orders and restrictions.
- Discussed EHS providing list of historical exhibits to fit into exhibit schedule at Info center Historical room over the summer – continuing.

Digital Sign:

- Updated regularly with current info. We are updating requests for Census 2020 information.

Eagle at Work – Social Media Promotion

- Have been working with Eagle PD and Eagle Public works to collect photos of TOE staff working in the field and using those photos for an “Eagle at Work” social media promotion. Have added “Eagle at Play...” theme.

HUMAN RESOURCES

Benefits

- Enroll 1 new hire in benefit plans
- Open wellness biometric testing window for New hires
- Draft 2 updates to operational memo for FFCRA Leave Policies. More research with legal and Finance Director on updating and interpreting leave policies to comply with Families First Coronavirus Response Act-FFCRA due to COVID-19
- Assist staff with FFCRA leave requests & timecard questions
- Research CO HELP regulations to ensure compliance
- Begin work on renewal quotes and retirement options for 2021 budget

Recruiting - Onboarding

- Conducted Safety orientation for 2 Police Academy graduates
- Rehire paperwork processed for Seasonal Open Space Tech. - Halsey
- Conducted brief new hire paperwork orientation for appointed new council member
- Participated in New Council Department Orientation Zoom meeting
- Draft updated staff phone list

Risk Management, Safety and Work Comp

- Manage 4 General Liability & PC claims
- Monitor 3 open work comp claims
- FEMA tracking spreadsheet for PPE
- Cloth Face coverings and other PPE distributed
- Return to work employee and visitor health check-in process coordinated
- 2nd Qtr. Safety Meeting conducted, claims reports prepared

Other

- Respond to 2 verifications of employment
- Process unemployment claims for information center staff & suspend email licenses temporarily
- Training,
 - attended 3 educational webinars on COVID-19 compliance and best practices for reopening
 - attended cyber security webinar
- Work with IT on sound issues and access to team site

TOWN CLERK

Communications Committee

- Communications Committee: Weekly meetings on Thursdays through May.
- Town Hall Zoom with Community on Thursdays from 12-1
- Eagle Today was sent May 29th
 - Operational Updates
 - Coordinated with CC and Town Manager for COVID-19 Operations Update Page

Licenses

- BUSINESS: License Renewals 5 in May and 348 total licenses issued for 2020
- LIQUOR:
 - Brush Creek Saloon Application for Modification of Premises
 - Kum & Go Renewal
 - Color Coffee Roasters Renewal
- MARIJUANA:
 - Sweet Leaf Pioneer LLC Renewal of Retail Store and Grow/Cultivation
 - Tumbleweed Retail Store State Approval

Website – www.townofeagle.org

- Ask the Town questions: 11
 - Playground opening inquiry
 - Business License inquiry
 - Trash service inquiry
 - Post Office inquiry
 - Open container in parks inquiry
 - Utility inquiry x 3
 - Police inquiry
 - Free WIFI inquiry
 - Nogal Road ground squirrel inquiry

Training

- State Liquor Training 5/20

Sales Tax

- 1075 On-Line retailers remitted sales tax in April for a total of \$50,691.29

2020			
Month	Filing Period	Revenue Period	O/U
Jan	\$ 367,071.14	\$ 578,686.45	35%
Feb	\$ 577,583.12	\$ 480,407.70	24%
Mar	\$ 410,688.96	\$ 463,471.24	16%
1 Q	\$ 1,355,343.22	\$ 1,522,565.39	25%
Apr	\$ 416,206.42	\$ 553,180.68	31%
May		\$ 492,253.55	20%
Jun			-100%
2 Q			-100%

2019			
Month	Filing Period	Revenue Period	O/U
Jan	\$ 284,066.89	\$ 428,973.53	8%
Feb	\$ 390,661.27	\$ 387,365.41	-5%
Mar	\$ 542,066.05	\$ 400,149.40	7%
1 Q	\$ 1,216,794.21	\$ 1,216,488.34	3%
Apr	\$ 401,941.71	\$ 422,439.91	7%
May	\$ 425,980.87	\$ 409,836.28	10%
Jun	\$ 509,238.05	\$ 431,900.56	9%
2 Q	\$ 1,337,160.63	\$ 1,264,176.75	9%

MUNICIPAL COURT

- Court has been postponed until June 17th
- Cases are still being processed and court staff is working with all defendants who wish to reach plea arrangements prior to June 17th.

May Citations Issued:

Animal Control	3
Misdemeanor	0
Parking	0
Traffic	16
Total	19

May Fines and Fees Collected (includes collections for previous months)

Court Costs	175.00
Criminal Police Equipment and Training Surcharge	40.00
Deferred Judgment Fee	0
Fines	1390.00
Outstanding Judgement Fee	30.00
Police and Equipment Surcharge Traffic	100.00
Stay of Execution Fee	0
Victim Restitution Fee	0
Total	\$1,735.00

May Dispositions (Payments or Court Appearances)

Animal Control	2
Misdemeanor	2
Parking	1
Traffic	6
Total	11

Outstanding Fines and Fees by Date:

Current	2,618.25
1-30 Days Past Due	0
31-60 Days Past Due	0
61-90 Days Past Due	0
91-180 Days Past Due	360.00
Over 180 Days Past Due	24,808.28
Total	\$27,786.53

COMMUNITY DEVELOPMENT

ADMINISTRATIVE

- Community Core – Land Use File Migration Project
- Website Updates
- Permit Tech Workspace Set Up - Thomas

PLANNING

- Applications in Progress
 - AN17-01/ PUD18-01/ PPFP19-01 Red Mtn Ranch –
 - AN20-01 Powell Park Annexation –
- Application materials received May 28, 2020.
 - AN20-02 Basecamp Eagle –
 - SU20-01 263 & 483 Sawatch –
- Ordinance 13-2020 to Town Council on June 9th
- Next steps? - Review Comments back to Dave by June 5th.
- Need to update based on compatible use
- Recommend that Dave read the P&Z minutes and listen in on TC's meeting.
 - V20-02 Talley Variance –
- Agency Referral comments due June 9th
 - Verizon Wireless Telecom Agreement request in Eagle Ranch –
- Approved by Eagle Ranch DRB on May 27, 2020.
- Plan to submit for building permit and electrical permit in August 2020.
AT&T was approved in 2019.
- Application(s) for Pre-App Meeting
 - (Wed 6/3 @ 1:30 pm) monthly meeting with Eagle Ranch
 - (Wed 6/3 @ 2:30 pm) 338 Broadway
 - (Fri 6/5 @ 9am) Meeting with Mike Clark – property by River Park
- PUDs
 - Haymeadow
- Rec Path connection from Solei homes
- Sections 8, 9 & 10
- Brush Creek Rd extension –
- Reserve at Hockett Gulch – Brue Capital Group
 - Eagle Ranch – 6th PUD Amendment –
- Temporary Uses
 - TU20-01 Eagle Tubing and Photography -
- Ordinances
 - Impact Fee Ordinance Update –
 - Sent redlines to attorneys on June 2nd
 - Process to address removing a TC approval
- Encroachments
 - Landshark Catering / Food Truck for an encroachment permit.
 - The Assembly – encroachment permit request and alcohol extension (sidewalk seating)
 - Refund encroachment permit fee and refer them to the Eagle Ranch Commercial Association
 - Broadway Station – awnings and sidewalk seating, no response from Bryan Desmond as of 4/27/2020.

- Cotton & Co – on hold (Bill has been in communication with Kailey)
- Bonfire -
- Madison with EPD is contacting the Fire District to assess any concerns they may have regarding egress.
- Brush Creek Saloon
- Notice of Land Use Decision (only for P&Z decisions)–
 - DR19-04 – 106 Broadway
- Follow Up Concerns -
 - LLA19-02 1088/1092 Fourth of July Rd – Record Plat
 - Zoning Questions:
 - Terrace Neighborhood – is Filing I part of the PUD? Which Filings are governed by the PUD? Filings I, II, III, IV
 - Re: Brush Creek Terrace
 - Would like an ADU above the garage – Terrace PUD doesn't allow for ADUs on lots less than 11,500 sf.

BUILDING UPDATES–

- Zoning checks/Comments
 - Broadway Station 20TEGL-5091
 - DR19-02 700 Chambers Lot 4 20TEGL-5083
- Public Works Comments
- Zone Check Complete waiting for responses from applicant
 - 1393 Chambers 4985
- Received Responses to Occupancy Memo sent to each agency 6-3-20
 - Talon Flats 5105
- Permit Ap received comments due by 6/25/20
- Zone Check
- PW/Engineering Review
 - 191 Robins Egg New SFR 5111
- Permit Ap Received
- Zone Check
- PW Pre-Con/Engineering Review

Lower Basin Water Treatment Plant

Project Progress Report – June 9th, 2020

SAFETY

Total manhours worked to date = 100,000+

Health, Safety, and Environmental Incidents			
Incident Type	Details	Total Incidents in the Period	Total To Date
Health & Safety	None for reporting period	0	1
Environmental	None for reporting period	0	0
Community	None for reporting period	0	0

SCHEDULE

Project schedule update provided to team on May 13, 2020

Notice to Proceed: 17 August 2018	<u>Original Contract</u>	<u>Current Contract</u>	<u>Forecast</u>
Total Contract Time	731 Days	874 Days	
Substantial Completion Date	11 July 2020	01 December 2020	26 January 2021
Final Completion Date	11 September 2020	01 February 2021	26 March 2021

PROJECT FINANCIALS

Payment Application #23 submitted and approved.

Preconstruction Contract Amount	\$638,062
Original Construction Contract Amount	\$22,938,752
Change Orders Approved to Date (CO's 1-11)	\$1,349,646
Overall GMP Including Approved CO's	\$24,288,398
Change Orders Approved to Date	1-11
Payment Applications Submitted	23
Amount Billed to Date	\$13,506,025.00

PROJECT UPDATE SUMMARY

- Veneer Install around WTP
- Damp proofing on Structural CMU
- Structural Steel Install
- Process Mechanical Pipe Install
- Process Mechanical Equipment

PLANNED ACTIVITIES FOR THE NEXT 4 WEEKS:

- Continue TPO Roofing Installation
- Duct Bank Install
- Continue Process Mechanical Pipe and Equipment Install
- Cable Tray/Electrical Install
- Yard Pipe Installation

PROJECT PHOTOS – SEE NEXT PAGE

PROJECT PHOTOS

FW Pumps 06-01-20



Overflow Line 6-01-20





To: Mayor Turnipseed and Town Council

From: Chad Phillips, Director, Community Development Department
Jessica Lake, Planner I, Community Development Department

Date: June 9, 2020

Agenda Item: Ordinance 13, Series 2020 Amending Section 4.04.070 of the Eagle Municipal Code to allow Residential Dwelling Units Above Street Level as a Special Use in the Commercial General Zone District

REQUEST: Town staff and the Town Attorney have drafted an Ordinance to amend the Town of Eagle Municipal Code (Code) Section 4.04.070. – Schedule of uses permitted in nonresidential zone districts, as follows:

Current:

ZONING DISTRICT	CBD	CL	CG	PA	I
USE					
Dwelling units - above street level	P	S	*	S	*

Amended:

ZONING DISTRICT	CBD	CL	CG	PA	I
USE					
Dwelling units - above street level	P	S	S	S	*

INTRODUCTION: On May 5, 2020 and May 12, 2020 the Planning & Zoning Commission and the Town Council requested that staff and the attorney draft an Ordinance to remedy a potential conflict in the Code.

Upon review of the Code, Town Planning staff and attorneys have noted instances in the language that are unclear at best and at worst a conflict. Although the Town has initiated the update of the whole Code, staff is proposing action to be taken prior to the completion of the update process in this instance.

On May 12, 2020 Town Staff brought this matter to the Town Council and was directed to proceed with

an Ordinance to Amend Section 4.04.070. of the Town's Municipal Code. The Council requested that the Ordinance be drafted as presented in the attached Ordinance. Town Council also urged staff to consider that the Chambers Avenue Area is and should remain Commercial first.

- Staff note: any projects that have been approved are permitted to move forward. The proposed amendment is applicable for new projects.
- Staff note: Title 4 of the Municipal Code does not include a process for amending a Special Use Permit, therefore any proposed changes to an existing special use permit are looked at as a new application.

ANALYSIS: To aid in the decision of amending the Code to accurately reflect the goals of the community, staff has identified several areas of the 2010 Eagle Area Community Plan and the Town of Eagle Strategic Plan for consideration. Although the Elevate Eagle Comprehensive Plan is still in draft form (adoption pending), staff has included relevant excerpts.

2010 Eagle Area Community Plan

Land Use Policy 2.2

New development should be compact, pedestrian friendly and located within or adjacent to existing development to minimize infrastructure and service needs.

Recommended Strategies:

F. Ensure residential infill and redevelopment outcomes blend appropriately with the character and scale of surrounding neighborhoods.

Future Land Use Map – Commercial Areas Description –

Intent D. Commercial uses are generally not compatible with residential units. A limited number of live work arrangements may be appropriate, per zoning.

Interstate 70 Influence Character Area

Narrative: "Portions of the I-70 Influence Character Area are intended to support commercial and industrial sites, exclusive of other uses. Improvements along Chambers Avenue and Market Streets, for example, are generally auto-oriented with limited pedestrian amenities, and while workforce housing may be found to be appropriate on upper levels of some buildings, residential development of any significance in these areas should be avoided."

Planning Principles: Interstate 70 Influence Character Area

G. Until a sub-area plan for the Chambers Avenue corridor is completed, minimize the inclusion of significant residential use in commercial and industrial areas located along Chambers Avenue, Marmot Lane, Sawatch Road and Market Street.

Housing Policy 1.2

Promote the preservation and/or creation of a wide range of housing units, including single family, duplex, multifamily and mixed-use arrangement units.

Recommended Strategies:

E. Allow and encourage accessory units within single family residential zones and in new development.

Elevate Eagle – Comprehensive Plan (November 2019 draft)

Future Land Use Map.

Staff note: The area of CG zoning around the Chambers/Sawatch area is shown as a "mixed use"

land use category. The Plan's Land Use category "Mixed Use" includes CG as an allowed zone.

Mixed Use:

Description: Areas that include a variety of local entertainment, civic, medical, residential, and retail uses with integrated essential services. Building types may include free-standing, low- to mid-rise buildings with high quality design integrated with urban elements such as pedestrian connectivity, shared parking, and green space.

Primary Uses: Areas designated for commercial, office, civic, and service uses supporting general neighborhood needs.

Secondary Uses: Integrated multifamily residential and commercial, either horizontally or vertically.

Allowed Density: 4 - 10 DU/Acre

Actions: 1.1

Establish a new, mixed-use zoning district and associated standards within the LUDC to encourage residential dwellings within vertical mixed-use buildings.

COMMUNITY INPUT: Public notice ran in the Vail Daily on Monday, May 18, 2020, staff has not received any public comment as of May 29, 2020.

BUDGET / STAFF IMPACT: Minimal if Ordinance 13-2020 is approved.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

Major Objective No. 7: Implement Priority Infrastructure Improvements

- Background: The Town's infrastructure is the foundation for high quality of life and a strong economy. Businesses considering a move to Eagle will be looking at the quality of the infrastructure, its capacity to support a reasonable amount of growth, and the Town's plans for enhancing the infrastructure.

A sub-area plan for the Chambers Avenue Area has not been proposed and modeling and analysis of infrastructure has not been obtained prior to allowing residential as accessory to a commercial use on Chambers Avenue.

Major Objective No. 8: Improve Housing Availability and Affordability

- Solution #4 - Explore zoning and other methods to create a more balanced and affordable housing mix that supports young people and young families

Major Objective No. 10: Address Essential Planning and Land-Use Challenges

- Most Relevant Standards: Support a small-town look and feel for Eagle
 - Maintain standards that support new development while managing risks to the Town.
 - Maintain land-use codes that are current with new development, engineering, regulatory, and technology standards.
 - Transportation system that facilitates pedestrian, bicycle, and vehicular movements throughout the Town, making it easy to get around Eagle at any time of the day.
 - Park and open space system that provides for recreational needs and protects sensitive landscapes.
 - Housing that provides a wide range of housing types in walkable neighborhoods.
- Background: Poor planning, or the lack of planning, can lead to negative outcomes in terms of inadequate infrastructure, degraded public services, or negative impacts on the environment.

At the June 2, 2020 Planning and Zoning Commission meeting, members discussed the possibility of not having standards in the Code and policies in the Comprehensive Plan sufficient to make a decision regarding residential units above the ground floor in the CG zone district. In addition to the excerpts listed above, staff has identified the following criteria that could be used when making such decisions:

- Required parking
- Setbacks
- Building height maximum
- Maximum lot coverage
- *The Commercial General (CG) zone district is "for commercial and tourist uses including lodging, dining, recreation facilities and compatible uses, and for heavier commercial uses, low impact manufacturing uses, and compatible uses." In processing these applications, determining "compatible uses" will be key in these approvals or denials.*
- *Because of the importance of these areas, the overall objectives for development and design guidelines here should be to encourage an overall continuity of commercial and industrial parcel development, to present a favorable image of the community when viewed both along I-70 and from within the areas, and to encourage long-term, quality private investment activity.*
- *Although the areas will include traditional commercial and industrial uses, the areas can have a positive, enduring character through careful site planning and architectural styling. Site planning of commercial pads should be considerate of the likely layout of future abutting parcel development.*

At the June 2nd Planning Commission Hearing, staff also addressed concerns regarding this amendment, including the following:

1. Could allow for mixed-use projects in the Commercial General Zone District.
 - a. An analysis has never been conducted for Chambers Avenue as to whether or not the capacity is there to serve residential development or mixed-use development.
 - b. Traffic studies have not been conducted on Chambers to evaluate the addition of residential units.
 - c. Parks and residential amenities do not exist in the Chambers Avenue Area.
 - d. Emergency Access and Egress has become an area of concern for Public Works and PD in the Chambers Avenue Area.
2. Currently residential is only allowed in the Commercial General Zone District as an Accessory to a Commercial Use Permitted, this change could allow for residential above ground level that is not accessory to a use but rather is a use all on its own. By making it a special use the Commission and the Council still have the ability to deny a file, but only if it does not meet the standards.

RECOMMENDED ACTION OR PROPOSED MOTION:

Recommend APPROVAL {or} DENIAL of Ordinance 13, Series 2020 Ordinance 13, Series 2020 Amending Section 4.04.070 of the Eagle Municipal Code to allow Residential Dwelling Units Above Street Level as a Special Use in the Commercial General Zone District

ATTACHMENTS:

Minutes of the Planning & Zoning Commission Public Hearing dated June 2, 2020.



MINUTES
Planning & Zoning Commission
Tuesday, June 2, 2020
6:00 PM

Amendment to Title 4 of the Municipal Code, involving uses and standards within the Commercial General (CG) Zone District.

1. Project: Amendment to Title 4 of the Municipal Code, involving uses and standards within the Commercial General (CG) Zone District.
- File # LURA20-01
- Applicant: Town of Eagle
- Location Commercial General (CG) Zone District
- Staff Contact: Chad Phillips, Community Development Director/Town Planner
- Request: Amendment to Title 4 of the Municipal Code, Section 4.04.070 - Schedule of uses permitted in nonresidential zone districts by adding a Special Use (S) designation to the use category dwelling units - above street level.

Mr. Phillips presented the steps that were taken to amend Title 4 of the Municipal Code, Section 4.04.070 pertaining to the Commercial General District (CGD) from the memo.

Q&A

Commission Nutkins asked if staff was proposing this amendment to not include an accessory unit. Mr. Phillips replied that an accessory unit would be applied as criteria and it would be included as a special use. Commissioner Nutkins replied that there are not real guidelines to the CG district and this is the reason why he encouraged waiting until the future land use changes are implemented. Commissioner Nutkins believes that if the code is changed to Special Use (S), that it will leave room for ambiguity for applicants.

Ms. Lake informed the Commission that when the interpretation was made for the accessory units, there was not enough research to ensure there would be sufficient resources to provide the necessary utilities and emergency services for the area. Public Works informed her that there is a concern with emergency access and infrastructure issues with water and sewer capabilities.

Commissioner Nutkins asked if there is a specific applicant that is pushing this process. Staff answered that they could not release this information to the Commission.

Commissioner Hoiland said that this is a good “band aid” fix until the future land use code is completed.

Chair Hood agrees with Commissioner Nutkins concerns as it allows accessory uses. He is concerned that a Developer could get the impression that they could build an apartment building over a retail store in the CG district and present it to P&Z thinking it would be a viable application. Chair Hood encouraged the Commission to provide Staff with guidance as to what the Commission wants to see in the CG district so Staff may assist applicants prior to presenting to the Commission. This amendment is going to be a special use that the Commission could deny it on any criterion, and he does not want to give the development community the wrong idea on what is expected.

Mr. Phillips informed that based on 4.07.070, the required parking for each residential unit and the maximum percentage of the lot, puts a cap on how big these projects can be, the question at hand would be if the project is a compatible use.

Chair Hood reiterated that the CG district primary use is not residential, it's use is commercial. The applicant should be aware of this and understand that if they choose to present a primary residential building in CG district to the Commission, that it is likely it will be denied.

Commissioner Hoiland asked that assuming this amendment is approved, will staff have issues informing the applicants that primary residential projects will not be in favor of the Commission? Phillips informed the Commission that staff will work with the applicants on how they provide the information to the Commission that will be compatible with the CG district.

PUBLIC COMMENT:

Chair hood opened public comment at 6:29pm, there was no public comment. Close at 6:29pm

DISCUSSION:

Commissioner Gregg is in favor of approving this amendment knowing that there have been methods discussed to ensure the projects proposed will be compatible with the CG district. He thinks keeping residential accessory units secondary to commercial in this district makes the most sense.

Commissioner Nutkins said he does not want to see projects similar to the Talon Flats project in the CG district. He is in favor of the amendment; however, he does foresee some hurdles as it may cause some confusion and animosity in trying to present projects as a Special Use Permit to the Commission.

Commissioner McFall is not fond of this; however, the real solution will come with the Future Land Use Plan roll out. He is in favor of recommending this to Town Council as a “band aid” and his direction to the Planning Staff is for them to provide as much guidance as possible on

the expectations of the Commission prior to them spending time and money on their application that would not be consistent with what the Commission believes is right for this district.

Commissioner Webb agrees with Commissioner McFall. She wants to ensure there is compatibility with CG district guidelines and code. Her fear is that there will be apartment-type building projects presented to the Commission. She is also concerned with the issues addressed by Public Works, Emergency services and other issues that could arise with this.

Commissioner Hoiland is in favor of this amendment knowing that it is temporary. This zoning is commercial first and residential second.

Commissioner Townsend agrees with Commissioner Hoiland and does not want large residential projects in the CG district.

MOTION: COMMISSIONER BRENT MCFALL MOTIONED TO RECOMMEND TO TOWN COUNCIL THE AMENDMENT TO TITLE 4 OF THE MUNICIPAL CODE, INVOLVING USES AND STANDARDS WITHIN THE COMMERCIAL GENERAL (CG) ZONE DISTRICT. MOTION WAS SECONDED BY COMMISSIONER JESSE GREGG AND PASSED WITH A VOTE OF 8 IN FAVOR AND 0 OPPOSED.

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 13
(Series of 2020)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,
AMENDING SECTION 4.04.070 OF THE EAGLE MUNICIPAL CODE TO ALLOW
RESIDENTIAL DWELLING UNITS ABOVE STREET LEVEL AS A SPECIAL USE IN THE
COMMERCIAL GENERAL ZONE DISTRICT

NOW BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS
FOLLOWS:

Section 1. Section 4.04.070 of the Eagle Municipal Code is hereby amended to add an
"S" to the Schedule of Uses after "Dwelling Units - above street level" in the column labeled "CG",
thereby allowing dwelling units above street level to be a special use in the Commercial General
zone district.

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase
of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not
affect the validity or constitutionality of the remaining portions of this Ordinance. The Town
Council hereby declares that it would have passed this Ordinance and each part or parts hereof
irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. This Ordinance is deemed necessary for the protection of the
public health, safety and welfare.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON _____,
2020.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Board of Trustees

From: Bill Shrum, Assistant to the Town Manager

Date: June 9, 2020

Agenda Item: Mobile Vending Policy Proposal

REQUEST:

Staff requests that the Town Council review previous steps to organize mobile vending in the Town of Eagle, and to provide feedback for a formal policy on mobile vending.

INTRODUCTION:

The Town of Eagle has previously had discussions on allowing mobile vending at the Eagle River Park in 2017. Ken Hoeve and his mobile vending at the Information Center and Eagle River Park was the first permitted vendor at the River Park and does so through a temporary use permit. In 2018, allowances for food trucks in the Town right-of-way prompted the use of encroachment agreements. One example would be the agreement Bonfire Brewing secured to allow different food trucks to park in the same location on 2nd Street adjacent to the Bonfire Taproom. Most recently, retail sales vendors in Eagle asked for permission to operate in the Town right-of-way, and the encroachment permit system was used again to allow for a single permit holder, Cotton & Co., to operate in four authorized locations in the right-of-way.

At the May 14th, 2019 Town Board of Trustees Meeting, Town Manager Brandy Reitter submitted a memo to the Board to solicit feedback on a Mobile Vending Policy proposal. This memo summarized an analysis of comparable communities to the Town of Eagle and suggested policy decisions for:

- Licenses & Permits
- Zone Districts
- Location Separation
- Site Requirements
- Duration
- Approvals

The link to the May 14th memo is here - <https://eagleco.civicclerk.com/Web/GenFile.aspx?ad=233>

Feedback at the time was to utilize the encroachment permit and revocable license agreement process to accommodate mobile vendors.

ANALYSIS:

The current temporary use permits and/or encroachment permits are not the best long-term solution for the Town to facilitate mobile vending. Applications of these permits are context-specific and can vary by use. The desire is to have a concise and predictable process to allow mobile vending in the code.

COMMUNITY INPUT:

Town Staff has reached out to several mobile vendors who currently conduct business in the Town of Eagle for their thoughts on conducting mobile vending in Eagle.

- Ken Hoeve, Owner of Eagle Tubing and Photography
- Will and Marcey, Owners of Stout House Coffee
- Kailey Gorbould, Owner of Cotton & Co.
- Samuel Preus, Scheduling Manager of OnTheHook Fish and Chips
- Danny Woolsey, Owner of Ekahi Grill

Emails received by Ken Hoeve and Samuel Preus are included as attachments to this memo.

BUDGET / STAFF IMPACT:

There is no budget or staff impact at this time.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

A mobile vending program aligns with the following standards, values, and policies:

Economic Development – A proper mobile vendor permit program supports economic development and helps startup businesses operate in the community. Proper regulations eliminate confusion and is business-friendly. More businesses generate revenues and create jobs. Better regulations ensure accurate and consistent application of the code. More competition might not be good for struggling businesses.

Public Health, Safety, and the Environment – A proper mobile vendor permit programs ensures that structures, vehicles, and equipment can exist safely on public and private property. Mobile vendors will go through the same process as brick and mortar establishments depending on specific uses. A proper program guarantees equity in the permitting process.

RECOMMENDED ACTION OR PROPOSED MOTION:

Staff recommends the Council provide feedback and direction on a mobile vending policy for the Town.

ATTACHMENTS:

- Community Feedback on Mobile Vending.pdf

Re: Town of Eagle is discussing mobile vending policy at the June 9th Council Meeting - Feedback requested

Ken Hoeve <ken.hoeve@gmail.com>

Wed 6/3/2020 8:22 AM

To: Bill Shrum <bill.shrum@townofeagle.org>

Good morning Bill,

Here are some initial thoughts in regards to mobile vendors at the Eagle River Park. As someone that has had the first license not only for the park but also putting in a season before it opened and being located at the visitor center, most of my input is based on what I have observed first hand.

1. Being there makes you an ambassador to the park and town. Not only do I find myself helping educate guests about the park that have just hopped off I-70 but also many locals that are coming by for the first time. There are so many questions, which is awesome! People want to know about it. Who's land is it? How was it made? Is it free? Etc. People instantly love it and want to know more. When a vendor is set up there expect a lot of inquiries. Along with this is to always be exceptionally kind and helpful, regardless if they are a customer to the business. We want every person that stops by the park to leave with a feeling that they loved it and can't wait to come back.

2. Litter and keeping it clean. While it is kept up really well all of the time it definitely sees a bit of trash here and there which diminishes the experience. I always walk the property every time I open up to pick up littler and items left behind. As a vendor the entire park should be treated as you would your own brick and mortar store. Make sure it's spotless and looks great all the time as it really makes a big difference to the guest experience. This includes a daily walk through the restrooms which can be a rather unpleasant start to the day!

3. **SAFETY** This is the biggest one. Last year alone I personally helped several people that got in over there heads with the biggest moment being the elderly commercial raft guest that came very close to drowning when the raft he was in flipped near the visitors center. I was able to jump in my kayak, chase him down the river, get him on my kayak and help revive him below the fairgrounds. While this is by no means my duty there is no way I'm not going to help when I see a guest in trouble. The river is so inviting at the park and entices participation, a great thing, but helping guests understand it and how to utilize it properly is very helpful. Being prepared for an emergency and having a plan is very beneficial. Again, I completely understand a vendor isn't responsible however I definitely believe we have a duty to act and help whenever we can.

I hope this helps and appreciate the offer to provide some input. I've been fortunate to learn a lot during my time there and am happy to share the experiences with anyone that starts to do business at the park. People love the place and are beginning to feel a sense of ownership to it so being a new vendor there will also require a bit of earning the respect of park users. It doesn't take a whole lot. Kindness, contributing and educating new visitors is the most beneficial way to be a good vendor there.

Thanks again,
Ken

On the Hook Feedback

Samuel Preus <samuel@onthehookfishandchips.com>

Mon 6/1/2020 2:31 PM

To: Bill Shrum <bill.shrum@townofeagle.org>

Cc: William Gottwalt <william@onthehookfishandchips.com>; Blaine Rasmuson <blaine@onthehookfishandchips.com>

Good afternoon Mr. Shrum,

Thank you for your email offering us the chance to make suggestions about food truck policies in Eagle. What a kind and considerate gesture from you all at the town! We have been serving our fish and chips in Eagle for a little more than a year. We have been very happy with the support of the community and the ease with which the town has made licensing our food truck.

We believe that our food truck is able to benefit not only us, but also the business that surround us when we come to serve in Eagle. We love hearing positive feedback about the pleasant environment around our food truck, and especially about the increase of business for those places that host us.

When we sense a mutual benefit of our business between us and other businesses, it gives us a sense of satisfaction that makes us all the more comfortable and eager to return again and again to serve in town.

Of course competition is always the nature of the game in the food industry. This competition sharpens us and encourages innovative drive that helps the industry as a whole satisfy customers.

With our simple menu of fish and chips, we're certainly proud of and thankful for the support that we receive in Eagle.

With these thoughts in mind, I believe that simplicity is the best policy for licensing mobile food vendors. Simplicity prevents mutually agreeable terms between two business from being weighed down by computer work and side tasks. Simplicity also encourages the healthy competition that keeps all of us sharp and innovative for the sake of the customers. We believe that the community is pleased with our visits to Eagle, and we look forward to the continued support of your beautiful town and county!

Best Regards,

Samuel Preus

Scheduling Manager

samuel@onthehookfishandchips.com

Cell: 307-314-5882

Fax: 1-307-223-8340





To: Mayor and Town Council

From: Brandy Reitter, Town Manager

Date: June 9, 2020

Agenda Item: Open Space Advisory Committee

REQUEST:

Staff requests that the Council review information on setting up an Open Space Advisory Committee.

INTRODUCTION:

Last month, the Council wanted to discuss the possibility of setting up an Open Space Advisory Committee. The Town of Eagle has the authority to establish committees. Currently, the Town has the Marketing and Events and Economic Vitality Advisory Committees. Committees established by the Council are subject to local and state regulations. Provided below is a summary of options and steps the Council should consider when setting up a committee.

ANALYSIS:

Committee Options:

1. The committee can be an informal group that is lead and run by community volunteers that provide updates to the Council:
 - a. This structure requires little to no resources from the Town. A community committee wouldn't be subject to local and state laws.
2. The committee can be a formal group approved by resolution by the Council:
 - a. This structure requires a staff and council liaison to the committee. There is an application process that results in appointments made by the Council.

Home Rule Charter Provisions:

The rules related to how the Town handles Boards and Commissions can be found in Article V starting on page 11 of the Home Rule Charter. The link can be found here:

<https://www.townofeagle.org/DocumentCenter/View/15845/OFFICIAL-FINAL-Home-Rule-Charter>

COMMUNITY INPUT:

Community input was given by members of the HTC at the May 12, 2020 Town Council Meeting in support of a committee.

BUDGET / STAFF IMPACT:

Establishing a committee of the Council does require staffing resources. Duties include managing agendas, taking minutes, and executing guidance provided by committee members. It will take approximately 5 hours per meeting of staff time. The committee could request funding during the budget process for different initiatives.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal does align with the Town's desire to support open space and recreation. Establishing a committee also supports transparency and gives the citizens the ability to provide feedback on these programs. Some of the proposals in the budget rely on public input and establishing a committee will support the public input process.

RECOMMENDED ACTION OR PROPOSED MOTION:

Give staff direction on the following:

- Selection option 1 or 2
- Based on the selection, staff will implement either option

ATTACHMENTS:

- None



To: Mayor and Town Council

From: Jenny Rakow, Town Clerk

Date: June 9, 2020

Agenda Item: Short Term Rental Registration Application, Self-Compliance Affidavit and Good Neighbor Guidelines

REQUEST: The Council is requested to review the Short-Term Registration Application, Self Compliance Affidavit and Good Neighbor Guidelines.

BACKGROUND: The Town Council adopted Ordinance 06-2020 on May 26, 2020 amending Title 5 by adding Section 5.17 Short-Term Rentals. Within this chapter a registration process and policies were outlined within the Chapter. The attachments intend to fulfill the requirements of the Ordinance and provide guidance to applicants.

ANALYSIS: The Council was provided policy information on February 20, 2020 in a staff memo from Brandy Reitter (attached). Ordinance 06-2020 was adopted including the policy objectives and best practices as determined to fit the Town of Eagle.

COMMUNITY INPUT: None required. The Ordinance adopting short-term rentals was allowed public comment.

BUDGET / STAFF IMPACT: Impacts were provided in the policy memo from Brandy Reitter which assisted the Council in determining these policies on registration.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: STR policy has the potential to meet all of the business values listed in the Town of Eagle Strategic Plan including sound planning, reliable and cost effective services, economic development, sound finances and increasing efficiency, protecting public health, safety, and the environment, and transparency and community engagement.

RECOMMENDED ACTION OR PROPOSED MOTION: Provide direction or approval of the proposed Registration Application, Self-Compliance Affidavit and Good Neighbor Guidelines for this program.

ATTACHMENTS:

1. STR Application Property Information
2. Self Compliance Owner TOE
3. Good Neighbor Guidelines-TOE
4. Short Term Rentals Policy Memo



ANNUAL FEE \$75.00
EXPIRES DECEMBER 31

Short-Term Rental (STR) Registration Application

STR Property Address: _____

Is this property a deed restricted employee housing unit (EHU)? ☐ Yes ☐ No

Is the property subject to a homeowner's association or private covenant? ☐ Yes ☐ No

If Yes, please select a statement below that applies to the property:

☐ The property is subject to a homeowner's association or private covenant and the operation of a short-term rental does not require approval by the homeowner's association or covenant beneficiary.

☐ The property is subject to a homeowner's association or private covenant and the operation of a short-term rental has been approved by the homeowner's association or covenant beneficiary.

Is this property a duplex unit? ☐ Yes ☐ No

If Yes, has written notification been provided to the owner of the adjoining residential unit? ☐ Yes ☐ No
(Attach copy of notice sent with proof of mailing to the owner of adjoining residential unit)

Type of Ownership: ☐ Sole Proprietor ☐ Partnership ☐ Corporation ☐ Other _____

Owner's Name(s) or Name of Ownership: _____

Mailing Address: _____

City: _____ State/Zip: _____

Preferred Telephone: _____ Email: _____

If Corporation - Registered Agent: _____

Select the hosting platform(s) or website(s) that the property is advertised on:

☐ Air B&B ☐ VRBO ☐ HomeAway ☐ TripAdvisor ☐ FlipKey ☐ Vacasa ☐ Evolve

☐ Other _____ ☐ Other _____ ☐ Other _____ ☐ Other _____

Select the type of rental that this property is offered as:

☐ Entire Home (Host Absent) ☐ Entire Home - Detached Residence (Host Present)

☐ Private Room (Host Present) ☐ Shared Room (Host Present)

Occupancy: Occupancy limits of 2 per bedroom, plus 2 will be adhered to and appropriately listed in rental advertisements

Number of Bedrooms: _____ Total Overnight Occupancy Advertised: _____



Short-Term Rental (STR) Self-Compliance Affidavit

Please Note: All statements listed below must be initialed. Failure to initial any question will delay your license issuance.

STR Property Address: _____

Owner's Name(s) or Name of Ownership, If Property Manager, Manager's Name or Corporation:

TOWN OF EAGLE BUSINESS LICENSE OBTAINED? ☐ YES ☐ NO

Occupancy: Occupancy limits of 2 per bedroom, plus 2 will be adhered to and appropriately listed in rental advertisements

Number of Bedrooms: _____ **Total Overnight Occupancy Advertised:** _____

Health & Life Safety Standards:

- _____ Buildings, structures or rooms shall not be used for purposes other than those for which they were designed or intended.
- _____ Roofs, floors, walls, foundations, ceilings, stairs, handrails, guardrails, doors, porches, all other structural components and all appurtenances thereto shall be capable of resisting any and all forces and loads to which they may be normally subjected, and shall be kept in sound condition and in good repair
- _____ The street address, license number, local agent and property owner contact information is posted conspicuously in the interior of the property.
- _____ The operation of the short-term rental will comply with all town ordinances that apply to a residential dwelling.
- _____ Smoke detectors are installed outside of each sleeping area, in each room used for sleeping purposes, and on each level of a living area, including basements.
- _____ Carbon monoxide detectors are installed within twenty feet of sleeping areas, within twenty feet of fuel fired appliances (including wood/ gas fireplaces), and within 10 feet of the doorway of an attached garage.
- _____ Fire extinguishers are located within thirty feet of the kitchen, on each level of a living area, and in the garage; and they are readily available for immediate use.
- _____ Wood Burning Fireplaces / Stoves - Fireplaces and flues are maintained in accordance with recognized standards and have been inspected and cleaned on an annual basis. Proof of inspection and cleaning for the current year is required to be available upon request.
- _____ An operable toilet, sink, and either a bathtub or shower shall be located within the same building, and every room containing a toilet or bathtub/shower shall be completely enclosed by walls, doors, or windows that will afford sufficient privacy.
- _____ Electrical panels shall be accessible at all times with 36 inches of clearance maintained in front of the panels, and shall be clearly labeled.
- _____ Outdoor Fires – portable outdoor fireplaces are prohibited.
- _____ Portable electric space heaters shall not be operated within 3 feet of combustible materials and shall not be plugged into

extension cords. Space heaters must be plugged directly into outlets.

_____ The use of outdoor heating appliances is prohibited on balconies. Outdoor heating appliances shall not be operated beneath or closer than 5 feet to buildings, overhangs, awnings, sunshades or similar combustible attachments.

_____ Property Address - Property address is required to be visible from the street. Minimum 4 inches in height, ½" width numbers permanently affixed on a contrasting background.

_____ Emergency Exits - The property must have a map or floor plan.

Community Impacts:

_____ Renters will be informed that on-street parking is not allowed.

_____ Adequate parking spaces will be provided for renter's use.

_____ Renters will be informed of the noise ordinance. No excessive or unreasonable noise will be permitted at any time.

_____ Renters will be informed of trash / recycling regulations and scheduled trash pickup times.

_____ A sufficient number of trash and recycling receptacles to accommodate all trash generated by those occupying the short-term rental property and all receptacles shall comply with Town Code.

_____ Night lighting ordinances will be complied with to reduce exterior light usage after dark.

_____ If pets are allowed, renters will be informed of leash laws, pet waste disposal, and barking/noise considerations.

_____ The operation of the short-term rental will comply with the "Good Neighbor Guidelines" and a copy of the guidelines will be provided to the renters in the rental agreement or by posting it in a prominent location within the property.

Advertising:

_____ All advertising for this short-term rental shall include the short-term rental license number, immediately following the description of the property.

By completing and signing this affidavit I (we) affirm that, under pains and penalties of perjury, that I have inspected this property and that it complies with all applicable laws, and codes.

Owner Signature/Property Manager

Printed Name

Date

Owner Signature/Property Manager

Printed Name

Date

Subscribed and affirmed before me in the county of _____, State of _____, this _____ day of _____, 20____.

(Notary's official signature)

NOTARY SEAL

(Commission Expiration)

Violations shall be subject to the following fines and penalties, per STR:

First violation in a 12-month period:	Written warning
Second violation in a 12-month period:	\$500
Third violation in a 12-month period:	\$1,500
Additional violation in a 12-month period:	STR prohibited for two years



Good Neighbor Guidelines

The Good Neighbor Guidelines were created to educate Short Term Rental (STR) owners, property managers and tenants/guests on the importance of being a good neighbor.

- **24-Hour Local Agent Contact Information** - If at any time you have concerns about your stay or in regard to your neighbors, please call the 24-hour contact number listed in the rental lease agreement or posted in the property. In the event of an emergency, please call 911.
- **General Respect for Neighbors** - Be friendly, courteous, and treat your neighbors like you want to be treated. Respect your neighbors and their property.
- **Noise and Outdoor Lighting**- Be considerate of the neighborhood and your neighbor's right to the quiet and peaceful enjoyment of their home and property, especially after 11p.m.
- **Maintenance of Property** - Be sure to pick up after yourself and keep the property clean, presentable, and free of trash.
- **Garbage Disposal** - Place trash and recycling containers at the appropriate place no earlier than 6:00 am for pickup. Return trash and recycling containers to the designated location by 7:00 pm on the day of pickup. Cigarette butts should be properly extinguished and disposed of.
- **Parking & Traffic Safety** - Do not park on roadways, lawns, or in a manner which blocks driveways, sidewalks, alleys or mailboxes. Drive slowly through neighborhoods and watch for pedestrians and children playing.
- **Pets** - Promptly clean-up after your pets. Prevent excessive and prolonged barking, and keep pets from roaming the neighborhood. Control aggressive pets, and be sure to abide by the local leash laws. Store pet food indoors and in a secure container to reduce the likelihood of unwanted pest problems.
- **Tenant/Guest Responsibility** - Approved guests and visitors are expected to follow the Good Neighbor Guidelines. Be sure to read your rental agreement for additional terms and restrictions which may include consequences for violating the Good Neighbor Guidelines.

Owner Signature or Property Manager

Printed Name

Date

Owner Signature or Property Manager

Printed Name

Date



To: Mayor and Board of Trustees

From: Brandy Reitter, Town Manager

Date: February 20, 2020

Agenda Item: Short Term Rental (STR) Policy Proposals

REQUEST:

Staff requests that the Board of Trustees reviews information on how the Town of Eagle could address a short-term rental policy.

INTRODUCTION:

In 2019, the Board of Trustees noted that we were collecting tax on a use that was not specifically ordained in the code. During the 2020 Budget Work session, the question was posed to staff to consider the revenue implications of a STR policy. After researching comparable communities to the Town of Eagle, staff held a discussion with the Planning and Zoning Commission to solicit feedback. The results of our research and community feedback are presented here.

ANALYSIS:

Staff reviewed the financial as well as public health, safety, and community impacts of an STR policy. The revenue projections below are determined through information provided by Host Compliance, a third-party compliance software company. An estimated 44 units fall within Town limits and rent at the average of \$135/day. These projections are based on an occupancy rate of 140 nights per year from an analysis by Evolve Vacation Rentals Network and a 90% compliance rate.

Type of Revenue	Revenue Collected (Yearly)
Business License (\$75/yr)	\$2,970
Sales Tax Collection (4.5%)	\$33,680
Lodging Tax (\$4/day)	\$23,760

Self-administration costs to the Town, compliance, and software costs for staff to oversee STRs have not been calculated but are anticipated to be significant. Many communities rely on software to collect taxes and/or fees from STRs, as well as process yearly license applications. The estimated cost of compliance software ranges from \$10,000 to \$25,000 per year.

Communities also regulate STRs to address health, safety, and welfare. For example, the Town of Fraser requires a local contact to address property problems within an hour and requires that adequate onsite

parking be provided for the property. Below is a table of best practices that exemplifies how regulations may align with community values.

The attached STR Matrix provides policy details of other cities in Colorado facing a growing number of STRs in their community.

<u>Common Short-term Rental Policy Objectives</u>	<u>Regulatory Best Practices</u>
○ Housing Availability	• Only allow permanent residents to operate Short-term Rentals
○ Neighborhood Preservation	• Disallow rentals in subsidized housing
○ Protect Quality of Life	• Set neighborhood quotas
	• Ban signs
	• Require adequate parking and garage disposal
	• Require hosts to post noise ordinance
○ Economic Development	• Require a local contact person
	• Encourage hosting in certain areas and time frames
○ Safety	• Require physical safety and habitability inspections

Source: Host Compliance

COMMUNITY INPUT:

The Planning and Zoning Commission held a discussion on STR policy during the 1/21/2020 meeting. The Commission raised concerns around the loss of residential and workforce housing as long-term rental units convert to STR. Additionally, there was concern around the impact on residential zones. It was noted that Eagle Ranch HOA prohibits STRs. In terms of revenue, Commissioners expressed interest in capturing sales and lodging tax from STRs. There was discussion about earmarking revenues collected from STRs for a housing program.

STR regulations were also discussed at the Marketing and Events Committee in August and have been a topic at other community forums in town. There are members of the community interested in economic development and tourism industries that would be impacted by a STR ordinance, as well as residents in neighborhoods with a distinct character that fear a change should their neighbors predominantly change from owner-occupied. Finally, hotels and other commercial lodging businesses in Town have expressed concern at the perceived inequity between the taxes they pay and contribute to the Town in comparison to what is viewed as a similar commercial use such as STR's.

BUDGET / STAFF IMPACT:

Currently, impact on staff and budget are minimal as we are still only reviewing policy.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

STR policy has the potential to meet all of the business values listed in the Town of Eagle Strategic Plan including sound planning, reliable and cost effective services, economic development, sound finances and increasing efficiency, protecting public health, safety, and the environment, and transparency and community engagement. Depending on the adopted policies, STR licenses can ensure scarce housing stock be maintained for permanent resident housing. Improving housing affordability and availability is listed as number 8 in the List of Major Objectives in the Strategic Plan.

RECOMMENDED ACTION OR PROPOSED MOTION:

Policy consideration and direction:

1. Set up a program to include application with fees and taxes – waiting for legal opinion
2. Notify third party STR vendors to remit taxes/fees to TOE
3. Develop policies in the LUC for SRT
4. Status quo

ATTACHMENTS:

- STR Ordinance Matrix.xlsx; Vacation Rental Performance Report; Short-term Rental Compliance Slide from Host Compliance.



To: Mayor and Town Council
 From: Brandy Reitter, Town Manager
 Jill Kane, Finance Director
 Date: June 9, 2020
 Agenda Item: Budget Work session follow-up

REQUEST/INTRODUCTION: The purpose of this memo is to incorporate the council's direction from the budget work session on May 19th into the revised 2020 budget projections. Please review the attached information to ensure that the staff understood the direction that was given and provide comment.

ANALYSIS:

General Fund: Staff is projecting total General Fund revenues for the Town to decrease by \$1,500,409, or 21% of original 2020 budgeted revenues. In order to cover the loss in revenue staff provided two options:

1. Reduce operating expenditures by \$1,500,409 based on staff provided cuts.
2. Utilize a portion of fund balance to help offset the projected revenue loss to reduce the amount of operational budget cuts for 2020.

During the budget work session on May 19th, in order to cover the \$1,500,000 in projected revenue shortfalls the Council directed staff to do the following:

- *Utilize up to approximately \$500,000 of general fund unassigned fund balance.*
- *Remove transfer of \$730,000 to the Capital Improvement Fund (utilization of CIF fund balance).*
- *Find the remaining \$250,000 in general fund expenditures.*
- *Provide amounts for each budget item in Scenario A budget cuts*
- *Work with managers to see what savings the Town is going to see due to delayed timing of projects/canceled events/etc. for 2020*

Scenario A – General Fund budget Cuts:

Department/Line Item	Detail	Scenario A Cuts Budget	Direction from Council
Town Council			
Personnel Services	Town Council Salaries & Wages/FICA	\$ 24,545	\$ 4,600
Professional Services	Community Survey	10,000	-
Community Requests	Events & Programs	53,000	21,900
General Government			
Minor Equipment	Nothing specifically noted	1,000	1,000
Dues&Subscriptions	US Forest Service Donation	5,000	5,000
Contract Payments	Alpine Lumber Mural Planning	6,000	6,000
Community Development			
Personnel Services	Code Enforcement Officer	83,961	83,961
Personnel Services	PT permit Tech	15,427	-
Professional Services	Highway 6 corridor Study	150,000	150,000
Streets			
Street Resurfacing		408,726	-
Marketing & Events			
Event Production	Walking Mountain Zero Waste Events	12,750	10,250
Transfers to Other Funds			
Transfer to Capital Improvements Fund		730,000	730,000
Total Budget Cuts		\$ 1,500,409	\$ 1,012,711

Additional 2020 General Fund Savings:

Finance worked with department managers to review their budgets to see what projects or expenditures were not going to be completed this year due to COVID related events or timing. Staff came up with an additional \$125,975. See specific details attached below. The revised scenario A budget cuts and savings identified by staff totals \$1,138,686. In order to cover the \$1,500,409 in projected loss revenue, \$361,723 of fund balance would need to be utilized. The revised projected budget will have \$6,949,202 in expenses, a 14% decrease from the adopted budget. Ending Fund balance will be reduced by 11% or \$361,723 from the adopted budget.

2020 GENERAL FUND BUDGET CUTS			
Department	Scenario A Revised Cuts	Other Savings	Total
Town Council	\$ 26,500	\$ -	\$ 26,500
General Government	12,000	-	12,000
General Admin	-	1,995	1,995
Community Development	233,961	2,000	235,961
Streets	-	8,700	8,700
Engineering	-	7,500	7,500
Buildings & Grounds	-	4,600	4,600
Public Safety	-	2,650	2,650
Municipal Court	-	1,730	1,730
Information Center	-	4,150	4,150
Marketing & Events	10,250	92,650	102,900
TOTAL DEPARTMENT CUTS	\$ 282,711	\$ 125,975	\$ 408,686
Transfers to Other Funds	730,000	-	730,000
TOTAL GENERAL FUND CUTS	\$ 1,012,711	\$ 125,975	\$ 1,138,686
General Fund Balance Utilized			\$ 361,723

With the cuts presented above this leaves unassigned fund balance at 32.19% of original operating expenditures. During the 2020 budget process the Town Council approved increasing the general fund unassigned reserve to 25% of operating expenditures to begin preparing for a potential recession. During the 2020/2021 budget development process, staff will review moving forward with a transfer in the 2020 budget to the Capital Improvements fund to have the general fund unassigned reserves at 25% of operating expenditures.

Capital Improvements Fund (CIF): The 2020 budget projected \$3,100,000 in CIF revenues. Staff is currently projecting a 38%, or \$1,191,000, decrease in those revenues. The 2020 adopted budget included \$643,000 in expenditures. During the first quarter of 2020 the Council approved utilizing \$100,000 in CIF Fund balance assigned to Highway 6 improvements to re-surface half of highway 6 during the Blackhills energy project west of Eagle. The Council also approved \$30,000 for a Community Development Truck. The \$130,000 in additional expenses will be partially offset with the \$50,000 public art project that will not be completed in 2019.

During the budget work session on May 19th, the Council directed staff to move forward with all other Capital Fund projects for the remainder of 2019 and to pay for the Highway 6 study (\$150,000) out of CIF devolution fund balance instead of the General Fund. The revised projected budget will have \$873,284 in expenses, a 47% increase from the adopted budget. Ending Fund balance will be reduced by 20% or \$1,471,000 from the adopted budget.

Sales Tax Capital Improvement Fund (STCIF): The 2020 budget projected \$614,836 in STCIF revenues. Staff is currently projecting a 17%, or \$104,534 decrease in revenues. The 2020 budget included \$551,774 in expenditures. Staff recommended reducing capital expenditures to \$32,000 which would

include spending on the dumpster enclosure, wetland plantings and an air compressor and to remove \$186,000 for the beach sand, rapid blocs and other miscellaneous projects.

During the budget work session on May 19th, the Council directed Staff to also include funding for the donor wall and to continue to postpone the other projects as recommended. Staff will increase include \$5,000 for the donor wall. The revised projected budget will have \$370,774 in expenses, a 33% decrease from the adopted budget. Ending Fund balance will be increased by 10% or \$76,467.

Open Space Fund: The 2020 budget projected \$146,820 in Open Space revenues. Staff was projecting a decrease of 57% of revenues, or \$83,820. On May 18, Staff was notified that the Vail Valley Mountain Trails Alliance would like to donate \$7,500 to assist in paying for a summer trail tech. With this contribution the projected revenues would decrease by 52% or \$76,320. Staff recommended a reduction in expenditures of \$115,850 in order to cover the shortfall in revenues and not deplete the Open Space fund balance.

During the budget work session on May 19th, the Council directed Staff to continue with all budgeted expenditures except for Brush Creek inventory and enhancement (\$10,000) and the contribution to the Eagle Valley Land Trust for Sweetwater Lake (\$10,000). The revised projected budget will have \$185,527 in expenses, a 10% decrease from the adopted budget. Ending Fund balance will be decreased by 22% or \$56,320. Staff does not recommend a transfer from the General Fund to the Open Space fund, however, if the Council would like to end 2020 with a \$258,493 fund balance (adopted projected fund balance), a transfer of \$56,320 would need to be made from the general fund to the open space fund.

Conservation Trust Fund (CTF): The 2020 budget projected \$34,985 in CTF revenues. Staff's revised projection showing a 39%, or \$13,634, decrease. Staff recommending postponing all spending in the CTF until the economy stabilizes and we understand the extent of the potential recession for these funds to be used on a potentially higher priority project.

During the budget work session on May 19th, the Council directed Staff to move forward with all budgeted projects. With no adjustment to 2020 expenditures, the projected ending fund balance will be decreased by 18% or \$13,629.

Enterprise Funds: Staff will be closely monitoring revenues and accounts receivables in our Water, Wastewater, and Refuse funds. Although the Town's cash flows in the enterprise funds may be affected, staff is not concerned about a reduction in revenues and did not complete a full analysis at this time. The Water Fund may have a potential to see a decrease in revenues due to customers increased conservation efforts. Staff recommended delaying capital projects in the enterprise funds that are non-essential with a combined savings of \$319,724.

During the budget work session on May 19th, the Council directed Staff to move forward with all budgeted capital projects.

COMMUNITY INPUT: None as of right now, any budget amendment will require public notice.

BUDGET / STAFF IMPACT: Budget impact discussed above. Overall projected decrease to Eagle's 2020 ending fund balances:

FUND	INCREASE(DECREASE) TO PROJECTED FUND BALANCE
General Fund	(\$361,723)
Capital Improvements Fund	(1,470,793)
Sales Tax Capital Improvements Fund	76,467
Open Space Fund	(56,320)
Conservation Trust Fund	(13,629)
TOTAL	(\$1,825,998)

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

- Sound planning and appropriate investment
- Sound finances

RECOMMENDED ACTION OR PROPOSED MOTION: Council should let staff know if the memo covers the direction given at the May 9th meeting or if there are any additional changes/items for discussion. All information will be translated to staff and the Town's 2020/2021 budget process.

ATTACHMENTS:

- General Fund 2020 Revised Budget Summary
- General Fund 2020 Budget Savings (Staff Review/Recommendation)
- Capital Improvement Fund 2020 Revised Budget Summary
- Sales Tax Capital Improvement Fund 2020 Revised Budget Summary
- Open Space 2020 Revised Budget Summary
- Conservation Trust Fund 2020 Revised Budget Summary

TOWN OF EAGLE
REVISED 2020 BUDGET SUMMARY

GENERAL FUND	Adopted Budget	Revised Projected Budget	% Change
<u>REVENUE</u>			
Taxes	\$ 5,448,859	\$ 4,572,400	-16%
Licenses & Permits	295,300	244,240	-17%
Intergovernmental Revenue	752,552	450,692	-40%
Charges For Services	290,550	139,840	-52%
Court Fine & Fees	126,262	74,377	-41%
Miscellaneous Revenue	190,600	122,164	-36%
Contributions & Transfers	16,281	16,281	0%
TOTAL REVENUE	\$ 7,120,404	\$ 5,619,995	-21%
REVENUE REDUCTION		\$ (1,500,409)	-21%
<u>EXPENSES</u>			
Town Board	\$ 111,281	\$ 84,781	-24%
General Government	433,328	421,328	-3%
General Administration	682,373	680,378	0%
Community Development	1,025,330	789,369	-23%
Streets	1,550,839	1,542,139	-1%
Engineering	255,724	248,224	-3%
Buildings & Grounds	763,681	759,081	-1%
Public Safety	2,061,530	2,058,880	0%
Municipal Court	84,110	82,380	-2%
Information Center	43,739	39,589	-9%
Marketing & Events	345,953	243,053	-30%
Transfer to Capital Improvements Fund	730,000	-	-100%
TOTAL EXPENSES	\$ 8,087,888	\$ 6,949,202	-14%
Beginning Fund Balance*	\$ 4,299,591	\$ 4,299,591	
Net Revenue (Expenses)	\$ (967,484)	\$ (1,329,207)	37%
TOTAL ENDING FUND BALANCE	\$ 3,332,107	\$ 2,970,384	-11%
Use of General Fund Reserves		(361,723.00)	

* Unaudited

<u>FUND BALANCES</u>			
Tabor	\$ 220,737	\$ 208,476	
Non-Spendable	158,600	158,600	
Unassigned Fund Balance	2,952,770	2,603,307	
Total Ending Fund Balance	\$ 3,332,107	\$ 2,970,384	
25% Operating Expense	\$ 1,839,472.00		
Unassignment Fund Balance above 25%	\$ 613,298.26		
% of Unassigned Fund Balance Compared to Operating Expenses	36.51%	32.19%	

2020 GENERAL FUND OTHER SAVINGS (Staff Review/Recommendation)			
Line Item	Detail	2020 ORG. BUDGET	2020 DEPT SAVINGS
GENERAL ADMINISTRATION			
Meeting Expense	General meeting exp and admin qrtly meetings	2,700	500
Tuition & Books	Leadership Coaching - \$1,495/person	5,865	1,495
	Total General Admin	\$ 8,565	\$ 1,995
COMMUNITY DEVELOPMENT			
Office Supplies	code enforcement office supplies	1,500	500
Communication & Transportation	Code enforcement outreach/large scale printing for meetings	3,500	1,500
	Total Community Development	\$ 5,000	\$ 2,000
STREETS			
Minor Equipment	Nothing identified at this time	17,839	8,700
	Total Streets	\$ 17,839	\$ 8,700
ENGINEERING			
Consultant/Professional Services	Miscellaneous outside engineering projects	27,500	7,500
	Total Engineering	\$ 27,500	\$ 7,500
BUILDINGS & GROUNDS			
Minor Equipment	Hus-Auto Mower Cost \$2,200 each includes setup	7,200	2,200
R&M Services	Pavilion flooring bi-monthly cleaning and snow white linen (2 months with no service to Town)	53,527	2,400
	Total Buildings and Grounds	\$ 60,727	\$ 4,600
PUBLIC SAFETY			
Consultant	possible reduction due to barcode system; consultant for investigation and planning-showing saving in first half of year	2,500	1,000
Detox Center	Showing savings in first half of year	4,500	1,250
Contract Payments	\$1,000 not identified services	6,500	400
	Total Public Safety	\$ 13,500	\$ 2,650
MUNICIPAL COURT			
Contract Payments	Municipal Court Judge - \$750/mo. or \$375 for one court date - currently court is postponed through June 17th (6 court dates) - Judge working on 1/2 salary	9,000	938
Contract Payments	Security for Muni Court: \$33/hour x 4 hours x 2 per month	3,168	792
	Total Municipal Court	\$ 12,168	\$ 1,730
INFORMATION CENTER			
Personnel Services	Furloughed Part-time Staff	35,599	4,000
Travel		150	150
	Total Info Center	\$ 150	\$ 4,150
MARKETING & EVENTS			
Office Supplies		500	250
Promotional Materials		4,000	1,000
Vehicle R&M Supplies	showing savings in first half of year	2,000	1,500
Gas & Oil		750	250
Minor Equipment	Zero Waste Event - Tents & Bins	4,650	4,650
Minor Equipment	Event Road Signage, Pedestrian safety materials, banners, etc.	4,500	2,250
Dues and Subscriptions	Event Management software	11,500	10,000
Marketing Services	Event Survey	3,000	3,000
Event Contract Services	Event support contractor	5,000	2,000
Legal		2,000	1,000
Media	The CO Tourism Grant is \$15,000 + \$5,000 match. Have to keep in \$20,000. Staff is keeping \$25k for potential addition expenses	40,000	15,000
Travel Expense	Outdoor Retailer Event - Canceled	2,000	1,500
Marketing - website		5,000	3,500

Line Item	Detail	2020 ORG. BUDGET	2020 DEPT SAVINGS
Design and Productions	Video production and photography	4,000	2,000
Tuition & Books		750	250
Events	MEAC Funded Events	65,000	23,500
Event Production	Community Clean-Up; Highway Cleanup; Electronics & Hazardous Waste	5,000	5,000
Event Production	Town Produced Event Production Costs: Porta potties, recycling, trash, supplies and other expenses	32,000	16,000
	Total Marketing & Events	\$ 191,650	\$ 92,650
Total Potential General Fund Budget Cuts			\$ 125,975

TOWN OF EAGLE
REVISED 2020 BUDGET SUMMARY

CAPITAL IMPROVEMENT FUND

	Adopted Budget	Projected Budget	Revised Projected Budget	% Change
<u>REVENUE</u>				
Capital Improvement Interest	\$ 60,000	\$ 54,000	\$ 54,000	-10%
Community Enhancement Interest	2,000	1,800	1,800	-10%
Devolution & Transportation Interest	32,000	28,800	28,800	-10%
Community Enhancement	44,500	40,000	40,000	-10%
Public Safety Impact Fees	668,000	534,400	534,400	-20%
Street Impact Fees	1,316,465	1,053,172	1,053,172	-20%
Use Tax	250,000	200,000	200,000	-20%
Transfer from General Fund	730,000	-	-	-100%
TOTAL REVENUE	\$ 3,102,965	\$ 1,912,172	\$ 1,912,172	-38%
REVENUE REDUCTION		\$ (1,190,793)	\$ (1,190,793)	-38%
<u>EXPENSES</u>				
Capital Expenditures	\$ 593,284	569,574	873,284	47%
Transfer to Other Funds	50,000	50,000	50,000	0%
TOTAL EXPENSES	\$ 643,284	\$ 619,574	\$ 923,284	44%
Beginning Fund Balance*	\$ 5,051,908	\$ 5,051,908	\$ 5,051,908	0%
Net Revenue (Expenses)	\$ 2,459,681	\$ 1,292,598	\$ 988,888	-60%
TOTAL ENDING FUND BALANCE	\$ 7,511,589	\$ 6,344,506	\$ 6,040,796	-20%

TOWN OF EAGLE
REVISED 2020 BUDGET SUMMARY

SALES TAX CAPITAL IMPROVEMENT FUND

	Adopted Budget	Projected Budget	Revised Projected Budget	% Change
<u>REVENUE</u>				
Sales Tax	\$ 585,836	\$ 492,102	\$ 492,102	-16%
Grants	11,000	11,000	11,000	0%
Interest-ColoTrust STCIF	8,000	7,200	7,200	-10%
Interest-UMB Project Fund	10,000	-	-	-100%
TOTAL REVENUE	\$ 614,836	\$ 510,302	\$ 510,302	-17%
REVENUE REDUCTION		\$ (104,534)	\$ (104,534)	-17%
<u>EXPENSES</u>				
Charges for Service	\$ 14,536	14,536	14,536	0%
Capital Expenditures	\$ 218,000	32,000	37,000	-83%
Debt Service	319,238	319,238	319,238	0%
TOTAL EXPENSES	\$ 551,774	\$ 365,774	\$ 370,774	-33%
Beginning Fund Balance*	\$ 728,433	\$ 728,433	\$ 728,434	0%
Net Revenue (Expenses)	\$ 63,062	\$ 144,528	\$ 139,528	121%
TOTAL ENDING FUND BALANCE	\$ 791,495	\$ 872,961	\$ 867,962	10%

TOWN OF EAGLE
REVISED 2020 BUDGET SUMMARY

CONSERVATION TRUST FUND

	<u>Adopted Budget</u>	<u>Projected Budget</u>	<u>Revised Projected Budget</u>	<u>% Change</u>
<u>REVENUE</u>				
Lottery Proceeds	\$ 33,785	\$ 20,271	\$ 20,271	-40%
Interest	1,200	1,080	1,080	-10%
<i>TOTAL REVENUE</i>	\$ 34,985	\$ 21,351	\$ 21,351	-39%
<i>REVENUE REDUCTION</i>		\$ (13,634)	\$ (13,634)	-39%
<u>EXPENSES</u>				
Professional Services-Open Space Master Plan	\$ 15,000	\$ -	\$ 15,000	0%
Camping	20,000	-	20,000	0%
Park Improvements	-	-	-	
<i>TOTAL EXPENSES</i>	\$ 35,000	\$ -	\$ 35,000	0%
Beginning Fund Balance*	\$ 75,692	\$ 75,692	\$ 75,697	0%
Net Revenue (Expenses)	\$ (15)	\$ 21,351	\$ (13,649)	90893%
<i>TOTAL ENDING FUND BALANCE</i>	\$ 75,677	\$ 97,043	\$ 62,048	-18%

* Unaudited

TOWN OF EAGLE
REVISED 2020 BUDGET SUMMARY

OPEN SPACE FUND

	<u>Adopted Budget</u>	<u>Projected Budget</u>	<u>Revised Projected Budget</u>	<u>% Change</u>
<u>REVENUE</u>				
Lodging Tax	\$ 143,820	\$ 60,000	\$ 60,000	-58%
Interest on Investments	3,000	3,000	3,000	0%
Other Grants	-	-	7,500	
<i>TOTAL REVENUE</i>	\$ 146,820	\$ 63,000	\$ 70,500	-52%
<i>REVENUE REDUCTION</i>		\$ (83,820)	\$ (76,320)	-52%
<u>EXPENSES</u>				
Personnel	\$ 76,463	\$ 76,463	\$ 76,463	0%
Materials & Supplies	17,850	1,000	17,850	0%
Charges for Supplies	46,506	7,506	46,506	0%
Discretionary Funding	10,000	-	-	-100%
Fixed Charges	4,708	4,708	4,708	0%
Capital Expenditures	50,000	-	40,000	-20%
<i>TOTAL EXPENSES</i>	\$ 205,527	\$ 89,677	\$ 185,527	-10%
Beginning Fund Balance*	\$ 317,200	\$ 317,200	\$ 317,200	0%
Net Revenue (Expenses)	\$ (58,707)	\$ (26,677)	\$ (115,027)	96%
<i>TOTAL ENDING FUND BALANCE</i>	\$ 258,493	\$ 290,523	\$ 202,173	-22%

* Unaudited



To: Mayor and Town Council

From: Brandy Reitter, Town Manager

Date: June 9, 2020

Agenda Item: November Election Items

REQUEST:

Staff requests that the Council discuss possible ballot questions in preparation for the November 2020 election.

INTRODUCTION:

As a result of a successful Home Rule election in April, the Town is required to have 2 elections in 2020. After this year, the Town will revert to having a regular election once every other year, unless a special election is scheduled. The election is scheduled for Tuesday, November 3. Depending on the ballot questions that the Council would like to propose this fall, it could require some level of public education. Once the Council approves ballot language, the Town must refrain from outreach according to regulations in the Fair Campaign Practices Act (FCPA).

The FCPA prevents utilizing public resources to campaign or advocate for a ballot question as part of a regular or special election. Town can educate the public through September 4 when the Council has to approve ballot questions. Since September 4 does not align with the Council's regular meeting, ballot questions need to be approved by August 25. Staff has provided potential questions for the Council to consider. Some of these proposals are based on the budget conversations the Board of Trustees had last year. Some ideas are suggestions made by staff. The Council retreat is also another opportunity to discuss ballot questions.

ANALYSIS:

Possible Ballot Question Ideas and Rationale:

Use Tax Fix

The Town has a use tax that is 4% on the sale of building materials. The Town's sales tax is 4.5%. When use tax is applied to a purchase on building materials, the customer does not pay the 4% sales tax because it is illegal to double tax since the use tax is technically a type of sales tax. The .5% sales tax still applies to the purchase and the vendor is required to apply the remaining sales tax. Since the Town's use and sales tax do not match, it creates problems for both staff and the vendor and often, vendors do not apply the .5% sales tax which is lost revenue.

Staff currently reviews all receipts and issues sales tax refunds on appropriate expenditures when use tax is applied to ensure we receive the .5% sales tax. This has created a burden on staffing resources and the new policy for sale tax exemptions is to apply it at point of sale with an exemption certificate. Online sales will still be handled administratively. This is the best way to ensure that the Town receives the .5% sales tax when use tax is applied and make it easier to administrate if both taxes match. This is also important because the .5% sales tax pays for the Eagle River Park revenue bond.

The use tax is dedicated to the Capital Improvement Fund and is the only ongoing source of revenue that supports capital projects. If we increased use tax from 4% to 4.5% based on our 2020 budget (\$250,000), use tax would increase by \$31,250. Based on 2019 actual collections of \$312,200 the increase would be \$39,025. So, in 2019 if we collected 4.5% use tax our total collection would be \$351,225

Lodging Tax

The Town currently collects a flat lodging tax/fee of \$4 per night on hotels and STR once staff implements that policy change. Prior to becoming Home Rule, statutory towns were not allowed to apply a percentage for lodging tax, only a flat fee. Now that the Town is Home Rule, the lodging tax can be a percentage. Most communities that are Home Rule and have a lodging tax apply a percentage. A percentage is more equitable, and revenue adjusts with the fluctuations in room prices.

Town would likely generate more revenue if the tax was a percentage. The lodging tax supports two programs and the revenue is split. The Open Space program receives \$2 and the Marketing and Events program receives \$2. Both programs are underfunded and require a General Fund subsidy. General Fund subsidies decrease funding needed to provide general governmental services like, public safety, public works, and general operations.

Downtown Development Authority (DDA) with Tax Increment Financing (TIF)

This is a proposal that the Downtown Business Association (DBA) is going to present June 23. The group would like to establish a Downtown Development Authority that sets up a special taxing district to support economic development and revitalization of Broadway Street. A TIF is a financing tool that generates revenue for the district if there is an increase in sales tax collections in the district. It's not a new tax, but it allows for the incremental increase in collections to be dedicated to the DDA for support. The DBA will make a presentation soon on the subject.

Other Ideas

Provided below are other ideas that require more thought but are items that could be included in the strategic plan:

- Dedicated revenue to support the Open Space program
- Dedicated revenue to capital improvements & Highway 6/street improvements
- Dedicated revenue towards sustainability initiatives

COMMUNITY INPUT:

Community input isn't required with this memo.

BUDGET / STAFF IMPACT:

There is no impact associated with this memo.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

The ideas presented in this memo reflect a few values in the strategic plan. Since the ideas are funding proposals, this supports good planning and generates revenue for underfunded priorities and operations. These proposals support fair taxing policies like the lodging tax change. Matching use and sales tax improves the Town's financial position, ensures that we mitigate losses in revenues and improves efficiency in the management of sales tax exemptions. The downside to these proposals is that it does increase the tax burden on individuals. Ultimately, these costs will be passed onto the consumer.

RECOMMENDED ACTION OR PROPOSED MOTION:

No motion is required. Staff would like direction if there is a policy that the Council would like to explore for the November election.

ATTACHMENTS:

- None

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:53 PM
To: Paul Abling
Cc: Brandy Reitter; Jenny Rakow
Subject: RE: Opposed to noonball at EVMS

Hello Paul!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: Paul Abling <paul@walkingmountains.org>
Sent: Friday, May 29, 2020 3:53 PM
To: Andy Jessen <andy.jessen@townofeagle.org>; Scott Turnipseed <scott.turnipseed@townofeagle.org>; Pappy Kerst <pappy.kerst@townofeagle.org>; Matt Solomon <matt.solomon@townofeagle.org>; Adam Palmer <adam.palmer@townofeagle.org>; Ellen Bodenhemier <ellen.bodenhemier@townofeagle.org>
Subject: Opposed to noonball at EVMS

I am writing to you all to voice my opposition for noon ball at Eagle Valley Middle School.

In this day and age when there are other locations available, I don't think it is responsible. My kids don't go there yet, but they will.

While I respect the tradition I think you need to consider the time. I'm sure there are fond memories of the tradition. We all have great memories of all those times before lockdown drills, face masks, school shootings, and pandemics.

For the record, I would be super opposed to this even without COVID. In light of the COVID situation you've got yourself one darn convenient excuse to do away with something that should have gone away many... many.... many years ago.

It's selfish. It's unnecessary. This should not be about the rights of the few. It should be about the safety of the schoolchildren.

I know many of you personally. Thanks for all that you do to serve this great community.

I'm sure you can figure out a way to build a really nice court at the Eagle Pool & Ice Rink.

Best,
Paul

--

Paul Abling (pronouns he/him)
Marketing & Communications Director
[Walking Mountains Science Center](#)
[318 Walking Mountains Lane](#) | PO Box 9469 | Avon, CO 81620
[970.688.4250](#) | paul@walkingmountains.org



<http://www.walkingmountains.org/learnonline>

Jenny Rakow

From: Scott Turnipseed
Sent: Monday, June 1, 2020 9:51 AM
To: Paul Abling
Cc: Brandy Reitter; Jenny Rakow
Subject: RE: Opposed to noonball at EVMS

Hey Paul!

Thanks for the appreciation. I'm sure that you realize that it is a tough job with some tough decisions but we are doing our best to help our community.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: Paul Abling <paul@walkingmountains.org>
Sent: Monday, June 1, 2020 8:48 AM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Cc: Brandy Reitter <brandy.reitter@townofeagle.org>; Jenny Rakow <jenny.rakow@townofeagle.org>
Subject: Re: Opposed to noonball at EVMS

Thank you, Scott. I appreciate everything you all do.

Best,
Paul

On Sat, May 30, 2020 at 4:52 PM Scott Turnipseed <scott.turnipseed@townofeagle.org> wrote:

Hello Paul!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: Paul Abling <paul@walkingmountains.org>

Sent: Friday, May 29, 2020 3:53 PM

To: Andy Jessen <andy.jessen@townofeagle.org>; Scott Turnipseed <scott.turnipseed@townofeagle.org>; Pappy Kerst <pappy.kerst@townofeagle.org>; Matt Solomon <matt.solomon@townofeagle.org>; Adam Palmer <adam.palmer@townofeagle.org>; Ellen Bodenhemier <ellen.bodenhemier@townofeagle.org>
Subject: Opposed to noonball at EVMS

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In this day and age when there are other locations available, I don't think it is responsible. My kids don't go there yet, but they will.

While I respect the tradition I think you need to consider the time. I'm sure there are fond memories of the tradition. We all have great memories of all those times before lockdown drills, face masks, school shootings, and pandemics.

For the record, I would be super opposed to this even without COVID. In light of the COVID situation you've got yourself one darn convenient excuse to do away with something that should have gone away many... many.... many years ago.

It's selfish. It's unnecessary. This should not be about the rights of the few. It should be about the safety of the schoolchildren.

I know many of you personally. Thanks for all that you do to serve this great community.

I'm sure you can figure out a way to build a really nice court at the Eagle Pool & Ice Rink.

Best,

Paul

--

Paul Abling (pronouns he/him)
Marketing & Communications Director

Walking Mountains Science Center

318 Walking Mountains Lane | PO Box 9469 | Avon, CO 81620

970.688.4250 | paul@walkingmountains.org



<http://www.walkingmountains.org/learnonline>

--

Paul Abling (pronouns he/him)
Marketing & Communications Director

Walking Mountains Science Center

318 Walking Mountains Lane | PO Box 9469 | Avon, CO 81620

970.688.4250 | paul@walkingmountains.org



<http://www.walkingmountains.org/learnonline>

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:49 AM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Begin forwarded message:

From: Paul Abling <paul@walkingmountains.org>
Subject: Opposed to noonball at EVMS
Date: May 29, 2020 at 15:52:42 MDT
To: Andy Jessen <andy.jessen@townofeagle.org>, scott.turnipseed@townofeagle.org,
pappy.kerst@townofeagle.org, matt.solomon@townofeagle.org,
adam.palmer@townofeagle.org, ellen.bodenhemier@townofeagle.org

I am writing to you all to voice my opposition for noon ball at Eagle Valley Middle School.

In this day and age when there are other locations available, I don't think it is responsible. My kids don't go there yet, but they will.

While I respect the tradition I think you need to consider the time. I'm sure there are fond memories of the tradition. We all have great memories of all those times before lockdown drills, face masks, school shootings, and pandemics.

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I'm sure you can figure out a way to build a really nice court at the Eagle Pool & Ice Rink.

Best,
Paul

--

Paul Abling (pronouns he/him)
Marketing & Communications Director
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[970.688.4250](tel:970.688.4250) | paul@walkingmountains.org



<http://www.walkingmountains.org/learnonline>

Jenny Rakow

From: Pappy Kerst
Sent: Monday, June 1, 2020 10:52 AM
To: Sarah Baker; Scott Turnipseed; Jenny Rakow
Subject: Re: Noon Ball - Keep it in Eagle!

Thanks for your interest. I am sending this forward to Jenny for it to be placed in the public file.

Pappy

From: Sarah Baker <sbaker@sbakerpc.com>
Sent: Wednesday, May 27, 2020 5:41:05 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>; Andy Jessen <andy.jessen@townofeagle.org>; Pappy Kerst <pappy.kerst@townofeagle.org>; Matt Solomon <matt.solomon@townofeagle.org>; Adam Palmer <adam.palmer@townofeagle.org>; Ellen Bodenhemier <ellen.bodenhemier@townofeagle.org>; David Gaboury <david.g@townofeagle.org>
Cc: Brandy Reitter <brandy.reitter@townofeagle.org>
Subject: Noon Ball - Keep it in Eagle!

Mayor and Council Members:

I just wanted to add my voice of support for your strong advocacy of maintaining the Noon Ball program in accordance with the terms of the contract as Eagle originally negotiated it.

Student security is obviously of importance, but from the impartial perspective of someone with no children (but who was raised by great parents, teachers and other adults) and who also does not know anyone who participates in the noon ball program, it seems to me that the school district's justification is more about making things easy on them than it really is about safety of the kids. Isolating kids from the real world is not the answer – especially when it seems clear that obvious, common-sense protocols could easily be put in place to allow the program to continue safely.

Taxpayers are not a cookie jar – and multi-use facilities should be encouraged when they are funded by taxpayer dollars. Just like they could back in 1995 when the contract was executed, the school district and the town can share.

The deal that the district is offering, at least as the Vail Daily has reported it, is absurd and would be given zero consideration in any commercial negotiation. Don't let the district take advantage of Eagle.

Please negotiate hard to keep the program in Eagle under the terms of the original contract. Eagle has always been a place where old-fashioned common sense prevails, and we are a better community because of that.

Thank you for your work on behalf of the Town's citizens.

Sarah

Sarah J. Baker | Sarah J. Baker PC
Office (970) 331-0799 | **Fax** (866) 597-4823
E: sbaker@sbakerpc.com | www.sbakerpc.com

CONFIDENTIALITY NOTICE:

This electronic message is from a law firm. It may contain confidential or privileged information. If you received this transmission in error, please reply to the sender to advise of the error and delete this transmission and any attachments.

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:51 PM
To: Stephanie Barklage
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Stephanie!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

Thanks so much!
Scott Turnipseed
Mayor

TOWN OF EAGLE
200 Broadway, PO Box 609, Eagle Co 81631
Phone: 970-328-6354, Fax: 970-328-5203
CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:

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-----Original Message-----

From: Stephanie Barklage <subarklage@gmail.com>
Sent: Friday, May 29, 2020 4:46 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

Please keep the safety and security of our kids in mind when making your decision.. this is a clear opportunity for a security breach!

Sent from my iPhone

Jenny Rakow

From: Matt Solomon
Sent: Wednesday, June 3, 2020 4:07 PM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Begin forwarded message:

From: Amy Baron <baron_amy@yahoo.com>
Subject: Opposed to noonball at EVMS
Date: June 3, 2020 at 15:36:56 MDT
To: matt.solomon@townofeagle.org

I think it's time for the noonball to find somewhere else to play

Sent from my iPhone

Re: Opposed to noonball at EVMS

Pappy Kerst <pappy.kerst@townofeagle.org>

Wed 6/3/2020 3:38 PM

To: Amy Baron <baron_amy@yahoo.com>; Jenny Rakow <jenny.rakow@townofeagle.org>; Scott Turnipseed <scott.turnipseed@townofeagle.org>

Thanks, forward to public file.

Pappy

From: Amy Baron <baron_amy@yahoo.com>

Sent: Wednesday, June 3, 2020, 3:36 PM

To: Pappy Kerst

Subject: Opposed to noonball at EVMS

I think it's time for the boo ball to find somewhere else to play

Sent from my iPhone

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:47 PM
To: Kara Bettis
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Supporting noon ball at EVMS!!

Hello Kara!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I will enter these into the public record.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

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From: Kara Bettis <bettiskara@gmail.com>
Sent: Saturday, May 30, 2020 9:45 AM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Supporting noon ball at EVMS!!

Hi Scott,

I just wanted to say thanks for supporting noon ball! It's a great program and I don't feel we impact the students at all unless players go shower which I believe that can be taken away! As one of the few women who play noon ball I find it beneficial that you can go play a pick up game around lunch time and get some great exercise in. As you know my son goes to that school and I don't believe is unsafe because of noonball at all. There are not many basketball courts at all in eagle or gypsum where this program can be played. The middle school is great because you can have two half court games going. This is important during school breaks when high schoolers from both high schools have no gyms open to

play pick up games can go there and play. As you know the rec center gets packed with kids of all ages during school breaks and there is one court, so that is not an option over school breaks.

Anyways I am sure you have heard both sides.. just wanted to say thank you for seeing the positive in the program and supporting it!

Kara Bettis

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:46 PM
To: Minturnmutt
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Brent!

Thanks so much for your input and thoughts.

I appreciate it.

I will enter these into the public record.

Thanks so much!

Scott Turnipseed
Mayor

TOWN OF EAGLE
200 Broadway, PO Box 609, Eagle Co 81631
Phone: 970-328-6354, Fax: 970-328-5203
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-----Original Message-----

From: Minturnmutt <minturnmutt@gmail.com>
Sent: Saturday, May 30, 2020 12:30 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

Mr Mayor and members of the council,

I am the father of a student in RE50J. I am writing to voice my opposition to the noon basketball and quite frankly any drop-in type activities on our school facilities for non students.

I work closely with law enforcement agencies tasked with security and terroristic activity specific to aviation but applicable to all areas.

When we look at past instances, a large contributor is access. If you remove the access, you remove a potential threat.

Historically, this has been a good program for members of the community, but allows access to a potential threat. Because of this potential, I recommend finding an alternative arena for any extracurricular activities being held on school grounds. I understand a less convenient alternative has been discussed. If looking back after an incident, it is discovered that convenience was chosen at the cost of safety, it will be a horrible realization.

Thank You,

Brent Cartwright
Minturn, Colorado
Minturnmutt@gmail.com

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:52 AM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Begin forwarded message:

From: Minturnmutt <minturnmutt@gmail.com>
Subject: Opposed to noonball at EVMS
Date: May 30, 2020 at 16:15:25 MDT
To: matt.solomon@townofeagle.org

Mr Mayor and members of the council,

I am the father of a student in RE50J. I am writing to voice my opposition to the noon basketball and quite frankly any drop-in type activities on our school facilities for non students.

I work closely with law enforcement agencies tasked with security and terroristic activity specific to aviation but aplicable to all areas.

When we look at past instances, a large contributor is access. If you remove the access, you remove a potential threat.

Historically, this has been a good program for members of the community, but allows access to a potential threat. Because of this potential, I recommend finding an alternative arena for any extracurricular activities being held on school grounds. I understand a less convenient alternative has been discussed. If looking back after an incident, it is discovered that convenience was chosen at the cost of safety, it will be a horrible realization.

Thank You,

Brent Cartwright

Minturn, Colorado

Minturnmutt@gmail.com

Jenny Rakow

From: Pappy Kerst
Sent: Monday, June 1, 2020 10:56 AM
To: Eunice De Ghetto; Jenny Rakow; Scott Turnipseed
Subject: Re: Opposed to noonball at EVMS

Thanks for your interest. I am sending this forward to Jenny for it to be placed in the public file.

Pappy

From: Eunice De Ghetto <zamoraeeunice@hotmail.com>
Sent: Friday, May 29, 2020, 3:31 PM
To: Pappy Kerst
Subject: Opposed to noonball at EVMS

As a parent of a middle schooler I am not in favor of exposing my child to possible dangers that can happen. And by dangers I mean seeing naked males in the locker room! Once my child walked into the locker room a few minutes before his PE class was to start and he saw an adult male naked. Luckily nothing happened to him, but that is the last thing we expected our son to witness at school. This was very unsettling for my husband and I. Administration was notified and they took care of the situation, but the school and students should not be put in that situation.

Sincerely,
Eunice De Ghetto

Sent from [Mail](#) for Windows 10

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:54 PM
To: Eunice De Ghetto
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Eunice!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

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From: Eunice De Ghetto <zamoraeeunice@hotmail.com>
Sent: Friday, May 29, 2020 3:30 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

As a parent of a middle schooler I am not in favor of exposing my child to possible dangers that can happen. And by dangers I mean seeing naked males in the locker room! Once my child walked into the locker room a few minutes before his PE class was to start and he saw an adult male naked. Luckily nothing happened to him, but that is the last thing we expected our son to witness at school. This was very unsettling for my husband and I. Administration was notified and they took care of the situation, but the school and students should not be put in that situation.

Sincerely,
Eunice De Ghetto

Sent from [Mail](#) for Windows 10

Jenny Rakow

From: Matt Solomon
Sent: Monday, June 1, 2020 5:33 PM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Matt

Sent from my iPhone leash.

Begin forwarded message:

From: shannon garton <gartonshannon@hotmail.com>
Date: June 1, 2020 at 17:30:40 MDT
To: "matt.solomon@townofeagle.org" <matt.solomon@townofeagle.org>
Subject: **Opposed to noonball at EVMS**

Looks to me like it was written in the contract that the space shall be available to recreation district. The tax payers paid a lot of money for the new facilities.
However, maybe there needs to be some type of amendment regarding liability insurance?
Shannon

Jenny Rakow

From: Pappy Kerst
Sent: Monday, June 1, 2020 5:32 PM
To: shannon garton; Jenny Rakow; Scott Turnipseed
Subject: Re: Opposed to noonball at EVMS

Thanks for your interest. I am sending this forward to Jenny for it to be placed in the public file.

Pappy

From: shannon garton <gartonshannon@hotmail.com>
Sent: Monday, June 1, 2020 5:30:27 PM
To: Pappy Kerst <pappy.kerst@townofeagle.org>
Subject: Opposed to noonball at EVMS

Looks to me like it was written in the contract that the space shall be available to recreation district. The tax payers paid a lot of money for the new facilities.

However, maybe there needs to be some type of amendment regarding liability insurance?

Shannon

Jenny Rakow

From: Scott Turnipseed
Sent: Tuesday, June 2, 2020 7:24 AM
To: shannon garton
Cc: Brandy Reitter; Jenny Rakow
Subject: RE: Opposed to noonball at EVMS

Hello Shannon!

I hope all is well.

Thanks so much for your input. I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments can be entered into the public record.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

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From: shannon garton <gartonshannon@hotmail.com>
Sent: Monday, June 1, 2020 5:30 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

Looks to me like it was written in the contract that the space shall be available to recreation district. The tax payers paid a lot of money for the new facilities.

However, maybe there needs to be some type of amendment regarding liability insurance?

Shannon

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:52 PM
To: Christy Greenblatt
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Christy!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

Thanks so much!

Scott Turnipseed
Mayor

TOWN OF EAGLE
200 Broadway, PO Box 609, Eagle Co 81631
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-----Original Message-----

From: Christy Greenblatt <yogamom4@sbcglobal.net>
Sent: Friday, May 29, 2020 4:14 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

As a teacher and parent I can not believe this is even a question. Why are these 20 players allowed access to a school that no one else is. Get your priorities straight please.

Are we going to allow other groups to use the school? Times have changed - school shootings and now Covid. The safety of our children and staff should be more important than a group of guys playing ball.

I look forward to your response.

Christy Greenblatt

Sent from my iPhone

Jenny Rakow

From: Pappy Kerst
Sent: Monday, June 1, 2020 10:59 AM
To: Christy Greenblatt; Jenny Rakow; Scott Turnipseed
Subject: Re: Opposed to noonball at EVMS

Thanks for your interest. I am sending this forward to Jenny for it to be placed in the public file.

Pappy

From: Christy Greenblatt <yogamom4@sbcglobal.net>
Sent: Friday, May 29, 2020, 4:19 PM
To: Pappy Kerst
Subject: Opposed to noonball at EVMS

As a teacher and parent I can not believe this is even a question. Why are these 20 players allowed access to a school that no one else is. Get your priorities straight please.

Are we going to allow other groups to use the school? Times have changed - school shootings and now Covid. The safety of our children and staff should be more important than a group of guys playing ball.

I look forward to your response.

Christy Greenblatt

Re: Opposed to noonball at EVMS

Pappy Kerst <pappy.kerst@townofeagle.org>

Mon 6/1/2020 11:31 AM

To: Christy Greenblatt <yogamom4@sbcglobal.net>; Jenny Rakow <jenny.rakow@townofeagle.org>; Scott Turnipseed <scott.turnipseed@townofeagle.org>

Thanks for your interest. I am sending this forward to Jenny for it to be placed in the public file.

Pappy

Get [Outlook for Android](#)

From: Christy Greenblatt <yogamom4@sbcglobal.net>

Sent: Friday, May 29, 2020, 4:26 PM

To: Pappy Kerst

Subject: Opposed to noonball at EVMS

As a teacher and parent I can not believe this is even a question. Why are these 20 players allowed access to a school that no one else is. Get your priorities straight please.

Are we going to allow other groups to use the school? Times have changed - school shootings and now Covid. The safety of our children and staff should be more important than a group of guys playing ball.

I look forward to your response.

Christy Greenblatt

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:49 AM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Begin forwarded message:

From: Christy Greenblatt <yogamom4@sbcglobal.net>
Subject: **Opposed to noonball at EVMS**
Date: May 29, 2020 at 16:26:51 MDT
To: matt.solomon@townofeagle.org

As a teacher and parent I can not believe this is even a question. Why are these 20 players allowed access to a school that no one else is. Get your priorities straight please.

Are we going to allow other groups to use the school? Times have changed - school shootings and now Covid. The safety of our children and staff should be more important than a group of guys playing ball.

I look forward to your response.

Christy Greenblatt

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:53 PM
To: Molly Haley
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Molly!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: Molly Haley <mollyjpierce@gmail.com>
Sent: Friday, May 29, 2020 3:44 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

Dear Mayor Turnipseed,

The children of Eagle County have the right to go to school in safety. They should not be subjected to live shooter drills or other scary exercises that we who are adults never had to endure. I love the idea of noon ball--it's how things were when we were kids. Sadly, the world is different now. Can we please keep unknown adults out of school buildings during the school day?

I'm opposed to noon ball at EVMS.

Thank you,

Molly Haley
Mother of 5th and 7th graders

--

mollyjpierce@gmail.com

970.331.3216

Jenny Rakow

From: Pappy Kerst
Sent: Monday, June 1, 2020 10:57 AM
To: Molly Haley; Jenny Rakow; Scott Turnipseed
Subject: Re: Opposed to noonball at EVMS

Thanks for your interest. I am sending this forward to Jenny for it to be placed in the public file.

Pappy

From: Molly Haley <mollyjpierce@gmail.com>
Sent: Friday, May 29, 2020, 3:45 PM
To: Pappy Kerst
Subject: Opposed to noonball at EVMS

Dear Pappy,

The children of Eagle County have the right to go to school in safety. They should not be subjected to live shooter drills or other scary exercises that we who are adults never had to endure. I love the idea of noon ball--it's how things were when we were kids. Sadly, the world is different now. Can we please keep unknown adults out of school buildings during the school day?

I'm opposed to noon ball at EVMS.

Thank you,

Molly Haley
Mother of 5th and 7th graders

--

mollyjpierce@gmail.com
970.331.3216

Fwd: Opposed to noonball at EVMS

David Gaboury <david.g@townofeagle.org>

Wed 6/3/2020 2:10 PM

To: Jenny Rakow <jenny.rakow@townofeagle.org>

David Gaboury

Council Member

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

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Begin forwarded message:

From: Molly Haley <mollyjpierce@gmail.com>

Date: May 29, 2020 at 3:48:29 PM MDT

To: David Gaboury <david.g@townofeagle.org>

Subject: Opposed to noonball at EVMS

Dear Mr. Gaboury,

The children of Eagle County have the right to go to school in safety. They should not be subjected to live shooter drills or other scary exercises that we who are adults never had to endure. I love the idea of noon ball--it's how things were when we were kids. Sadly, the world is different now. Can we please keep unknown adults out of school buildings during the school day?

I'm opposed to noon ball at EVMS.

Thank you,

Molly Haley

Mother of 5th and 7th graders

--

mollyjpierce@gmail.com

970.331.3216

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:48 AM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Begin forwarded message:

From: Molly Haley <mollyjpierce@gmail.com>
Subject: **Opposed to noonball at EVMS**
Date: May 29, 2020 at 15:44:58 MDT
To: matt.solomon@townofeagle.org

Dear Mr. Soloman,

The children of Eagle County have the right to go to school in safety. They should not be subjected to live shooter drills or other scary exercises that we who are adults never had to endure. I love the idea of noon ball--it's how things were when we were kids. Sadly, the world is different now. Can we please keep unknown adults out of school buildings during the school day?

I'm opposed to noon ball at EVMS.

Thank you,

Molly Haley
Mother of 5th and 7th graders

--

mollyjpierce@gmail.com
970.331.3216

From: David Hanen <DavidHanen@haselden.com>
Sent: Monday, June 1, 2020 7:15 AM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

David Hanen
Superintendent
Mobile: 970-989-3983
Office: 303-334-1028
DavidHanen@haselden.com



This electronic transmission is strictly confidential and intended solely for the addressee. If you are not the intended addressee, you must not disclose, copy or take any action in reliance of this transmission. If you have received this transmission in error it would be helpful if you could notify the individual who sent the message from Haselden Construction as soon as possible. v0.0
External

Jenny Rakow

From: Brad Hasley <hasleybr@yahoo.com>
Sent: Friday, May 29, 2020 8:07 PM
To: ALL COUNCIL
Subject: Pro noon ball resident

Dear Eagle Town Council,

Thanks you for all of your awesome service to this community! Although I have not been able to play noon ball for almost 15 years, I personally think its an awesome activity that our community is able to pull off shared with the school district. My school age kids take part in noon ball on school breaks, and love playing with the adults there!

Below is my response to the school districts awful communication on the subject. Thank you for standing your ground!

Sincerely,

Brad Hasley
Eagle, CO.
(cell) 970-376-1961

----- Forwarded Message -----

From: Brad Hasley <hasleybr@yahoo.com>
To: Eagle County Schools <communications@eagleschools.net>
Sent: Friday, May 29, 2020, 07:58:07 PM MDT
Subject: Re: ECS TrailMarker

Dear ECS Communications Dept,

Unbelievably bad take on the noon ball program by the "anonymous" author of this article. Please stop the political crap in your news letters, so this entire community can support the school district on every level. Really unfortunate that you published this one sided opinionated article.

Baseless argument. We are NOT sandy hook, we are Eagle, Colorado. Many of us in this community still trust the rest of this community with our lives and our kids lives. The school district should also, and abide by its past agreements, and not try to flake out on them for 5 cents on the dollar.

Its nice to see a community where people DO NOT live in fear, but can share community assets, and get enjoyment for people of all ages.

Sincerely,

Brad Hasley
Eagle, CO.
(cell) 970-376-1961

On Friday, May 29, 2020, 03:00:45 PM MDT, Eagle County Schools <communications@eagleschools.net> wrote:



Playtime for 20 or the safety of 400?

Parents, we need your perspective and input on the “noon ball” adult basketball program at Eagle Valley Middle School. Since 1995, about 20 or so adults have been playing games of pick-up basketball at noon alongside students attending school. After the 1999 Columbine school shooting, security measures of schools began to change. Measures intensified again following the 2012 Sandy Hook shooting, and yet again after the 2018 Parkland shooting. As a community, we have invested millions of dollars in double-entry security vestibules with secured entrances at our schools. The noon ball program is an active security threat. The 20 players have tried to downplay the security risk and make it about them personally. Our concern is not about the noon ball players. Our concern is that the program creates an easy-to-exploit way to access the school. Anyone can enter the school under the guise of playing “noon ball,” and once inside, have untethered access to the entire school.

Two of the three parties to the [original agreement](#), Mountain Rec and the District, agree that having adults play basketball and shower during the school day is no longer appropriate or safe. Both entities have agreed to relocate the program seven miles away at the Gypsum Rec Center. The current 20 players, as well as past players who are now members of the Town of Eagle Council and the media, object and insist their right to play basketball supersedes the safety and security of our students and staff members. They find relocating seven miles away to be too inconvenient.

At the May 26 [Town of Eagle Council meeting](#), a mostly one-sided public discussion was held where council members and the mayor vocalized their support and fond memories of the program and its tradition in Eagle. If you favor the safety of our 400 students and staff, please let them know so they get a broader sense of the community’s view on the matter.

[Scott Turnipseed, Mayor](#)

[Andy Jessen, Mayor Pro Term](#)

[Pappy Kerst, Council Member](#)

[Matt Soloman, Council Member](#)

[Adam Palmer, Council Member](#)

[Ellen Bodenheimer, Council Member](#)

[David Gaboury, Council Member](#)

Budget Update

Due to the COVID-19 pandemic, we want to share our budget challenges in more detail than normal. It is important that we all strive to increase our understanding of issues that affect our funding. In brief, here's what you need to know now:

- Current planning is for a \$9 million **reduction** in revenue (-11%)
 - Reduced enrollment: \$1,078,000 (-123 students)
 - Reduced School Finance Act funding: \$6,184,000 (-10%)
 - Reduced state revenue: \$100,000
 - Reduced other Local revenue: \$1,650,000
 - Total Reductions: \$9,012,000
- General Fund Reserve Balance will support \$1.87 million in cuts, requiring \$7.14 million in additional required cuts



Flexible learning

Next year, the significant change for education across the world is creating and adapting to a flexible learning and instruction style. This means being able to transition seamlessly from in-person instruction to distance learning and back again depending on health conditions in the community. To prepare for this unprecedented variability, we are planning multiple scenarios and need your input via a forthcoming survey. Our commitment is to seek public input and share our plans as soon as possible, but no later than early July. [Please read the Superintendent's column in a recent Vail Daily issue for more information.](#)



Parent input for next school year

We are completing a comprehensive survey for parents and staff to collect input around the complexities of planning for next year. Please look for this survey to come by email and respond as quickly as possible. Our goal is to create one thorough survey in lieu of sending multiple surveys. The District will include survey responses as we consider the various recommendations we receive from our local Public Health, CDC, CDE, and other districts.



Senior Scrapbooks

With special thanks to the Vail Daily, we hope all parents were able to pick up a printed copy of the papers with the Senior Scrapbooks for each of our high schools. If you missed it,

- District-level department budgets have been cut by 18% (on average)
- School-level support budgets have been cut by 12% (on average)
- Consolidating JCES saved \$750,000

here are digital versions you can download:

[Battle Mountain High School](#)

[Eagle Valley High School](#)

[Red Canyon & World Academy](#)

[Vail Ski & Snowboard Academy](#)



TABOR mostly TIGHTENS

The Taxpayers Bill of Rights (TABOR) in Colorado is an extremely complex law rooted in a popular sentiment -- it restricts the government's ability to raise taxes and spend revenue from tax collections. That sounds great, right? The challenge comes when we experience a recession or crisis, like our current pandemic. We may see up to a 20% budget cut this year because of revenue losses. The economy may totally recover the next year, but TABOR increases are limited to inflation. State revenues could double, but inflation could remain flat or only increase 2 to 4%. As an example, if we lose \$10 million in funding, and the economy recovers but inflation is 2%, then tax revenue only grows by \$1.3 million (on est. rev. of \$68M). **It takes a decade to recover from a one-year loss. EdWeek ranks Colorado as 40th in the Nation on funding and gives us a D+.**



The Gallagher Amendment only LOWERS

The 1982 Gallagher Amendment is also anchored in public sentiment. The Gallagher Amendment set a ratio of 45% residential property to 55% commercial property as the state property tax base. As home values go up, their share of taxes decreases. Currently, businesses are being assessed around 30% on their property with homeowners being assessed around 7%. **TABOR prevents the rates from increasing without voter approval so they combine to only push tax rates down.**

Virtual graduations

Our virtual graduations were organized and produced by EVHS media teacher Hannah Shapiro and her students. We believe they did a remarkable job and we celebrate their work! **[If you missed a ceremony, you can watch them here.](#)**

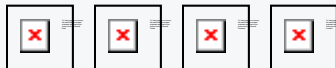


Amendment 23 and the Budget Stabilization Factor

In 2000, voters passed Amendment 23 to ensure the school funding formula increased with the annual rate of inflation. During the 2008 recession, the state was unable to fund schools accordingly, so legislators invented the "negative factor" now called the "budget stabilization" (BS) factor. It takes the amount defined by the School Finance Act and subtracts the amount the state can't pay. This legislative parlor trick negates the intent of the Amendment. **Your school district has lost over \$66 million due to the BS.**

www.eagleschools.net

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948 Chambers Avenue POB 740
Eagle, CO | 81631 US

This email was sent to hasleybr@yahoo.com.
To continue receiving our emails, add us to your address book.

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:52 AM
To: Jenny Rakow
Subject: Fwd: Pro noon ball resident

Begin forwarded message:

From: Brad Hasley <hasleybr@yahoo.com>
Subject: Re: Pro noon ball resident
Date: May 29, 2020 at 20:24:45 MDT
To: "Matt Solomon, Trustee" <matt.solomon@townofeagle.org>
Reply-To: Brad Hasley <hasleybr@yahoo.com>

Thank you Matt!

Your an awesome town councilman!!! Please do NOT let the district off the hook for the monetary part if its decided by you guys to move noon ball away to Gypsum (which i'm big time apposed to). My kids (10th and 8th grades) both love playing noon ball with the adults there! Mostly local business folks trying to burn some fat off and get the heart rate up in a much funner way than sitting on an exercise bike.

Gets under my crawl when libs try to make money off of their cries for the safety of the children. We do have a badass police force in this town to take are of a one off incident if it were needed. Much appreciate it!

Thank you!

Brad Hasley
Eagle, CO.
(cell) 970-376-1961

On Friday, May 29, 2020, 08:11:01 PM MDT, Matt Solomon, Trustee <matt.solomon@townofeagle.org> wrote:

Brad-

Thank you for your email and perspective. Also, thank you for keeping politics away from decisions about our school, children, and Town. Below is what I have sent to the dozens of others the replied to the school district's newsletter.

I appreciate your email and your thoughts.

Not mentioned in the School Districts newsletter is that they came to us for a negotiation on how to change the agreement. That is what we are considering. The second fact not mentioned in the newsletter is that Mtn Rec, while making what seems like a generous offer, is making an offer that would potentially give their district over \$300K in additional revenue.

In our meeting last week, we did not demand to keep noon ball in place, nor did we agree to move it. We stated we needed a follow up meeting with our attorney to discuss the terms of the contract we have between the Town and the School District. We will take your feelings and the contractual obligations into consideration in those discussions with our attorney.

Thank you for taking the time to reach out.

Matt

Matt Solomon

Council Member

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



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On May 29, 2020, at 20:07, Brad Hasley <hasleybr@yahoo.com> wrote:

Dear Eagle Town Council,
Thanks you for all of your awesome service to this community! Although I have not been able to play noon ball for almost 15 years, I personally think its an awesome activity that our community is able to pull off shared with the school district. My school age kids take part in noon ball on school breaks, and love playing with the adults there!
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Eagle, CO.
(cell) 970-376-1961

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Baseless argument. We are NOT sandy hook, we are Eagle, Colorado. Many of us in this community still trust the rest of this community with our lives and our kids lives. The school district should also, and abide by its past agreements, and not try to flake out on them for 5 cents on the dollar.

Its nice to see a community where people DO NOT live in fear, but can share community assets, and get enjoyment for people of all ages.

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Brad Hasley
Eagle, CO.
(cell) 970-376-1961

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<communications@eagleschools.net> wrote:





Playtime for 20 or the safety of 400?

Parents, we need your perspective and input on the “noon ball” adult basketball program at Eagle Valley Middle School. Since 1995, about 20 or so adults have been playing games of pick-up basketball at noon alongside students attending school. After the 1999 Columbine school shooting, security measures of schools began to change. Measures intensified again following the 2012 Sandy Hook shooting, and yet again after the 2018 Parkland shooting. As a community, we have invested millions of dollars in double-entry security vestibules with secured entrances at our schools. The noon ball program is an active security threat. The 20 players have tried to downplay the security risk and make it about them personally. Our concern is not about the noon ball players. Our concern is that the program creates an easy-to-exploit way to access the school. Anyone can enter the school under the guise of playing “noon ball,” and once inside, have untethered access to the entire school.

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[Scott Turnipseed, Mayor](#)

[Andy Jessen, Mayor Pro Term](#)

[Pappy Kerst, Council Member](#)

[Matt Soloman, Council Member](#)

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Next year, the significant world is creating and adapting instruction style. This means seamlessly from in-person and back again depending on community. To prepare for we are planning multiple scenarios in our forthcoming survey. Our goal is to share our plans as soon as possible in early July. [Please read the recent Vail Daily issue for more.](#)

COLUMN

Looking ahead

Our collective response to this pandemic has been incredible. Technology adapted quickly, our tech department changed their focus overnight, devices and physical packets were rapidly distributed to students, and parents stepped in to support their children in remote learning. We know these changes have not been without frustrations and difficulties, and we thank you for working with us through the challenges.



Philip Qualman
School View

Parent input for next year

We are completing a community survey with staff to collect input around the school for next year. Please look for the survey to respond as quickly as possible. A thorough survey in lieu of a community meeting. The District will include survey questions on various recommendations from the Health, CDC, CDE, and community.

[Adam Palmer, Council Member](#)

[Ellen Bodenheimer, Council Member](#)

[David Gaboury, Council Member](#)

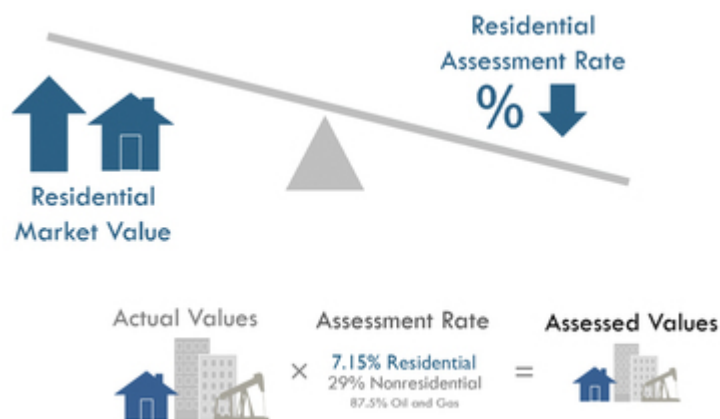
Budget Update

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- School-level support budgets have been cut by 12% (on average)
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TABOR mostly TIGHTENS

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their share of taxes decreases. Currently, businesses are being assessed around 30% on their property with homeowners being assessed around 7%. **TABOR prevents the rates from increasing without voter approval so they combine to only push tax rates down.**

The Gallagher Amendment only LOWERS

The 1982 Gallagher Amendment is also anchored in public sentiment. The Gallagher Amendment set a ratio of 45% residential property to 55% commercial property as the state property tax base. As home values go up,



Senior Scrapbook

With special thanks to the... were able to pick up a pri... Senior Scrapbooks for ea... missed it, here are digital

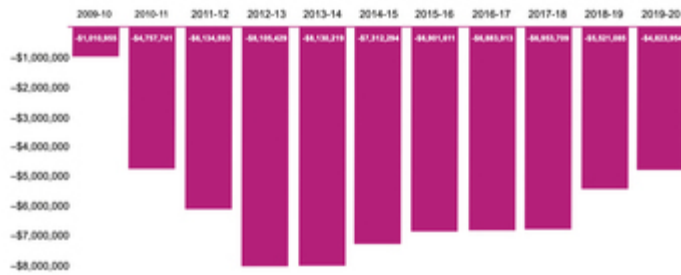
[Battle Mountain High School](#)

[Eagle Valley High School](#)

[Red Canyon & World Academy](#)

[Vail Ski & Snowboard Academy](#)

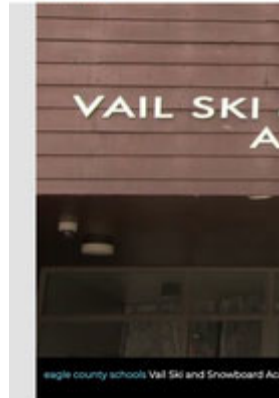
ECS has lost \$66.5M in funding since 2010-11 due to the budget stabilization factor.



the 2008 recession, the state was unable to fund schools accordingly, so legislators invented the "negative factor" now called the "budget stabilization" (BS) factor. It takes the amount defined by the School Finance Act and subtracts the amount the state can't pay. This legislative parlor trick negates the intent of the Amendment. **Your school district has lost over \$66 million due to the BS.**

Amendment 23 and the Budget Stabilization Factor

In 2000, voters passed Amendment 23 to ensure the school funding formula increased with the annual rate of inflation. During



VAIL SKI AND SNOWBOARD ACADEMY

Virtual graduation

Our virtual graduations were a success. EVHS media teacher Hailey We believe they did a remarkable job. [If you missed them here.](#)



www.eagleschools.org

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948 Chambers Avenue POB 740
Eagle, CO | 81631 US

This email was sent to hasleybr@yahoo.com.
To continue receiving our emails, add us to your address book.



Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:56 PM
To: Matt Hayden
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Matt!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

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Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: Matt Hayden <Matt.Hayden@outlook.com>
Sent: Friday, May 29, 2020 3:10 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

Mr. Turnipseed,

I have been made aware of the request to use the elementary school basketball courts while school is in session and I think it is a bad idea for you to continue to try to do this. The world is, unfortunately, a different place than it was when these games began so many years ago.

As a member of the community just as effected by the unfortunate events like school shootings and the COVID virus and a parent of a child at EVES, I would ask each of the adults that feel like these things are personal attacks, I assure they are not. This is a desire for the safety of our children.

In understand the fun what a game of pick-up ball can be. And while I personally feel that it is still to early for us to gather like this- in close proximity and a likely chance to be exposed to COVID-I think there are still ways to enjoy your game if you chose to do so. I offer an alternative suggestion, move your pick up game a mile away to the court at the town park. This way there is no security risk or infection risk to the children of EVES.

As elected officials, sometimes you have to do what is best for the community as a whole over what your personal wishers are.

Thanks you for your consideration.

Matt Hayden

Jenny Rakow

From: Pappy Kerst
Sent: Monday, June 1, 2020 10:56 AM
To: Matt Hayden; Jenny Rakow; Scott Turnipseed
Subject: Re: Opposed to noonball at EVMS

Thanks for your interest. I am sending this forward to Jenny for it to be placed in the public file.

Pappy

From: Matt Hayden <Matt.Hayden@outlook.com>
Sent: Friday, May 29, 2020, 3:11 PM
To: Pappy Kerst
Subject: Opposed to noonball at EVMS

Mr. Kerst,

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Matt Hayden

Fwd: Opposed to noonball at EVMS

David Gaboury <david.g@townofeagle.org>

Wed 6/3/2020 2:12 PM

To: Jenny Rakow <jenny.rakow@townofeagle.org>

David Gaboury

Council Member

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

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Begin forwarded message:

From: Matt Hayden <Matt.Hayden@outlook.com>

Date: May 29, 2020 at 3:12:40 PM MDT

To: David Gaboury <david.g@townofeagle.org>

Subject: Opposed to noonball at EVMS

Mr. Gaboury,

I have been made aware of the request to use the elementary school basketball courts while school is in session and I think it is a bad idea for you to continue to try to do this. The world is, unfortunately, a different place than it was when these games began so many years ago.

As a member of the community just as effected by the unfortunate events like school shootings and the COVID virus and a parent of a child at EVES, I would ask each of the adults that feel like these things are personal attacks, I assure they are not. This is a desire for the safety of our children.

In understand the fun what a game of pick-up ball can be. And while I personally feel that it is still to early for us to gather like this- in close proximity and a likely chance to be exposed to COVID-I think there are still ways to enjoy your game if you chose to do so. I offer an alternative suggestion, move your pick up game a mile away to the court at the town park. This way there is no security risk or infection risk to the children of EVES.

As elected officials, sometimes you have to do what is best for the community as a whole over what your personal wishers are.

Thanks you for your consideration.

Matt Hayden

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:49 AM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Begin forwarded message:

From: Matt Hayden <Matt.Hayden@outlook.com>
Subject: Opposed to noonball at EVMS
Date: May 29, 2020 at 15:11:28 MDT
To: "matt.solomon@townofeagle.org" <matt.solomon@townofeagle.org>

Mr. Solomon,

I have been made aware of the request to use the elementary school basketball courts while school is in session and I think it is a bad idea for you to continue to try to do this. The world is, unfortunately, a different place than it was when these games began so many years ago.

As a member of the community just as effected by the unfortunate events like school shootings and the COVID virus and a parent of a child at EVES, I would ask each of the adults that feel like these things are personal attacks, I assure they are not. This is a desire for the safety of our children.

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As elected officials, sometimes you have to do what is best for the community as a whole over what your personal wishers are.

Thanks you for your consideration.

Matt Hayden

-----Original Message-----

From: Heather Kehoe <chaletdusoleilvail@gmail.com>

Sent: Sunday, May 31, 2020 10:08 AM

To: Scott Turnipseed <scott.turnipseed@townofeagle.org>

Subject: Opposed to noonball at EVMS

Please strongly consider removing noon ball from EVMS and relocating it to the Gypsum Rec Center as soon as possible. It is a safety concern for hundreds of students and staff at the school.

Thank you.

Heather Kehoe

mother of current 8th grader at the school and 10th grader who previously attended the school

Sent from my iPhone

Fwd: Noonball at EVMS

Matt Solomon <matt.solomon@townofeagle.org>

Wed 6/3/2020 1:50 PM

To: Jenny Rakow <jenny.rakow@townofeagle.org>

Begin forwarded message:

From: Jennie Koenig <j_hursey@yahoo.com>

Subject: Noonball at EVMS

Date: June 3, 2020 at 13:43:45 MDT

To: scott.turnipseed@townofeagle.org, "david.gaboury@townofeagle.org" <david.gaboury@townofeagle.org>, "andy.jessen@townofeagle.org" <andy.jessen@townofeagle.org>, "pappy.kerst@townofeagle.org" <pappy.kerst@townofeagle.org>, "matt.solomon@townofeagle.org" <matt.solomon@townofeagle.org>, "adam.palmer@townofeagle.org" <adam.palmer@townofeagle.org>, "ellen.bodenhemier@townofeagle.org" <ellen.bodenhemier@townofeagle.org>
Cc: "brandy.reitter@townofeagle.org" <brandy.reitter@townofeagle.org>

Good afternoon Town of Eagle Council members,

It was recently brought to my attention the noonball program at EVMS and the potential of someone taking advantage of the open door situation during Town or Recreation activities.

My children do not attend EVMS, but will in the coming years and the idea of people being allowed to at times of the day freely enter and leave the school makes me very uncomfortable. Our valley is not immune to the travesties at schools around this nation, that is why our school district channels time and money towards safety protocols. It doesn't matter if you have kids that attend EVMS or that you are long time Eagle Valley residents, it's a bigger picture of those that come after you, those that look to take advantage of situations and our students.

Reading through the original agreement, it looks as though the idea was a joint recreation use as long as it was locked off from the rest of the school during Town or Recreation activities. Is there an opportunity to work together to keep everyone safe? It mentions that a supervisor is required to be on premises during the activities, is this being followed? What about noonball is only permitted during school breaks? The agreement calls out in multiple places that all laws, rules and regulations must not be violated so it seems as though the Town needs to seriously consider these statements and come to a reasonable resolution with the school and recreations districts.

I hope that the Town of Eagle Council can be open minded about the larger implications of allowing recreating and showering during school hours at the middle school.

Thank you for your time and consideration,
Jennie Koenig
(c) 970-376-4142

Jenny Rakow

From: Scott Turnipseed
Sent: Wednesday, June 3, 2020 1:47 PM
To: Jennie Koenig
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Noonball at EVMS

Hello Jennie!

I hope all is well.

Thanks for your input and comments. I appreciate it!

I have copied Jenny Rakow and Brandy Reitter on this email to help ensure that your comments are entered into the public record.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: Jennie Koenig <j_hursey@yahoo.com>
Sent: Wednesday, June 3, 2020 1:44 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>; David Gaboury <david.g@townofeagle.org>; Andy Jessen <andy.jessen@townofeagle.org>; Pappy Kerst <pappy.kerst@townofeagle.org>; Matt Solomon <matt.solomon@townofeagle.org>; Adam Palmer <adam.palmer@townofeagle.org>; Ellen Bodenhemier <ellen.bodenhemier@townofeagle.org>
Cc: Brandy Reitter <brandy.reitter@townofeagle.org>
Subject: Noonball at EVMS

Good afternoon Town of Eagle Council members,

It was recently brought to my attention the noonball program at EVMS and the potential of someone taking advantage of the open door situation during Town or Recreation activities.

My children do not attend EVMS, but will in the coming years and the idea of people being allowed to at times of the day freely enter and leave the school makes me very uncomfortable. Our valley is not immune to the travesties at schools around this nation, that is why our school district channels time and money towards safety protocols. It doesn't matter if

you have kids that attend EVMS or that you are long time Eagle Valley residents, it's a bigger picture of those that come after you, those that look to take advantage of situations and our students.

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I hope that the Town of Eagle Council can be open minded about the larger implications of allowing recreating and showering during school hours at the middle school.

Thank you for your time and consideration,
Jennie Koenig
(c) 970-376-4142

RE: Make the School District pay a fair amount to end Noon Basketball

Scott Turnipseed <scott.turnipseed@townofeagle.org>

Mon 6/1/2020 11:53 AM

To: RAYMOND KOSAK <raymond.kosak@eagleschools.net>

Cc: Jenny Rakow <jenny.rakow@townofeagle.org>; Brandy Reitter <brandy.reitter@townofeagle.org>

Hey Ray!

Thanks so much for your comments and insight. I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

It was super great to hear from you! I have such great memories of coaching the Fighting Eagles with you and hope that all is well in your world. You are one hell of a great coach Ray and you had a very positive impact on many of Eagle's youths.

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



[eagleoutside.com]



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From: RAYMOND KOSAK <raymond.kosak@eagleschools.net>

Sent: Monday, June 1, 2020 11:47 AM

To: Scott Turnipseed <scott.turnipseed@townofeagle.org>

Subject: Make the School District pay a fair amount to end Noon Basketball

Dear Scott / I just want to make sure that you make the school District pay the Town of Eagle a fair amount to end their legal agreement about Noon Basketball. The Town did the school District a big Favor when it needed money to build a new Gym. If the Town had not stepped up they wouldn't have gotten that new Gym back in the early 1990's. The Fact that they are now claiming it's all about safety is a far stretch. There's never been any criminal situation tied to the noon Basketball in over 25 years, so I'm not sure their claim of safety for the school is valid. It's important in this time where money will be tight for the Town, that you look out for the town and what would be a fair amount of compensation to end the legal contract. Maybe start at 300 Thousand and see how the District reacts. Thanks for Listening Ray kosak

RE: Ball at School

Scott Turnipseed <scott.turnipseed@townofeagle.org>

Mon 6/1/2020 3:16 PM

To: Kelly Liken <kelly@kellylikens.com>

Cc: Jenny Rakow <jenny.rakow@townofeagle.org>; Brandy Reitter <brandy.reitter@townofeagle.org>

Thanks so much for your comments Kelly!

I hope all is well with you and your family.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

Scott Turnipseed
Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:

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-----Original Message-----

From: Kelly Liken <kelly@kellylikens.com>

Sent: Monday, June 1, 2020 2:59 PM

To: Scott Turnipseed <scott.turnipseed@townofeagle.org>

Cc: Rick Colomitz <rick@kellylikens.com>

Subject: Ball at School

Hi Scott,

I am writing with my community member/parent hat on today, rather than my restaurateur hat.

I feel like I need to express how seriously I disagree with adults playing basketball (or any other game for that matter) on my child's school grounds. I find it deeply inappropriate in today's reality and climate to have adults gather for any reason (other than school/PTA business). It is terrifying to send a kid to school in this day in age and I have to say that there is no reason I can see to increase that unease for any reason.

Having sanctioned pick up games at EVES/EVMS is enough to warrant me considering a different school situation for Lucy. It's not that there is any existing threat with the players, it's just that this is a slippery slope and these sorts of things make it more difficult for the school to enforce safety policies in general. To be honest I am shocked that this is even a question or option at all. I would think that today, the school safety policies would take precedent.

We are lucky enough to live in a supportive community Where I'm certain there are multiple places where an adult pickup game can be played, away from our public schools. I urge you to do the right thing by supporting the schools desire to move this game. This just doesn't seem to be a fight worth having right, especially when there are so many places we can recreate without opposition. Please don't misunderstand, I'm all for community gathering and healthy outlets for social and emotional well being, I just don't think the public school grounds are an appropriate venue.

Thanks for listening taking into account my opinion, we appreciate your leadership.

Live In Season!

Kelly Liken

Chef/Restaurateur

www.kellyliken.com

(970) 343-2348 cell

Sent from my iPhone

Fw: Opposed to noonball at EVMS

Matt Solomon <matt.solomon@townofeagle.org>

Mon 6/1/2020 3:19 PM

To: Jenny Rakow <jenny.rakow@townofeagle.org>

From: Kelly Liken <kelly@kellylikens.com>

Sent: Monday, June 1, 2020 15:00

To: Matt Solomon

Subject: Opposed to noonball at EVMS

I feel like I need to express how seriously I disagree with adults playing basketball (or any other game for that matter) on my child's school grounds. I find it deeply inappropriate in today's reality and climate to have adults gather for any reason (other than school/PTA business). It is terrifying to send a kid to school in this day in age and I have to say that there is no reason I can see to increase that unease for any reason.

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Live In Season!

Kelly Liken

Chef/Restaurateur

www.kellylikens.com

(970) 343-2348 cell

Sent from my iPhone

Fwd: Opposed to noonball at EVMS

David Gaboury <david.g@townofeagle.org>

Wed 6/3/2020 2:04 PM

To: Jenny Rakow <jenny.rakow@townofeagle.org>

This is being sent to you per Scott's request. I am only sending the ones that were addressed only to my email and not all Council members.

Others to follow.

David Gaboury

Council Member

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

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Begin forwarded message:

From: Kelly Liken <kelly@kellylikens.com>

Date: June 1, 2020 at 3:01:24 PM MDT

To: David Gaboury <david.g@townofeagle.org>

Subject: Opposed to noonball at EVMS

I feel like I need to express how seriously I disagree with adults playing basketball (or any other game for that matter) on my child's school grounds. I find it deeply inappropriate in today's reality and climate to have adults gather for any reason (other than school/PTA business). It is terrifying to send a kid to school in this day in age and I have to say that there is no reason I can see to increase that unease for any reason.

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Live In Season!

Kelly Liken

Chef/Restaurateur

www.kellyliken.com
(970) 343-2348 cell

Sent from my iPhone

Re: Opposed to noonball at EVMS

Pappy Kerst <pappy.kerst@townofeagle.org>

Mon 6/1/2020 3:03 PM

To: Kelly Liken <kelly@kellylikens.com>; Scott Turnipseed <scott.turnipseed@townofeagle.org>; Jenny Rakow <jenny.rakow@townofeagle.org>

Thanks for your interest. I am sending this forward to Jenny for it to be placed in the public file.

Pappy

From: Kelly Liken <kelly@kellylikens.com>

Sent: Monday, June 1, 2020, 3:00 PM

To: Pappy Kerst

Subject: Opposed to noonball at EVMS

I feel like I need to express how seriously I disagree with adults playing basketball (or any other game for that matter) on my child's school grounds. I find it deeply inappropriate in today's reality and climate to have adults gather for any reason (other than school/PTA business). It is terrifying to send a kid to school in this day in age and I have to say that there is no reason I can see to increase that unease for any reason.

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Live In Season!

Kelly Liken

Chef/Restaurateur

www.kellylikens.com

(970) 343-2348 cell

Sent from my iPhone

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:56 PM
To: colali815@gmail.com
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Lisa!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

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From: colali815@gmail.com <colali815@gmail.com>
Sent: Friday, May 29, 2020 3:14 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

To whom it may concern,

For safety concerns, I am opposed to noon ball at EVMS. We've all made changes over the years to ensure the safety of students. I am opposed to the continuation of noonball at EVMS.

Sincerely,

Lisa C.

Sent from my iPhone

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:48 AM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Begin forwarded message:

From: colali815@gmail.com
Subject: **Opposed to noonball at EVMS**
Date: May 29, 2020 at 15:14:09 MDT
To: matt.solomon@townofeagle.org

To whom it may concern,

For safety concerns, I am opposed to noon ball at EVMS. We've all made changes over the years to ensure the safety of students. I am opposed to the continuation of noonball at EVMS.

Sincerely,
Lisa C.

Sent from my iPhone

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:49 AM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Begin forwarded message:

From: Rob Martin <robertlmartin23@gmail.com>
Subject: **Opposed to noonball at EVMS**
Date: May 29, 2020 at 15:28:00 MDT
To: matt.solomon@townofeagle.org

Mr Solomon,

In this day and age I find it appalling that an adult basketball game of any type is allowed to happen during school hours, in a middle school. The lack of judgement in this signifies a deep lack of understanding, and in fact tone deafness, to the tenor of our culture and society. Please do not continue these type of activities at the middle school. This not only opens the school up to potential abusers, but opens the players up to scrutiny should anything untoward Should happen at the school. Learning that adults may be showering at the middle school is unbelievable. Please vote to stop this.

Sincerely,

Robert Martin

Sent from my iPhone

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:55 PM
To: Rob Martin
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Robert!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

Thanks so much!

Scott Turnipseed
Mayor

TOWN OF EAGLE
200 Broadway, PO Box 609, Eagle Co 81631
Phone: 970-328-6354, Fax: 970-328-5203
CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

-----Original Message-----

From: Rob Martin <robertlmartin23@gmail.com>
Sent: Friday, May 29, 2020 3:25 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

Mr. Turnipseed,

In this day and age I find it appalling that an adult basketball game of any type is allowed to happen during school hours, in a middle school. The lack of judgement in this signifies a deep lack of understanding, and in fact tone deafness, to the tenor of our culture and society. Please do not continue these type of activities at the middle school. This not only opens the school up to potential abusers, but opens the players up to scrutiny should anything untoward should happen at the school. Learning that adults may be showing at the middle school is unbelievable. Please vote to stop this.

Sincerely,

Robert Martin

Sent from my iPhone

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:51 PM
To: Amanda Martin
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Amanda!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

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From: Amanda Martin <hythloda@gmail.com>
Sent: Friday, May 29, 2020 4:24 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

Each person that enters the school needs to undergo a CBI background check and wear a badge at all times. We have been working on training our students to expect a badge from ALL adults they see at the school. This contradicts that and sets the students up for complacency which sadly we CAN NOT have in the current state of the world.

Amanda Leann Martin
STEAM Teacher

[Eagle Valley High School](#) | 641 Valley Road | Gypsum, CO 81637

Phone: 970-510-0220



Amanda Martin

Adjunct Science and Math Instructor

970.510.0220 / amartin@coloradomtn.edu

ColoradoMtn.edu ► **do something MAJOR**

Jenny Rakow

From: Pappy Kerst
Sent: Monday, June 1, 2020 10:56 AM
To: Rob Martin; Jenny Rakow; Scott Turnipseed
Subject: Re: Opposed to noonball at EVMS

Thanks for your interest. I am sending this forward to Jenny for it to be placed in the public file.

Pappy

From: Rob Martin <robertlmartin23@gmail.com>
Sent: Friday, May 29, 2020, 3:27 PM
To: Pappy Kerst
Subject: Opposed to noonball at EVMS

Mr. Kerst,

In this day and age I find it appalling that an adult basketball game of any type is allowed to happen during school hours, in a middle school. The lack of judgement in this signifies a deep lack of understanding, and in fact tone deafness, to the tenor of our culture and society. Please do not continue these type of activities at the middle school. This not only opens the school up to potential abusers, but opens the players up to scrutiny should anything untoward Should happen at the school. Learning that adults may be showering at the middle school is unbelievable. Please vote to stop this.

Sincerely,

Robert Martin

Sent from my iPhone

Jenny Rakow

From: Pappy Kerst
Sent: Monday, June 1, 2020 11:01 AM
To: Amanda Martin; Scott Turnipseed; Jenny Rakow
Subject: Re: Opposed to noonball at EVMS

Thanks for your interest. I am sending this forward to Jenny for it to be placed in the public file.

Pappy

From: Amanda Martin <hythloda@gmail.com>
Sent: Friday, May 29, 2020, 4:25 PM
To: Pappy Kerst
Subject: Opposed to noonball at EVMS

Each person that enters the school needs to undergo a CBI background check and wear a badge at all times. We have been working on training our students to expect a badge from ALL adults they see at the school. This contradicts that and sets the students up for complacency which sadly we CAN NOT have in the current state of the world.

Amanda Leann Martin

STEAM Teacher

[Eagle Valley High School](#) | 641 Valley Road | Gypsum, CO 81637

Phone: 970-510-0220



Amanda Martin

Adjunct Science and Math Instructor

970.510.0220 / amartin@coloradomtn.edu

ColoradoMtn.edu



do something MAJOR

Fwd: Opposed to noonball at EVMS

David Gaboury <david.g@townofeagle.org>

Wed 6/3/2020 2:09 PM

To: Jenny Rakow <jenny.rakow@townofeagle.org>

David Gaboury

Council Member

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

Begin forwarded message:

From: Amanda Martin <hythloda@gmail.com>

Date: May 29, 2020 at 4:26:04 PM MDT

To: David Gaboury <david.g@townofeagle.org>

Subject: Opposed to noonball at EVMS

Each person that enters the school needs to undergo a CBI background check and wear a badge at all times. We have been working on training our students to expect a badge from ALL adults they see at the school. This contradicts that and sets the students up for complacency which sadly we CAN NOT have in the current state of the world.

Amanda Leann Martin

STEAM Teacher

[Eagle Valley High School](#) | 641 Valley Road | Gypsum, CO 81637

Phone: 970-510-0220



Amanda Martin

Adjunct Science and Math Instructor

970.510.0220 / amartin@coloradomtn.edu

ColoradoMtn.edu



do something MAJOR

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:52 AM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Begin forwarded message:

From: Amanda Martin <hythloda@gmail.com>
Subject: **Opposed to noonball at EVMS**
Date: May 29, 2020 at 16:25:05 MDT
To: matt.solomon@townofeagle.org

Each person that enters the school needs to undergo a CBI background check and wear a badge at all times. We have been working on training our students to expect a badge from ALL adults they see at the school. This contradicts that and sets the students up for complacency which sadly we CAN NOT have in the current state of the world.

Amanda Leann Martin

STEAM Teacher

[Eagle Valley High School](#) | 641 Valley Road | Gypsum, CO 81637

Phone: 970-510-0220



Amanda Martin

Adjunct Science and Math Instructor

970.510.0220 / amartin@coloradomtn.edu

ColoradoMtn.edu



do something MAJOR

Jenny Rakow

From: Scott Turnipseed
Sent: Wednesday, June 3, 2020 7:50 AM
To: MaryAnn McGinnis
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Mary Ann!

I hope all is well.

Thank you for your input and comments. I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email to ensure that your input will be entered into the public record.

Thanks so much!

Scott Turnipseed
Mayor

TOWN OF EAGLE
200 Broadway, PO Box 609, Eagle Co 81631
Phone: 970-328-6354, Fax: 970-328-5203
CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

-----Original Message-----

From: MaryAnn McGinnis <mamcginnisco@gmail.com>
Sent: Tuesday, June 2, 2020 9:26 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

Hi Scott,

I wanted to write to you regarding the noon ball program at EVMS. As both a parent and a staff member in the building I have great concerns about this program running in our building. While I know that this is a long standing program and agreement with the three entities I have witnessed on more than one occasion the noon ball players disregard safety measure that the school has, and are required to have in place for the safety and security of our students. This includes staying longer than the agreed on time, not checking in to the office upon entry and departure, entering the gym through the cafeteria when students are having lunch, and being disrespectful to office staff when asked to follow the expectations. While I understand that there is a historical perspective with regards to noon ball and that this has been a good experience for many, when we allow our doors to be open, we open our students to risks that are harder to control.

While I know we can be nostalgic for what life has been like, the reality is that our community has grown significantly since the contract was created. Our student population is much larger, as is our adult population Also, since the new

construction projects have changed the layout of our buildings, (my understanding is that there used to be an entrance separate from where students eat lunch and move in and out of the building for recess) we have to consider these factors when making hard decisions to maintain a safe school environment. It's unfortunate that there is a feeling that moving this program to the Gypsum Rec Center is too inconvenient for a handful of people, and that they prefer to put the needs of those few over the safety and regard for the students and staff at EVMS.

Please ensure the safety of our students and allow this program to move to another location.

Thank you for your time.

Best,
MaryAnn McGinnis

Sent from my iPhone

Re: Opposed to noonball at EVMS

Pappy Kerst <pappy.kerst@townofeagle.org>

Mon 6/1/2020 11:31 AM

To: Michelle Oram <michelle@planetoram.com>; Jenny Rakow <jenny.rakow@townofeagle.org>; Scott Turnipseed <scott.turnipseed@townofeagle.org>

Thanks for your interest. I am sending this forward to Jenny for it to be placed in the public file.

Pappy

Get [Outlook for Android](#)

From: Michelle Oram <michelle@planetoram.com>

Sent: Friday, May 29, 2020, 10:31 PM

To: Pappy Kerst

Subject: Opposed to noonball at EVMS

I oppose.

The health and safety of the entire school far outweighs the convenience of allowing adults easy access to the school.

The obvious safe and easy solution is only a few miles away.

Michelle Oram

Fwd: Opposed to noonball at EVMS

David Gaboury <david.g@townofeagle.org>

Wed 6/3/2020 2:08 PM

To: Jenny Rakow <jenny.rakow@townofeagle.org>

David Gaboury

Council Member

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

Begin forwarded message:

From: Michelle Oram <michelle@planetoram.com>

Date: May 29, 2020 at 10:32:08 PM MDT

To: David Gaboury <david.g@townofeagle.org>

Subject: Opposed to noonball at EVMS

I oppose.

The health and safety of the entire school far outweighs the convenience of allowing adults easy access to the school.

The obvious safe and easy solution is only a few miles away.

Michelle Oram

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:48 PM
To: Michelle Oram
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Michelle!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I will enter these into the public record.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



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From: Michelle Oram <michelle@planetoram.com>
Sent: Friday, May 29, 2020 10:31 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

I oppose.

The health and safety of the entire school far outweighs the convenience of allowing adults easy access to the school.

The obvious safe and easy solution is only a few miles away.

Michelle Oram

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:51 AM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Begin forwarded message:

From: Michelle Oram <michelle@planetoram.com>
Subject: **Opposed to noonball at EVMS**
Date: May 29, 2020 at 22:31:26 MDT
To: matt.solomon@townofeagle.org

I oppose.

The health and safety of the entire school far outweighs the convenience of allowing adults easy access to the school.

The obvious safe and easy solution is only a few miles away.

Michelle Oram

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:48 PM
To: Lizzy Zacharias Owens
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Lizzy!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I will enter these into the public record.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: Lizzy Zacharias Owens <elizabeth.z.owens@gmail.com>
Sent: Saturday, May 30, 2020 8:14 AM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

Dear Mr. Mayor,

I really hope that noon ball relocates to Gypsum Rec Center. I can honestly say that as a parent, I am deeply concerned with the idea of a group of men coming into a middle school, USING THE LOCKER ROOM that the kids use, without having any kind of background check. There are so many things wrong with their entitled view that they should get to keep playing there because they always have.

I used to work in school administration and had to attend safety trainings that focused specifically on child sexual abuse. It was horrifying to listen to, but probably not nearly as horrifying as what the experience would actually be like. Essentially, pedophiles look for access and will use it however they can. Allowing a bunch of men into a middle school in the middle of the day offers that access. That's a problem.

As a parent of two kids who will be at BCES in the fall, if I want to volunteer in the classroom, I'm required to be fingerprinted and go through a background check. These men aren't required to go through this, even though they go into a kids' locker room to get changed. This is all kinds of messed up, and frankly, we should all be grateful that nothing has happened. Yet.

-Lizzy

Re: Opposed to noonball at EVMS

Pappy Kerst <pappy.kerst@townofeagle.org>

Mon 6/1/2020 11:31 AM

To: Lizzy Zacharias Owens <elizabeth.z.owens@gmail.com>; Scott Turnipseed <scott.turnipseed@townofeagle.org>; Jenny Rakow <jenny.rakow@townofeagle.org>

Thanks for your interest. I am sending this forward to Jenny for it to be placed in the public file.

Pappy

From: Lizzy Zacharias Owens <elizabeth.z.owens@gmail.com>

Sent: Saturday, May 30, 2020, 8:14 AM

To: Pappy Kerst

Subject: Opposed to noonball at EVMS

Dear Pappy,

I really hope that noon ball relocates to Gypsum Rec Center. I can honestly say that as a parent, I am deeply concerned with the idea of a group of men coming into a middle school, USING THE LOCKER ROOM that the kids use, without having any kind of background check. There are so many things wrong with their entitled view that they should get to keep playing there because they always have.

I used to work in school administration and had to attend safety trainings that focused specifically on child sexual abuse. It was horrifying to listen to, but probably not nearly as horrifying as what the experience would actually be like. Essentially, pedophiles look for access and will use it however they can. Allowing a bunch of men into a middle school in the middle of the day offers that access. That's a problem.

As a parent of two kids who will be at BCES in the fall, if I want to volunteer in the classroom, I'm required to be fingerprinted and go through a background check. These men aren't required to go through this, even though they go into a kids' locker room to get changed. This is all kinds of messed up, and frankly, we should all be grateful that nothing has happened. Yet.

-Lizzy

Fwd: Opposed to noonball at EVMS

David Gaboury <david.g@townofeagle.org>

Wed 6/3/2020 2:07 PM

To: Jenny Rakow <jenny.rakow@townofeagle.org>

David Gaboury

Council Member

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

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Begin forwarded message:

From: Lizzy Zacharias Owens <elizabeth.z.owens@gmail.com>

Date: May 30, 2020 at 8:15:25 AM MDT

To: David Gaboury <david.g@townofeagle.org>

Subject: Opposed to noonball at EVMS

David,

I really hope that noon ball relocates to Gypsum Rec Center. I can honestly say that as a parent, I am deeply concerned with the idea of a group of men coming into a middle school, USING THE LOCKER ROOM that the kids use, without having any kind of background check. There are so many things wrong with their entitled view that they should get to keep playing there because they always have.

I used to work in school administration and had to attend safety trainings that focused specifically on child sexual abuse. It was horrifying to listen to, but probably not nearly as horrifying as what the experience would actually be like. Essentially, pedophiles look for access and will use it however they can. Allowing a bunch of men into a middle school in the middle of the day offers that access. That's a problem.

As a parent of two kids who will be at BCES in the fall, if I want to volunteer in the classroom, I'm required to be fingerprinted and go through a background check. These men arent required to go through this, even though they go into a kids' locker room to get changed. This is all kinds of messed up, and frankly, we should all be grateful that nothing has happened. Yet.

-Lizzy

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:51 AM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Begin forwarded message:

From: Lizzy Zacharias Owens <elizabeth.z.owens@gmail.com>
Subject: **Opposed to noonball at EVMS**
Date: May 30, 2020 at 08:14:43 MDT
To: matt.solomon@townofeagle.org

Matt,

I really hope that noon ball relocates to Gypsum Rec Center. I can honestly say that as a parent, I am deeply concerned with the idea of a group of men coming into a middle school, USING THE LOCKER ROOM that the kids use, without having any kind of background check. There are so many things wrong with their entitled view that they should get to keep playing there because they always have.

I used to work in school administration and had to attend safety trainings that focused specifically on child sexual abuse. It was horrifying to listen to, but probably not nearly as horrifying as what the experience would actually be like. Essentially, pedophiles look for access and will use it however they can. Allowing a bunch of men into a middle school in the middle of the day offers that access. That's a problem.

As a parent of two kids who will be at BCES in the fall, if I want to volunteer in the classroom, I'm required to be fingerprinted and go through a background check. These men aren't required to go through this, even though they go into a kids' locker room to get changed. This is all kinds of messed up, and frankly, we should all be grateful that nothing has happened. Yet.

-Lizzy

Jenny Rakow

From: Scott Turnipseed
Sent: Thursday, June 4, 2020 7:46 AM
To: MARY PALMTAG
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Mary!

I hope all is well.

Thank you for your comments and input. I really appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email to help ensure that your comments are entered into the public record.

Thanks so much and I hope you have a great day.

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: MARY PALMTAG <mary.palmtag@eagleschools.net>
Sent: Wednesday, June 3, 2020 9:33 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

Students and staff come first!! Get over yourself!
Mary Palmtag

Jenny Rakow

From: Liz Qualman <lizqualman@gmail.com>
Sent: Saturday, May 30, 2020 5:15 PM
To: Scott Turnipseed
Cc: Jenny Rakow; Brandy Reitter
Subject: Re: Play ball at EVMS!

You bet!

Sent from my iPhone

> On May 30, 2020, at 4:45 PM, Scott Turnipseed <scott.turnipseed@townofeagle.org> wrote:

>

> Hey Liz!

>

> Thanks so much for your input and thoughts.

>

> I appreciate it.

>

> I will enter these into the public record.

>

> Thanks so much!

> Scott Turnipseed

> Mayor

>

> TOWN OF EAGLE

> 200 Broadway, PO Box 609, Eagle Co 81631

> Phone: 970-328-6354, Fax: 970-328-5203 CLICK BELOW FOR TOWN WEBSITE,

> NEWS, EVENTS OR TO PROVIDE FEEDBACK:

>

> Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

>

>

> -----Original Message-----

> From: Liz Qualman <lizqualman@gmail.com>

> Sent: Saturday, May 30, 2020 2:47 PM

> To: Scott Turnipseed <scott.turnipseed@townofeagle.org>

> Subject: Play ball at EVMS!

>

> Hi Scott,

>

> How are you?

>

> As a former employee of ECS, I have many times witnessed the noon basketball games. I see no reason why long-standing community members and taxpayers cannot continue to enjoy this tradition. It's great community interaction and partnership as well as healthy role modeling for impressionable middle school students.

>

> Taxpayers are allowed access to schools and as long as players are following the same guidelines as any other parent or volunteer who accesses the building (not unlike a PTA) I see no danger to students. I believe the district can accommodate background checks of players if needed.

>

> Most importantly, it is very easy to displace, marginalize, and capitalize on people during a crisis. This was very clear in the closing of June Creek ES.

>

> I think in such a crazy world right now, it's important that normalcy and traditions allow people to hang on to hope, even if it is just basketball.

>

> I work for CMC now and we exist for our communities. I would hope the district I pay taxes to would do the same. I worry that kicking out basketball will set a precedence to exclude other stakeholders from similar activities.

>

> Thank you,

>

> Liz Qualman

>

>

> Sent from my iPhone

Jenny Rakow

From: Andy Jessen <andrewjessen@gmail.com>
Sent: Saturday, May 30, 2020 4:53 PM
To: Scott Turnipseed; Jenny Rakow; Brandy Reitter
Subject: Fwd: Play ball at EVMS!

----- Forwarded message -----

From: **Liz Qualman** <lizqualman@gmail.com>
Date: Sat, May 30, 2020 at 2:47 PM
Subject: Play ball at EVMS!
To: <andy.jessen@townofeagle.org>

Hi Andy,

How are you?

As a former employee of ECS, I have many times witnessed the noon basketball games. I see no reason why long-standing community members and taxpayers cannot continue to enjoy this tradition. It's great community interaction and partnership as well as healthy role modeling for impressionable middle school students.

Taxpayers are allowed access to schools and as long as players are following the same guidelines as any other parent or volunteer who accesses the building (not unlike a PTA) I see no danger to students. I believe the district can accommodate background checks of players if needed.

Most importantly, it is very easy to displace, marginalize, and capitalize on people during a crisis. This was very clear in the closing of June Creek ES.

I think in such a crazy world right now, it's important that normalcy and traditions allow people to hang on to hope, even if it is just basketball.

I work for CMC now and we exist for our communities. I would hope the district I pay taxes to would do the same. I worry that kicking out basketball will set a precedence to exclude other stakeholders from similar activities.

Thank you,

Liz Qualman

Sent from my iPhone

Re: Play ball at EVMS!

Pappy Kerst <pappy.kerst@townofeagle.org>

Mon 6/1/2020 3:50 PM

To: Liz Qualman <lizqualman@gmail.com>; Scott Turnipseed <scott.turnipseed@townofeagle.org>; Jenny Rakow <jenny.rakow@townofeagle.org>

Thanks for your interest. I am sending this forward to Jenny for it to be placed in the public file.

Pappy

Get [Outlook for Android](#)

From: Liz Qualman <lizqualman@gmail.com>

Sent: Saturday, May 30, 2020 2:48:02 PM

To: Pappy Kerst <pappy.kerst@townofeagle.org>

Subject: Play ball at EVMS!

Hi Pappy,

How are you?

As a former employee of ECS, I have many times witnessed the noon basketball games. I see no reason why long-standing community members and taxpayers cannot continue to enjoy this tradition. It's great community interaction and partnership as well as healthy role modeling for impressionable middle school students.

Taxpayers are allowed access to schools and as long as players are following the same guidelines as any other parent or volunteer who accesses the building (not unlike a PTA) I see no danger to students. I believe the district can accommodate background checks of players if needed.

Most importantly, it is very easy to displace, marginalize, and capitalize on people during a crisis. This was very clear in the closing of June Creek ES.

I think in such a crazy world right now, it's important that normalcy and traditions allow people to hang on to hope, even if it is just basketball.

I work for CMC now and we exist for our communities. I would hope the district I pay taxes to would do the same. I worry that kicking out basketball will set a precedence to exclude other stakeholders from similar activities.

Thank you,

Liz Qualman

Sent from my iPhone

Fwd: Play ball at EVMS!

David Gaboury <david.g@townofeagle.org>

Wed 6/3/2020 2:06 PM

To: Jenny Rakow <jenny.rakow@townofeagle.org>

David Gaboury

Council Member

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

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Begin forwarded message:

From: Liz Qualman <lizqualman@gmail.com>

Date: May 30, 2020 at 2:50:36 PM MDT

To: David Gaboury <david.g@townofeagle.org>

Subject: Play ball at EVMS!

Hi David,

How are you?

As a former employee of ECS, I have many times witnessed the noon basketball games. I see no reason why long-standing community members and taxpayers cannot continue to enjoy this tradition. It's great community interaction and partnership as well as healthy role modeling for impressionable middle school students.

Taxpayers are allowed access to schools and as long as players are following the same guidelines as any other parent or volunteer who accesses the building (not unlike a PTA) I see no danger to students. I believe the district can accommodate background checks of players if needed.

Most importantly, it is very easy to displace, marginalize, and capitalize on people during a crisis. This was very clear in the closing of June Creek ES.

I think in such a crazy world right now, it's important that normalcy and traditions allow people to hang on to hope, even if it is just basketball.

I work for CMC now and we exist for our communities. I would hope the district I pay taxes to would do the same. I worry that kicking out basketball will set a precedence to exclude other stakeholders from similar activities.

Thank you,

Liz Qualman

Sent from my iPhone

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:53 AM
To: Jenny Rakow
Subject: Fwd: Play ball at EVMS!

Begin forwarded message:

From: Liz Qualman <lizqualman@gmail.com>
Subject: Play ball at EVMS!
Date: May 30, 2020 at 14:48:32 MDT
To: matt.solomon@townofeagle.org

Hi Matt,

How are you?

As a former employee of ECS, I have many times witnessed the noon basketball games. I see no reason why long-standing community members and taxpayers cannot continue to enjoy this tradition. It's great community interaction and partnership as well as healthy role modeling for impressionable middle school students.

Taxpayers are allowed access to schools and as long as players are following the same guidelines as any other parent or volunteer who accesses the building (not unlike a PTA) I see no danger to students. I believe the district can accommodate background checks of players if needed.

Most importantly, it is very easy to displace, marginalize, and capitalize on people during a crisis. This was very clear in the closing of June Creek ES.

I think in such a crazy world right now, it's important that normalcy and traditions allow people to hang on to hope, even if it is just basketball.

I work for CMC now and we exist for our communities. I would hope the district I pay taxes to would do the same. I worry that kicking out basketball will set a precedence to exclude other stakeholders from similar activities.

Thank you,

Liz Qualman

Sent from my iPhone

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:54 PM
To: ROXANA RAMIREZ
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Roxana!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

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From: ROXANA RAMIREZ <roxana.ramirez@eagleschools.net>
Sent: Friday, May 29, 2020 3:26 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

Please be more considerate of the safety of hundreds of kids and staff. Relocating 7 miles away sounds like a great compromise. Please do not put so many young lives in danger for a game.

--

Roxana

Jenny Rakow

From: Pappy Kerst
Sent: Monday, June 1, 2020 10:56 AM
To: ROXANA RAMIREZ; Jenny Rakow; Scott Turnipseed
Subject: Re: Opposed to noonball at EVMS

Thanks for your interest. I am sending this forward to Jenny for it to be placed in the public file.

Pappy

From: ROXANA RAMIREZ <roxana.ramirez@eagleschools.net>
Sent: Friday, May 29, 2020, 3:26 PM
To: Pappy Kerst
Subject: Opposed to noonball at EVMS

Please be more considerate of the safety of hundreds of kids and staff. Relocating 7 miles away sounds like a great compromise. Please do not put so many young lives in danger for a game. --
Roxana

Fwd: Opposed to noonball at EVMS

David Gaboury <david.g@townofeagle.org>

Wed 6/3/2020 2:11 PM

To: Jenny Rakow <jenny.rakow@townofeagle.org>

David Gaboury

Council Member

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

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Begin forwarded message:

From: ROXANA RAMIREZ <roxana.ramirez@eagleschools.net>

Date: May 29, 2020 at 3:28:04 PM MDT

To: David Gaboury <david.g@townofeagle.org>

Subject: Opposed to noonball at EVMS

Please be more considerate of the safety of hundreds of kids and staff. Relocating 7 miles away sounds like a great compromise. Please do not put so many young lives in danger for a game. --
Roxana

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:49 AM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Begin forwarded message:

From: ROXANA RAMIREZ <roxana.ramirez@eagleschools.net>
Subject: Opposed to noonball at EVMS
Date: May 29, 2020 at 15:26:39 MDT
To: matt.solomon@townofeagle.org

Please be more considerate of the safety of hundreds of kids and staff. Relocating 7 miles away sounds like a great compromise. Please do not put so many young lives in danger for a game. --
Roxana

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:57 PM
To: ZYRA RANDOLPH
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Zyra!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: ZYRA RANDOLPH <zyra.randolph@eagleschools.net>
Sent: Friday, May 29, 2020 2:58 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

As a parent, a mental health therapist at Mesa County jail and a staff member of EVMS, I am against having "noon ball" during school hours. I work in a field where I see children that have experienced exploitation. I personally feel that during school hours only authorized district employees and parents that have scheduled a time to visit should be allowed in the school. The risks are too great to our young students for the enjoyment of 20 players.

Sincerely,

Zyra K. G. Randolph MA, LPC, NCC
Student Last Names L-Z
School Counselor
Eagle Valley Middle School
970-328-5805
zyra.randolph@eagleschools.net

Jenny Rakow

From: Pappy Kerst
Sent: Monday, June 1, 2020 10:53 AM
To: ZYRA RANDOLPH; Jenny Rakow; Scott Turnipseed
Subject: Re: Opposed to noonball at EVMS

Thanks for your interest. I am sending this forward to Jenny for it to be placed in the public file.

Pappy

From: ZYRA RANDOLPH <zyra.randolph@eagleschools.net>
Sent: Friday, May 29, 2020 2:56:58 PM
To: Pappy Kerst <pappy.kerst@townofeagle.org>
Subject: Opposed to noonball at EVMS

As a parent, a mental health therapist at Mesa County jail and a staff member of EVMS, I am against having "noon ball" during school hours. I work in a field where I see children that have experienced exploitation. I personally feel that during school hours only authorized district employees and parents that have scheduled a time to visit should be allowed in the school. The risks are too great to our young students for the enjoyment of 20 players.

Sincerely,

Zyra K. G. Randolph MA, LPC, NCC
Student Last Names L-Z
School Counselor
Eagle Valley Middle School
970-328-5805
zyra.randolph@eagleschools.net

Fwd: Opposed to noonball at EVMS

David Gaboury <david.g@townofeagle.org>

Wed 6/3/2020 2:13 PM

To: Jenny Rakow <jenny.rakow@townofeagle.org>

David Gaboury

Council Member

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

Begin forwarded message:

From: ZYRA RANDOLPH <zyra.randolph@eagleschools.net>

Date: May 29, 2020 at 2:57:26 PM MDT

To: David Gaboury <david.g@townofeagle.org>

Subject: Opposed to noonball at EVMS

As a parent, a mental health therapist at Mesa County jail and a staff member of EVMS, I am against having "noon ball" during school hours. I work in a field where I see children that have experienced exploitation. I personally feel that during school hours only authorized district employees and parents that have scheduled a time to visit should be allowed in the school. The risks are too great to our young students for the enjoyment of 20 players.

Sincerely,

Zyra K. G. Randolph MA, LPC, NCC

Student Last Names L-Z

School Counselor

Eagle Valley Middle School

970-328-5805

zyra.randolph@eagleschools.net

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:48 AM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Begin forwarded message:

From: ZYRA RANDOLPH <zyra.randolph@eagleschools.net>
Subject: Opposed to noonball at EVMS
Date: May 29, 2020 at 14:56:42 MDT
To: matt.solomon@townofeagle.org

As a parent, a mental health therapist at Mesa County jail and a staff member of EVMS, I am against having "noon ball" during school hours. I work in a field where I see children that have experienced exploitation. I personally feel that during school hours only authorized district employees and parents that have scheduled a time to visit should be allowed in the school. The risks are too great to our young students for the enjoyment of 20 players.

Sincerely,

Zyra K. G. Randolph MA, LPC, NCC
Student Last Names L-Z
School Counselor
Eagle Valley Middle School
970-328-5805
zyra.randolph@eagleschools.net

From: ellen filmore <ellafilmore@gmail.com>
Sent: Sunday, May 31, 2020 3:33 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

Dear Mr. Turnipseed:

I am writing this letter to you in opposition of Noon Ball.

As a parent whose student had a Physical Education class after Noon Ball played, I would hear from my son how there were men in the locker room when he was getting ready for class. I **do not** feel comfortable with the program being held in a school during business hours.

As an employee of Eagle Valley Middle I know first hand that this program is not being self regulated by the players. I would often tell the players that their time is up and remind them (again - after players were showering in the locker room while children are changing for class) that they were not abiding to the established hours or self regulating. The player who stated in the May 27 Vail Daily article that he was hired to manage the program was never consistently at the program - therefore not managing or regulating the players.

The bottom line is the noon ball guys are using the facility, including the locker rooms and showering, outside of the agreed upon hours (ie during the time when children are scheduled) and are not consistently self regulating.

I ask for your support of having Noon Ballers to move their program to the rec district where an adult sports program can be properly managed and regulated.

Thank you for your consideration

Ellen Sirico-Filmore

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:49 AM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Begin forwarded message:

From: Alex Spaeth <vailspaeth@hotmail.com>
Subject: **Opposed to noonball at EVMS**
Date: May 29, 2020 at 16:36:13 MDT
To: "matt.solomon@townofeagle.org" <matt.solomon@townofeagle.org>

Just read about this and was quick to decide where I stand. Personally, I have driven all over the state of Colorado to participate in many activities. I find it total b.s. that this group of 20 can't relocate.

If you can't convince the council, I recommend full background checks weekly and fees for providing on site security.

Yours sincerely, Alex Spaeth.

Sent from my Verizon, Samsung Galaxy smartphone

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:49 PM
To: Shari
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Shari!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

Thanks so much!

Scott Turnipseed
Mayor

TOWN OF EAGLE
200 Broadway, PO Box 609, Eagle Co 81631
Phone: 970-328-6354, Fax: 970-328-5203
CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:

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-----Original Message-----

From: Shari <shariluke@yahoo.com>
Sent: Friday, May 29, 2020 9:31 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

Mr. Turnipseed,
Please put this to a stop. As the mother of young girls, I am not ok with grown men being on school property during school hours. Unacceptable!
move it to a beautiful Rec Center 7 miles away. Please! Protect our children at all costs, not a few people's inconvenience.

Respectfully,
Shari Lukowski &
Mark Symanski
Eagle

Sent from my iPhone

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:51 AM
To: Jenny Rakow
Subject: Fwd: EVES - your input needed

Begin forwarded message:

From: Kyle Hoiland <kylehoiland@hotmail.com>
Subject: Fwd: EVES - your input needed
Date: May 29, 2020 at 19:29:11 MDT

So the principal of EVES copied the ECSD newsletter article and sent it to parents of the elementary school students. The email below is from a neutral parent.

Just an FYI, no action required.

Kyle Hoiland
970.390.4208

From: Jared Walters <jared_walters@hotmail.com>
Sent: Friday, May 29, 2020 6:34:02 PM
To: Kyle Hoiland <kylehoiland@hotmail.com>
Subject: Fw: EVES - your input needed

From: Jared Walters <jared_walters@hotmail.com>
Sent: Friday, May 29, 2020 6:30 PM
To: Tiffany Dougherty <tiffany.dougherty@eagleschools.net>
Subject: Re: EVES - your input needed

Tiffany, I hope the summer is off to a good start for you and your family. Your email about "noon ball" piqued my interest. Who wrote this? There are several mentions of "we" and "our," but the email is not signed by anyone, whether a singular author or plural authors, as implied by the use of "we" and "our". Since it came from your email address, it looks like you wrote it. If you did not write the email, then please pass my comments on to the author(s).

I am confused by the use of the term "the school" in the email. Since the email was written to EVES parents, and makes reference to "our" students and staff, the email seems to imply that EVES parents should be concerned about 20 adults coming into EVES every day to play basketball (and shower). As you know, the noon ball participants are not entering EVES, but instead entering EVMS, which is now physically separated from EVES. The implication that noon ball and post-play showering occur at EVES is furthered by the statement that "If you favor the safety of *our* 400 students and staff, please let them know..." That seems like a deliberate

attempt to mislead EVES parents into believing that the danger posed by noon ball is lurking inside EVES.

The security of all students and staff, in all schools, in all towns and in all cities, is important. I know enough parents in the EVES community at this point to know that EVES parents would be as equally concerned about the safety of the middle-schoolers next door as they are about that of their own elementary school students. That begs the question of why this email needed to be so misleading.

I have no opinion as to whether noon ball should remain at EVMS or move to Gypsum Rec Center. I just wanted to let you know that I was frustrated by this email.

Jared Walters

From: Tiffany Dougherty <tiffany.dougherty@eagleschools.net>

Sent: Friday, May 29, 2020 2:45 PM

To: jared_walters@hotmail.com <jared_walters@hotmail.com>

Subject: EVES - your input needed

Playtime for 20 or the safety of 400?

Parents, we need your perspective and input on the "noon ball" adult basketball program at Eagle Valley Middle School. Since 1995, about 20 or so adults have been playing games of pick-up basketball at noon alongside students attending school. After the 1999 Columbine school shooting, security measures of schools began to change. Measures intensified again following the 2012 Sandy Hook shooting, and yet again after the 2018 Parkland shooting. As a community, we have invested millions of dollars in double-entry security vestibules with secured entrances at our schools. The noon ball program is an active security threat. The 20 players have tried to downplay the security risk and make it about them personally. Our concern is not about the noon ball players. Our concern is that the program creates an easy-to-exploit way to access the school. Anyone can enter the school under the guise of playing "noon ball," and once inside, have untethered access to the entire school.

Two of the three parties to the [original agreement](#), Mountain Rec and the District, agree that having adults play basketball and shower during the school day is no longer appropriate or safe. Both entities have agreed to relocate the program seven miles away at the Gypsum Rec Center. The current 20 players, as well as past players who are now members of the Town of Eagle Council and the media, object and insist their right to play basketball supersedes the safety and security of our students and staff members. They find relocating seven miles away to be too inconvenient.

At the May 26 [Town of Eagle Council meeting](#), a mostly one-sided public discussion was held where council members and the mayor vocalized their support and fond memories of the program and its tradition in Eagle. If you favor the safety of our 400 students and staff, please let them know so they get a broader sense of the community's view on the matter.

[Scott Turnipseed, Mayor](#)

[Andy Jessen, Mayor Pro Term](#)

[Pappy Kerst, Council Member](#)

[Matt Soloman, Council Member](#)

[Adam Palmer, Council Member](#)

[Ellen Bodenheimer, Council Member](#)

[David Gaboury, Council Member](#)

¿Que puedan jugar 20 adultos o cumplir con la seguridad de 400 estudiantes?

Padres de familia, necesitamos su opinión y sugerencias referente al programa de baloncesto para adultos conocido como "noon ball" en la Secundaria Eagle Valley. Desde 1995, cerca de 20 adultos han estado jugando baloncesto al mediodía a la par de los estudiantes que asisten a la escuela. Después del tiroteo en la escuela Columbine en 1999, los sistemas de seguridad en las escuelas comenzaron a cambiar. Las medidas se intensificaron nuevamente después del tiroteo de la escuela Sandy Hook en 2012 y una vez más después del tiroteo en Parkland, Florida en el 2018.

Como comunidad, hemos invertido millones de dólares en vestíbulos controlados con doble puerta y entradas de seguridad con intercomunicadores en nuestras escuelas. Este programa de baloncesto se presenta como una amenaza latente a la seguridad que tenemos. Los 20 jugadores han tratado de minimizar el riesgo de seguridad y han tratado de hacer el asunto acerca de ellos. Nuestra preocupación no es hacia los jugadores que participan al mediodía. Nuestra preocupación es que este programa presenta una manera fácil y sin control de poder entrar a la

escuela. Cualquier persona puede entrar a la escuela con la apariencia de ir a jugar “baloncesto al mediodía” y una vez dentro, tener acceso sin restricciones y sin identificarse, a toda la escuela.

Dos de las tres entidades del acuerdo original, Mountain Rec y el Distrito Escolar, están de acuerdo que el tener adultos jugando baloncesto y bañándose durante el día escolar ya no es apropiado o seguro. Ambas entidades han acordado reubicar el programa a siete millas de distancia en el Centro de Recreación de Gypsum. Los 20 jugadores actuales que van a jugar, así como los ex jugadores que ahora son miembros del Consejo del Municipio en Eagle y a los medios de comunicación, no les parece e insisten en que su derecho a jugar baloncesto va por encima de la seguridad de nuestros estudiantes y miembros del personal. Les parece que mudarse a siete millas de distancia es demasiado inconveniente.

En la reunión del Consejo del Pueblo Eagle del 26 de mayo, se llevó a cabo una discusión pública mayoritariamente unilateral en la que los miembros del consejo y el alcalde expresaron su apoyo y buenos recuerdos del programa y su tradición en Eagle. Si usted favorece la seguridad de nuestros 400 estudiantes y personal, háganselo saber para que tengan una idea más amplia de la opinión de la comunidad sobre el asunto.

Scott Turnipseed, Mayor

Andy Jessen, Mayor Pro Term

Pappy Kerst, Council Member

Matt Soloman, Council Member

Adam Palmer, Council Member

Ellen Bodenheimer, Council Member

David Gaboury, Council Member

Eagle County Schools would like to continue connecting with you via email. If you prefer to be removed from our list, please contact Eagle County Schools directly. To stop receiving all email messages distributed through our SchoolMessenger service, follow this link and confirm: [Unsubscribe](#)

SchoolMessenger is a notification service used by the nation's leading school systems to connect with parents, students and staff through voice, SMS text, email, and social media.

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:55 PM
To: Heather Warmuth
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Heather!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I have copied Jenny Rakow and Brandy Reitter on this email so that your comments get entered into the public record.

Thanks so much!

Scott Turnipseed

Mayor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

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Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: Heather Warmuth <heather@mountainlife.church>
Sent: Friday, May 29, 2020 3:20 PM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

We have kept our children home for two months, everyone learning to adapt to keep them safe in a challenging time. It makes no sense and does not have my support to disregard our children's safety by allowing noonball to carry on during school hours. We have spent so many years and dollars learning from past mistakes. We have even just this past school year made unprecedented changes in record time for the safety of our children. Why would we allow something that is such a clear breach of the safety of our children carry on because of tradition? They should consider themselves lucky that there is even an alternative being offered. Not to mention the burden this must be to that schools front office staff who already are targets for school and are the unsung heroes of protecting our schools. Stand up for what make sense for the greater good rather than the select few and stop noonball.

Heather Warmuth
Eagle Resident

Fwd: Opposed to noonball at EVMS

David Gaboury <david.g@townofeagle.org>

Wed 6/3/2020 2:11 PM

To: Jenny Rakow <jenny.rakow@townofeagle.org>

David Gaboury

Council Member

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-6354, Fax: 970-328-5203

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

Begin forwarded message:

From: Heather Warmuth <heather@mountainlife.church>

Date: May 29, 2020 at 3:21:11 PM MDT

To: David Gaboury <david.g@townofeagle.org>

Subject: Opposed to noonball at EVMS

We have kept our children home for two months, everyone learning to adapt to keep them safe in a challenging time. It makes no sense and does not have my support to disregard our children's safety by allowing noonball to carry on during school hours. We have spent so many years and dollars learning from past mistakes. We have even just this past school year made unprecedented changes in record time for the safety of our children. Why would we allow something that is such a clear breach of the safety of our children carry on because of tradition? They should consider themselves lucky that there is even an alternative being offered. Not to mention the burden this must be to that schools front office staff who already are targets for school and are the unsung heroes of protecting our schools. Stand up for what make sense for the greater good rather than the select few and stop noonball.

Heather Warmuth

Eagle Resident

Jenny Rakow

From: Matt Solomon
Sent: Sunday, May 31, 2020 8:48 AM
To: Jenny Rakow
Subject: Fwd: Opposed to noonball at EVMS

Begin forwarded message:

From: Heather Warmuth <heather@mountainlife.church>
Subject: Opposed to noonball at EVMS
Date: May 29, 2020 at 15:20:34 MDT
To: matt.solomon@townofeagle.org

We have kept our children home for two months, everyone learning to adapt to keep them safe in a challenging time. It makes no sense and does not have my support to disregard our children's safety by allowing noonball to carry on during school hours. We have spent so many years and dollars learning from past mistakes. We have even just this past school year made unprecedented changes in record time for the safety of our children. Why would we allow something that is such a clear breach of the safety of our children carry on because of tradition? They should consider themselves lucky that there is even an alternative being offered. Not to mention the burden this must be to that schools front office staff who already are targets for school and are the unsung heroes of protecting our schools. Stand up for what make sense for the greater good rather than the select few and stop noonball.

Heather Warmuth
Eagle Resident

Jenny Rakow

From: Scott Turnipseed
Sent: Saturday, May 30, 2020 4:47 PM
To: Lisa
Cc: Jenny Rakow; Brandy Reitter
Subject: RE: Opposed to noonball at EVMS

Hello Lisa!

I hope all is well.

Thanks so much for your input and thoughts.

I appreciate it.

I will enter these into the public record.

Thanks so much!

Scott Turnipseed
Mayor

TOWN OF EAGLE
200 Broadway, PO Box 609, Eagle Co 81631
Phone: 970-328-6354, Fax: 970-328-5203
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-----Original Message-----

From: Lisa <lisalouisewoods@gmail.com>
Sent: Saturday, May 30, 2020 10:20 AM
To: Scott Turnipseed <scott.turnipseed@townofeagle.org>
Subject: Opposed to noonball at EVMS

I believe you should be able to continue playing basketball at the middle school...if anything it increases safety because some responsible adult males are now a presence in the school.

1 person from the BB group should be responsible for the door...as each participant enters they should sign in...once everyone has arrived the door is locked...then there are no "anyone" can come in the building when they want concerns.

Another point didn't the town pay the school district a lot of money for this privilege- if this is taken back before contract is fulfilled then ECSD should pay remaining portion back to the town of Eagle.

just have someone check everyone in and make sure door is lock before play begins.

if a new person wants to join the crew-the group needs to know them and attest to their integrity...if a new person/new to town joins...perhaps a background check...just like us volunteers have to have with the school district.

Keep playing ball!

Sent from my iPhone

June 4, 2020

RE: Noon Basketball Program at Eagle Valley Middle School

As the Town of Eagle continues the conversation regarding Eagle County School District RE50J's proposal to have Mountain Recreation move the noon basketball program to the Gypsum Recreation Center we are providing some additional information to provide clarity regarding some comments made at the May 26, 2020 Town Council meeting.

1. The calculation only shows noon ball as a time period when school is in session and shorts it by 138 hours. *The district would concede to adding the non-student contact days as accessible for noon programming.*
2. Section 3.8 and page 5 is based on when the construction begins and not when access was provided so it should be 27 years. *The district would concede to adjusting the calculation to be based on 27 years remaining.*
3. Has the Principal ever requested the program to be moved so the school can use the gym during the scheduled time frame per the agreement? *There have been days when the district has requested to use the gym and have the noon ball programming not occur for that day. This includes the time during construction and maintenance needed to occur. There is no record of how many times that occurred. These days were not included in the calculation and the district will take into consideration an adjustment to the loss of those days.*

We would also like to confirm the difference between the Raptor system, which checks visitors against the sex offender registry and a Colorado Bureau of Investigation (CBI) background check that is required for employees and volunteers. The CBI background check contains detailed information of arrest records based on fingerprinting.

Eagle County Schools and Mountain Recreation desire to continue working together to provide access and programming for non-student contact time as defined in the 1995 agreement. The majority of the use is tied to before and after school programming, which provides access to the dual court gym.

If you have any additional questions, please let me know.

Regards,

Sandra Mutchler

Sandra Mutchler
Chief Operating Officer