



Town of Elizabeth

Board of Trustees

BOARD TRAINING

Tuesday, May 26, 2026, at 6:30 PM

BOARD OF TRUSTEES REGULAR MEETING - **UPDATED**

Tuesday, May 26, 2026 at 7:00 PM

Town Hall, 151 S. Banner Street

Conferencing Access Information: This is viewing-only access.

[Zoom link to view meeting](#)

Join via phone: 1 669 900 9128 Meeting ID: 825 0516 1180

Meeting Passcode: 599937

Call to Order

Roll Call

Pledge of Allegiance

Presentations

1. Jerry Garland Memorial Presentation – Alexandra Cramer

Public Comment

This is a meeting of the Board of Trustees held in public. We welcome you here and thank you for your time and concerns. When you are recognized, please stand and state your name and address to the Board. Your comments will be limited to 5 minutes. If many speakers are anticipated, the Mayor may (a) shorten the time limit; (b) ask speakers to limit themselves to new information and points of view not already covered by previous speakers; and/or (c) limit the total time of public comment to allow the Board to proceed to consider items set on the regular meeting agenda. The Board of Trustees may not respond to your comments during this meeting, but rather take your comments and suggestions under advisement and your questions will be directed to the appropriate person or department for follow-up. Personal attacks against Board Members, Administrative Staff, or Employees will not be recognized. If a response from Staff is requested, the Mayor will direct Staff to have a response at the next regularly scheduled Board meeting.

Agenda Changes

Consent Agenda

Action may be taken on any and all items listed on the agenda.

Accommodations for disabilities may be made upon request.

2. Minutes of the Regular Meeting of May 12, 2026
3. Resolution 26R15, Intergovernmental Agreement for School Resource Officers
4. Resolution 26R16, Water Lease Agreement for 889

Public Hearing

5. 228 S Banner Street Rezone Application – Alexandra Cramer

New Business

6. Discussion and possible action on the approval of Ordinance 26-09, an Ordinance Rezoning the Property Located at 228 South banner from Single-Family Residence (R-1) District to Downtown (DT) District – Alexandra Cramer
7. Discussion and possible approval of Resolution 26R17, a Resolution repealing Resolution 23R16 the Town of Elizabeth Purchasing Policy, and adopting a revised and amended Purchasing Policy for the Town of Elizabeth – Chris Lowe
8. Discussion on holding a swap meet on the Gesin Lot – Chris Lowe

Items For Consideration

9. Board Discussion

Management Monitoring Reports

10. Management Monitoring Reports

Board of Trustees Report

11. Board Reports

Minutes

12. Minutes of the Historic Advisory Board Meeting of March 9, 2026
13. Minutes of the Planning Commission Meeting of April 7, 2026

Adjournment

Action may be taken on any and all items listed on the agenda.
Accommodations for disabilities may be made upon request.

Meeting Protocol and Standards of Conduct

Public Participation

Public comment is encouraged and will be listed as an agenda item at every regular Board meeting.

Each individual wishing to be heard during the public comment period will be given up to three (3) minutes to make a comment.

The public comment period will not be used to make political endorsements or for political campaign purposes.

Questions from the Board will be for clarification purposes only. Public comment will not be used as a time for problem solving or reacting to comments made but, rather, for listening to the comments of citizens without taking any formal action.

The Board may direct the Town Administrator to provide information requested by a speaker during the public comment period.

Speakers are not allowed to make belligerent, accusatory, impertinent, slanderous, threatening, abusive, or disparaging comments.

The Mayor may elect to defer public comment on a specific issue that appears on the regular agenda until that specific item is addressed.

The Mayor may call for order when sidebar conversations occur in the audience. Those conversations are distracting from the Board addressing the topics at hand.

Members of the public who do not follow proper conduct after a warning in a public meeting may be barred from further participation at that meeting or removed from the Board Chambers pursuant to the Elizabeth Municipal Code and Colorado Revised Statutes.

Action may be taken on any and all items listed on the agenda.
Accommodations for disabilities may be made upon request.



Town of Elizabeth

Board of Trustees Regular Meeting - UPDATED May 8, 2026

Tuesday, May 12, 2026 at 7:00 PM

Town Hall, 151 S. Banner Street

Conferencing Access Information: This is viewing-only access.

[Zoom link to view meeting](#)

Join via phone: 1 669 900 9128 **Meeting ID:** 847 0543 4851

Meeting Passcode: 032676

Call to Order

The Regular Meeting of the Board of Trustees for the Town of Elizabeth was called to order on Tuesday, May 12, 2026, at 7:00 pm by Mayor Angela Ternus.

Roll Call

Present:

Mayor Angela Ternus

Mayor Pro Tem Tracy Hutchins

Trustee Dave Conley

Trustee Michael Schroder

Trustee Steve Gaither

Trustee Tony Atencio

Absent:

Trustee Loren Einspahr

There was a quorum to do business.

Also in Attendance:

Interim Administrator Chris Lowe

Town Clerk Michelle Oeser

Public Works Director Mike DeVol

Assistant Public Works Director James McErnie

Police Chief Jeff Engel

Planner / Project Manager Alexandra Cramer

Finance Officer Hannah Bruce

Town Attorney Corey Hoffmann

Pledge of Allegiance

Mayor Ternus led the Board in the Pledge of Allegiance.

Public Comment

This is a meeting of the Board of Trustees held in public. We welcome you here and thank you for your time and concerns. When you are recognized, please stand and state your name and address to the Board. Your

comments will be limited to 5 minutes. If many speakers are anticipated, the Mayor may (a) shorten the time limit; (b) ask speakers to limit themselves to new information and points of view not already covered by previous speakers; and/or (c) limit the total time of public comment to allow the Board to proceed to consider items set on the regular meeting agenda. The Board of Trustees may not respond to your comments during this meeting, but rather take your comments and suggestions under advisement and your questions will be directed to the appropriate person or department for follow-up. Personal attacks against Board Members, Administrative Staff, or Employees will not be recognized. If a response from Staff is requested, the Mayor will direct Staff to have a response at the next regularly scheduled Board meeting.

Paul Schwarzkopf- Town of Elizabeth Resident

Agenda Changes

The Administration moves item 3 to proceed the Audit under presentation.

No changes from the Board.

Agenda set.

Consent Agenda

1. Minutes of the Regular Meeting of April 28, 2026

Motion by Mayor Pro Tem Hutchins, seconded by Trustee Atencio, to approve the Minutes of the Regular Meeting of April 28, 2026.

Voting Yes: Mayor Ternus, Mayor Pro Tem Hutchins, Trustee Conley, Trustee Schroder, Trustee Gaither, Trustee Atencio

Voting No: None

Motion Passed Unanimously (6-0)

Presentations

3. Discussion and possible action on the appointment of Debbie Kula to the Planning Commission for a term through December 31, 2026 – Alexandra Cramer

Motion by Mayor Pro Tem Hutchins, seconded by Trustee Conley, to appoint Debbie Kula to the Planning Commission for a term through December 31, 2026.

Mayor Ternus, Mayor Pro Tem Hutchins, Trustee Conley, Trustee Schroder, Trustee Gaither, Trustee Atencio

Voting No: None

Motion Passed Unanimously (6-0)

2. 2025 Audit – Kevin Kimball

Mr. Kimball presented the 2025 Audit to the Board of Trustees.

New Business

3. Discussion and possible action on the appointment of Debbie Kula to the Planning Commission for a term through December 31, 2026 – Alexandra Cramer

The item was moved to Presentation.

4. Discussion and possible action on Resolution 26R14, a Resolution authorizing the Mayor to execute a First Amendment to the License Agreement with Elizabeth Brewing Company regarding the Friday Night Market at Running Creek Park for the Year 2026 – Alexandra Cramer

Ms. Cramer provided a Staff report.

Tony Briggs presented to the Board as the representative of the Elizabeth Brewing Company.

Motion by Trustee Conley, seconded by Trustee Schroder, to approve Resolution 26R14, a Resolution authorizing the Mayor to execute a First Amendment to the License Agreement with Elizabeth Brewing Company regarding the Friday Night Market at Running Creek Park for the Year 2026.

Voting Yes: Mayor Ternus, Mayor Pro Tem Hutchins, Trustee Conley, Trustee Schroder, Trustee Gaither, Trustee Atencio

Voting No: None

Motion Passed Unanimously (6-0)

5. Discussion and possible action on approval of the Intergovernmental Agreement for Wastewater Service with Pine Ridge Metro District — Chris Lowe

This item will be revisited at a future meeting.

6. Discussion and possible action regarding the Hillside Paving and Wade Park Project Contract update for increased bid amount to the economy – Mike DeVol

Mr. DeVol provided a Staff report.

Motion by Trustee Conley, seconded by Trustee Gaither, to approve the Hillside Paving and Wade Park Project Contract update for increased bid amount not to exceed \$3,077,466.86.

Voting Yes: Mayor Ternus, Mayor Pro Tem Hutchins, Trustee Conley, Trustee Schroder, Trustee Gaither, Trustee Atencio

Voting No: None

Motion Passed Unanimously (6-0)

7. Discussion and possible action regarding Addendum of Resolution 23R38 for an Intergovernmental Agreement regarding Water and Wastewater Services between the Town of Elizabeth and the Elizabeth School District — Mike DeVol

Mr. DeVol presented a Staff report.

Motion by Trustee Schroder, seconded by Trustee Gaither, to approve the Addendum of Resolution 23R38 for an Intergovernmental Agreement regarding Water and Wastewater Services between the Town of Elizabeth and the Elizabeth School District.

Voting Yes: Mayor Ternus, Mayor Pro Tem Hutchins, Trustee Conley, Trustee Schroder, Trustee Gaither, Trustee Atencio

Voting No: None

Motion Passed Unanimously (6-0)

Items for Consideration

8. Board Discussion

- Mayor Angela Ternus:
 - Discussion on the possible sale of the South 40.
 - Discussion on the future of the Gesin Lot.
 - Discussion on hosting a swap meet on the Gesin Lot.
 - Discussion on providing funds for ECCOG's Senior Lunch Program.
- Trustee Dave Conley:
 - Discussion on limiting Metro Districts within Town Limits.

Management Monitoring Reports

9. Management Monitoring Reports

- Interim Town Administrator Chris Lowe:
 - Discussion on the community garden.
- Police Chief Jeff Engel:
 - Plans for the Student Academy are in process.
 - Commander Cutler is attending the Northern Staff College.
 - Mayor Ternus discussed traffic issues at the Pine Ridge mailboxes.
 - Trustee Schroder asked if the Sheriff's Department or State Patrol are involved in accidents on Highway 86.
- Planner/Project Manager Alexandra Cramer:
 - Request to have a Board member sit on the Facade Grant Committee. Mayor Pro Tem Hutchins volunteered to be on the committee.
- Public Works Director Mike DeVol:
 - Discussion on the success of the Town's Clean-Up Day.
 - Mr. DeVol thanked Board members for volunteering on Clean-Up Day.
 - Mayor Ternus thanked the Public Works Staff for their work on the Town's Clean-Up Day.
- Town Clerk Michelle Oeser:
 - Ms. Oeser discussed that the Town Hall will be two Staff members short while attending the IIM Conference.
 - Updated the Board on the Town's movie night.
 - Discussion on Board members providing feedback on the Administrator brochure to the Duffy Group.
- Town Attorney Corey Hoffmann:
 - Mr. Hoffmann stated in the future he will be bringing legislative updates to the Board.

Board of Trustees Report

10. Board Reports

- Trustee Michael Schroder:
 - Asked if the Town website is up-to-date on Town events.

Adjournment

Motion by Mayor Pro Tem Hutchins, seconded by Trustee Conley, to adjourn the meeting at 9:05 pm.

Voting Yes: Mayor Ternus, Mayor Pro Tem Hutchins, Trustee Conley, Trustee Schroder, Trustee Gaither, Trustee Atencio

Voting No: None

Motion Passed Unanimously (6-0)

Town Clerk Michelle Oeser

Mayor Angela Ternus

RESOLUTION 26R15

A RESOLUTION AUTHORIZING THE MAYOR AND CHIEF OF POLICE TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE ELIZABETH SCHOOL DISTRICT TO PROVIDE SCHOOL RESOURCE OFFICERS

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

1. The Board of Trustees hereby authorizes the Mayor of the Town of Elizabeth, and the Chief of Police, or his designee, to execute an Intergovernmental Agreement (IGA) with the Elizabeth School District to provide School Resources Officers within the Elizabeth School District. A copy of the IGA is attached hereto as Exhibit A and incorporated herein by this reference.

PASSED, APPROVED, and ADOPTED this 26th day of May 2026, by the Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of _____ for and _____ against.

Angela Ternus, Mayor

ATTEST:

Michelle M. Oeser, Town Clerk

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
ELIZABETH SCHOOL DISTRICT, ELIZABETH, COLORADO
AND
ELIZABETH POLICE DEPARTMENT
FOR SCHOOL RESOURCE OFFICERS**

This Intergovernmental Agreement (“IGA”) is made and entered into this 1 day of July, 2026, by and between ELIZABETH SCHOOL DISTRICT, ELIZABETH, COLORADO, hereinafter referred to as “School District” and the TOWN OF ELIZABETH, hereinafter referred to as “Town”.

RECITALS

WHEREAS, the School District and the Town desire to place full-time school resource officers at Elizabeth High School and Elizabeth Middle School, and assist at Running Creek Elementary as needed. This IGA formalizes the relationship between the participating entities in order to foster an efficient and cohesive program that will build a positive relationship between law enforcement and the youth of our community, with the goal of reducing crime committed by juveniles and young adults. This IGA delineates the mission, organizational structure, and procedures of the School Resource Officer Program (hereinafter the "SRO Program") as a joint cooperative effort between Elizabeth School District and the Elizabeth Police Department. The success of this program relies upon the effective communication between all involved employees, the principal of each individual Elizabeth School District building, and other key staff members of each organization.

WHEREAS, the School District has agreed to reimburse the Town for one-half of the cost of placing the officers at the schools;

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants herein contained, the parties hereto agree to as follows:

1. The mission of the SRO Program is the reduction and prevention of school-related violence and crime committed by juveniles and young adults. The SRO Program aims to create and maintain safe, secure, and orderly learning environments for students, teachers, and staff. This is accomplished by assigning Law Enforcement Officers employed by the Elizabeth Police Department (hereinafter referred to as "SRO") to the Elizabeth School District facilities on a permanent basis.

2. The Town shall assign two patrol officers as SROs to serve on a full-time, year-round basis, excluding town authorized leaves such as vacation or sick leave, to perform duties primarily within Elizabeth High School and Elizabeth Middle School.
3. The Elizabeth Police Department shall select final candidates for the SRO positions based solely on the department's selection criteria but shall include the School District in the final selection process as practical. The School District and Town shall work together to select the SROs incorporating the building principal and Director of Safety and Security into the selection process. The SROs shall be fully trained in standard best practices, as set forth by the National Association of School Resource Officers (NASRO).
4. The SROs shall at all times be employees of the Town, and their duties will be determined solely by the Town after consultation with the School District.
5. The Town shall supervise the SROs, who shall be subject to discipline under the Elizabeth Police Department policies and procedures and the Town's personnel policies and procedures. Both parties agree to work cooperatively to address any performance concerns or conflicts involving an assigned SRO. The School District and the Town shall jointly create an evaluation process to evaluate the SROs assigned to the School District.
6. The general duties, roles, and responsibilities of the SROs shall include law, traffic, and parking enforcement; investigative follow-up; and community problem solving. The SROs shall not be used as disciplinarians. All discipline will be handled by the School District and their staff. All SROs will understand that the School District utilizes a restorative approach and seeks to minimize the use of law enforcement intervention. Principals or their designees may request the assistance of an SRO for the purpose of safety when conducting a school investigation, including searches. However, if an SRO initiates a law enforcement investigation of a student or a search on School District property based on probable cause, the SRO is responsible for notifying the principal/designee and whenever possible, will notify the principal/designee prior to beginning the investigation. The SRO is also responsible for notifying the parent(s) if a student is identified as a suspect and will be interviewed as part of a criminal investigation. The SRO will also be responsible for notifying parents of students identified as victims or witnesses that will be interviewed as part of a criminal investigation occurring on School District property. The school administrator and/or School District shall be responsible for any other notifications to the parent(s). The school administrator should ensure staff cooperates with law enforcement investigations or actions related to crime or criminal activity on any campus, but, in the event, law enforcement ultimately remains responsible for conducting any such investigation or action.

The SROs will work 15 minutes before school, through the school day, and 15 minutes after school, Monday through Friday. School resource officers are required to attend all mandatory

trainings through the department in order to maintain their POST certification. The Town shall stagger training dates to ensure one SRO is still working in the School District at all times during the school year. The SROs are permitted to work after-school events. The School District shall provide the officers with a secure work space (private office) where the SRO can conduct interviews, meetings, and attend to tasks as assigned. SROs will participate in the School District's training on procedures for the Family Educational Rights and Privacy Act (FERPA), threat assessment, suicide intervention, juvenile sexual offender management, and all applicable safety and security training. The SRO should notify the School District's security office and principal if they will be absent due to illness, other personal leave, or vacation.

Additional duties of SROs shall include:

- a. Providing law enforcement and police services to school grounds and areas adjacent to the school.
- b. Establishing and maintaining a close partnership with school administrators in order to provide a safe school environment.
- c. Assisting school administrators in emergency crisis planning and building security matters.
- d. Being visible within the school community, attending and participating in school functions, building working relationships with the school's staff as well as with student and parent groups.
- e. Developing and implementing classes in law-related education to support the educational efforts of the faculty and working closely with teachers in presenting law-related topics and the role of police in our society.
- f. Working with counselors, psychologist, social workers, and other student support staff to assist students and providing services to students involved in situations where referrals to service agencies are necessary; assisting in conflict resolution efforts to include participating in threat assessments held between the school, student, and parents.
- g. Initiating interaction with students in the classroom and general areas of the school building; promoting the profession of law enforcement and being a positive role model; increasing the visibility and accessibility of the Police Department to the school and community.

7. Pursuant to FERPA, the SROs shall also be designated "school officials" as defined under 34 CFR § 99.31(a)(1)(B), to allow the disclosure of personally identifiable information from an education record of a student without consent. The Parties agree that the SROs will, among other duties, perform institutional services or functions for which the District would otherwise use employees, such as participation on threat assessment teams and consulting and intervening in certain school discipline situations. While serving in this capacity the SROs will have legitimate education interests, and thus access to the following records: directory information, behavioral records, attendance, and student schedules unless notified otherwise. Therefore, in compliance

with the requirements of FERPA, the SROs shall be under the direct control of the District with respect to the use and maintenance of education records disclosed to the SRO in the course of providing such services, and shall be subject to the requirements of 34 CFR § 99.33(a) governing the use and disclosure of personally identifiable information from education records. Without limiting the foregoing and except as otherwise provided in this Agreement, the SROs shall not disclose any personally identifiable information to any other party without the prior consent of the parent or eligible student, unless disclosure is otherwise permitted under Federal and State laws. Nothing in this paragraph shall be construed as designating the SROs as an official of the District for any purpose other than compliance with FERPA. Furthermore, nothing in this Agreement shall be construed as designating the SROs as an employee of a public school for any purpose, including but not limited to, Colorado Governmental Immunity Act (CGIA), Section 24-10-106.3.

8. To obtain any additional educational records, the SRO must sign a records request form (this includes requests for files of video or audio recordings from the School District's security systems). In the case of an imminent health or safety emergency, student information and records may be shared immediately between the school and the SRO. Any information obtained through the School District system shall only be used for active investigations by the Police Department.

9. The SROs will use body worn cameras in accordance with Colorado Revised Statute 24-31-902 and Elizabeth Police Department policy. Any footage obtained by a recording from a body camera worn by the SRO will be maintained by the Town and will not be an educational record under FERPA.

10. The SROs shall communicate on a regular basis, formally at scheduled meetings and informally as required, with school administrators, staff, students, parents, and neighborhood residents.

11. The School District shall reimburse the Town annually for fifty percent (50%) of the cost of the SRO positions to include salary and benefits, vehicles allowances, and gasoline as applicable during the District school year. Additionally, the School District will cover 20% of the cost to purchase a police vehicle for the SRO and the appropriate upfitting. The shared cost of the vehicle and upfitting will not exceed \$12,000 and the payments will be disbursed out over the duration of the IGA beginning on July 1, 2026 and terminating on June 30, 2029. Further vehicle improvements and replacements, will be evaluated based upon the Town's mileage depreciation program and available district funding. The shared cost of vehicle purchase and upfitting ensures the presence of a marked police emergency vehicle during the school year. The town of Elizabeth assumes the cost of insurance. The Town shall provide the School District with quarterly invoices for these costs. The quarterly invoices will be provided for the following periods, 1 July to 30 September, 1 September to December 31, 1 January to March 31, and 1 April to 30 June.

12. The SROs shall be subject to emergency calls and assignments outside of the schools and/or neighborhoods when their services are required, as determined by the sole discretion of the Town.

13. Nothing in this Agreement shall be construed as a waiver by any Party of the protections afforded pursuant to the CGIA, Sections 24-10-101 et seq., C.R.S. as same may be amended from time to time. Specifically, no Party to this Agreement waives the monetary limitations or any other rights, immunities or protections afforded by the CGIA or otherwise available at law.

14. The term of this Agreement will be from July 1, 2026 until June 30, 2029. No amendment or modification of this Agreement shall be valid unless expressed in writing, executed by the parties hereto in the same manner as the execution of this Agreement. This Agreement may be terminated by sixty (60) days' written notice given by either Party.

15. This Agreement contains the entire agreement between the parties, and any written or oral agreements, which are different from the terms, conditions, and provisions of this Agreement, shall be of no effect and shall not be binding upon either party.

16. Nothing contained herein is intended to, nor shall any provision hereof be deemed to create any debt or multi-fiscal financial obligation on the part of either party hereto. Each party's financial obligations hereunder are subject to its annual budget and appropriation of funds.

17. This Agreement does not and shall not be deemed to confer upon any third party any right to claim damages to bring suit or other proceedings against the Town or the School District.

16. All notices required hereunder shall be given to:

Elizabeth School District
Superintendent of Schools
634 S. Elbert St.
Elizabeth, Colorado 80107

Elizabeth Police Department
Attn: Chief of Police
425 Main St.
Elizabeth, Colorado 80107

All notices so given in writing shall be effective upon receipt when hand delivered or upon mailing if notice is given by first class mail.

17. This Agreement is made and delivered in the State of Colorado, and shall be construed and enforced in accordance with the laws thereof.

ELIZABETH SCHOOL DISTRICT

By: 
Dan Snowberger, Superintendent

Date: May 21, 2026

TOWN OF ELIZABETH

By: _____
Angela Ternus, Mayor

Date: _____

ELIZABETH POLICE DEPARTMENT

By: _____
Jeffery R. Engel, Chief of Police

Date: _____



TOWN OF ELIZABETH

COMMUNITY DEVELOPMENT DEPARTMENT

To: Board of Trustees
From: Alex Cramer, AICP, Planner/Project Manager
Date: May 26, 2026
Subject: Approval of Water Lease Agreement – 889 S Elizabeth Street (Turn 2 Development, LLC)

Background

On February 24, 2026, the Board of Trustees approved the annexation of 889 South Elizabeth Street into the Town of Elizabeth and executed an Annexation Agreement with Turn 2 Development, LLC. Section 4.a. of the Annexation Agreement required the Property Owner to convey all water rights associated with the property to the Town and obligated the Town to enter into a lease agreement returning domestic well water use to the Property Owner for the two existing residences. The Property Owner conveyed all water rights to the Town by Special Warranty Deed dated February 26, 2026.

Summary

The proposed Lease Agreement fulfills the Town's obligation under Section 4.a. of the Annexation Agreement on the following terms: Well Permit No. 12718-A (Upper Dawson Aquifer) | Residential use in two single-family homes | Lease price: \$1.00 per year, due June 1 | Term: until well abandonment, which shall occur no later than issuance of the first building permit or six months after first final plat approval, whichever occurs first.

Staff Recommendation

Staff recommends approval of the Water Lease Agreement between the Town of Elizabeth and Turn 2 Development, LLC.

ATTACHMENT(S)

Resolution 26R16

Water Lease Agreement — Turn 2 Development, LLC / 889 South Elizabeth Street

Special Warranty Deed — Water Rights Conveyance, 889 South Elizabeth Street

RESOLUTION 26R16

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A WATER LEASE AGREEMENT WITH TURN 2 DEVELOPMENT, LLC REGARDING THE PROPERTY AT 889 SOUTH ELIZABETH STREET

WHEREAS, the Town of Elizabeth has entered into an Annexation Agreement with Turn 2 Development, LLC dated February 24, 2026, which required the Property Owner to convey all water rights associated with 889 South Elizabeth Street to the Town; and

WHEREAS, Section 4.a. of the Annexation Agreement obligates the Town to lease domestic well water associated with Well Permit No. 12718-A back to the Property Owner for residential use in the two existing single-family homes until the well is abandoned; and

WHEREAS, it is appropriate to execute a Water Lease Agreement to fulfill that obligation.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

SECTION 1. The Board of Trustees hereby authorizes the Mayor of the Town of Elizabeth to execute the Water Lease Agreement, attached hereto as Exhibit A, between the Town of Elizabeth and Turn 2 Development, LLC.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2026, by the Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of ____ for and ____ against.

Angela Ternus, Mayor

ATTEST:

Michelle M. Oeser, Town Clerk

LEASE AGREEMENT

THIS LEASE AGREEMENT is entered into this _____ day of _____, 2026 by and between Turn 2 Development, LLC (hereinafter "Lessee"), and the Town of Elizabeth, a Colorado Municipal Corporation (the "Town").

WHEREAS, Lessee and the Town have entered into an Annexation Agreement dated February 24, 2026, which requires that Lessee convey to the Town all water rights associated with Lessee's Property as defined in the Annexation Agreement; and

WHEREAS, pursuant to paragraph 4.a. of the Annexation Agreement the Town agrees to lease to Lessee the water associated with well permit no. 12718-A until such time as the associated Well is abandoned in accordance with paragraph 4.c. of the Annexation Agreement; and

WHEREAS, Lessee and the Town have agreed to enter into this Lease Agreement to effectuate the terms of the Annexation Agreement regarding the Well.

NOW THEREFORE, in consideration of the promises and covenants contained herein, the parties agree as follows:

1. The Town leases to Lessee the Upper Dawson groundwater associated with well permit no. 12718-A for residential use in two (2) single family homes currently located on the Property.
2. The lease price payable by Lessee to the Town shall be \$1.00 per year, due on June 1st of each year.
3. This Lease Agreement shall terminate upon abandonment of the Well pursuant to the Annexation Agreement. Pursuant to paragraph 4.c. of the Annexation Agreement, abandonment of the Well shall occur no later than the issuance of the first building permit for the Property, or six (6) months after the approval of the first final plat for the Property, whichever first occurs. Upon termination of the Lease Agreement, Lessee shall have no further rights in the groundwater or Well.
4. Lessee shall use the water under this Lease Agreement under this agreement for lawful purposes only under the laws of the State of Colorado. Lessee shall obtain and pay for any decrees or orders of Court or permits or approvals required for Lessee's use of the water and well. Lessee shall also pay the cost of any infrastructure, measurement devices, or treatment required for operation and use of the Well.
5. The leased water from the Town is accepted by Lessee without warranty by the Town that the quality of said water is fit for any intended purpose whatsoever. The Town makes no warranty, either expressed or implied, that the quality of the water is fit for any intended purpose whatsoever.

6. Notices, statements, and other writings provided by one party to another party under this lease agreement shall be deemed received when sent by United States mail, postage prepaid, or facsimile, to the following:

If to Lessor to:

Town of Elizabeth
Town Administrator
P.O. Box 159
Elizabeth, Colorado 80107-059

With a copy to:

Corey Hoffmann, Esq.
Town Attorney
Hoffmann, Parker, Wilson & Carberry, P.C.
511 Sixteenth Street, Suite 610
Denver, Colorado 80202-1576

If to Lessee to:

Turn 2 Development, LLC
PO Box 2586
Elizabeth CO 80107

7. This lease agreement is made in Elbert County, State of Colorado on the date set out above and shall be construed under the laws of the State of Colorado. Venue for any action regarding this lease shall be in the District Court for Elbert County.

THE TOWN OF ELIZABETH, COLORADO

LESSEE

Mayor



Darren Spradling, Turn 2 Development, LLC

ATTEST:

The foregoing lease agreement was approved by the Board of Trustees for the Town of Elizabeth, Colorado, during a regular meeting of the Board held on

Town Clerk

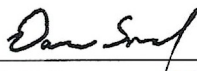
SPECIAL WARRANTY DEED

THIS DEED is made this 26th day of February 2026, between Turn 2 Development, LLC, whose legal address is PO Box 2586, Elizabeth, CO 80107, Grantor, and the Town of Elizabeth, Colorado, whose legal address is 151 South Banner Street, Elizabeth, CO 80107, Grantee.

WITNESSETH, that Grantor for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns, forever, all water and water rights appurtenant to the real property in Elbert County, Colorado, described in Exhibit A attached hereto and made a part hereof by this reference (the "Real Property"), including, without limitation, any and all groundwater, not nontributary groundwater, and nontributary groundwater underlying the Real Property, including not nontributary groundwater in the Upper Dawson Aquifer, nontributary groundwater in the Lower Dawson Aquifer, nontributary groundwater in the Denver Aquifer, nontributary groundwater in the Arapahoe Aquifer, and nontributary groundwater in the Laramie-Fox Hills Aquifer underlying the Real Property, together with all consents to withdraw groundwater therefrom, all rights to construct wells therein, and all current wells, if any, therein.

TO HAVE AND HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, its successors and assigns forever. The Grantor, for himself, his heirs, personal representatives, successors and assigns, does covenant and agree that he shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor.

IN WITNESS WHEREOF the Grantor has caused this deed to be duly executed the day and year first above written.



Property Owner

STATE OF COLORADO)
) ss.:
COUNTY OF Elbert)

The foregoing instrument was acknowledged before me this 26 day of February, 2026,
by Darren Spradling, as Owner of Turn 2 Development.

WITNESS my hand and official seal.

Notary Public *Carmelia Corra*

My Commission Expires: June 10 2029

[SEAL]

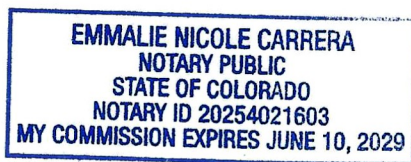


EXHIBIT A

LEGAL DESCRIPTION:

A Tract of land situated in the Southeast quarter of the Northeast quarter of Section 13, Township 8 South, Range 65 West of the 6th P.M., County of Elbert, State of Colorado, more particularly described as follows: Commencing at the Southeast corner of said Southeast quarter of the Northeast quarter thence North 89°21'41" West along the South line of said Southeast quarter of the Northeast quarter a distance of 370.75 feet to the West right of way line of Elizabeth Street and to the True Point of Beginning;
Thence North 89°21'41" West along South line a distance of 269.92 feet;
Thence North 2°10'53" West a distance of 315.98 feet;
Thence South 89°21'41" East, a distance of 282.18 feet to the West right of way line of Elizabeth Street;
Thence South 0°02'29" West along said West right of way line a distance of 315.62 feet to the Point of Beginning.



TOWN OF ELIZABETH

STAFF REPORT

Rezone Application

228 S. Banner Street

Applicant: American Legion Post 82

Applicant Representative: Bud Blazier & Tedd Lipka, P.O. Box 235, Elizabeth, CO 80107

Location: 228 S. Banner Street, Elizabeth, Colorado 80107

Legal Description: Lots 16 & 17, Block 5, Elizabeth Amended, Town of Elizabeth, Elbert County, State of Colorado

Area: 0.15 acres (Lots 16 & 17)

Present Zoning: R-1, Single-Family Residential District

Proposed Zoning: DT, Downtown District

Exhibit A: Applicant's Submittal Documents (Land Use Application, Rezone Exhibit)

Exhibit B: Referral Agency Comments

Exhibit C: Public Notice

Executive Summary

American Legion Post 82 is requesting a rezone of a 0.15-acre parcel at 228 S. Banner Street from R-1, Single-Family Residential District to DT, Downtown District. The property is located within the Town of Elizabeth at the northeast corner of Banner Street and Elm Street and is currently owned and operated by American Legion Post 82 for public and veterans' service use.

The property was originally conveyed from the Town of Elizabeth to American Legion Post 82 via Special Warranty Deed in August 2013, subject to a 10-year condition that the property be used for public and/or U.S. Armed Forces veteran purposes. In 2014, the Board of Trustees also approved a Use by Special Review for the property to operate as a nonprofit recreation center, also for a 10-year period. Both the deed condition and the Use by Special Review have since expired. American Legion Post 82 now holds the property in fee simple absolute and is seeking permanent and appropriate zoning for the property. Clubs and Lodges is a permitted use within the DT, Downtown District, making it the most suitable zoning designation for this property and the surrounding area.

The Planning Commission held a public hearing on this application on May 19, 2026 and voted unanimously 6-0 to recommend approval to the Board of Trustees.



TOWN OF ELIZABETH

All referral agencies, including the Elizabeth Fire Protection District, Elizabeth Police Department, Town Engineering, Town Public Works, CORE Electric Cooperative, and the Elizabeth School District, have reviewed the application and raised no objections. Staff recommends approval of the rezone ordinance.

Planning Commission Hearing and Staff Response to Comments

The Planning Commission held a public hearing on this application on May 19, 2026 and voted unanimously 6-0 to recommend approval to the Board of Trustees. Several comments were raised during the hearing that staff wishes to address for the record prior to the Board of Trustees hearing.

Public Notice. Public notice for the Planning Commission hearing was completed in accordance with Article IV of the Elizabeth Municipal Code (EMC), Chapter 16. Mailed notice was sent to all property owners within 500 feet of the subject property more than one month in advance of the Planning Commission hearing, consistent with the requirements of EMC Section 16-4-30(c). A radius report confirming the mailed notices are included in the packet as part of the public notice record. Comments were raised at the hearing suggesting that neighboring property owners had not received notice. Staff has reviewed the public notice record and is confident that notice was completed in full compliance with the requirements of the EMC. However, in an abundance of caution and in the interest of ensuring full community awareness of this application, staff sent a follow-up letter to all property owners within 500 feet of the subject property following the Planning Commission meeting. That letter informed neighbors of the upcoming Board of Trustees public hearing and invited them to contact staff with any questions or to submit written comments into the record if they were unable to attend in person.

Sign Posting. A comment was raised at the hearing that two signs should have been posted on the property, one facing each public right-of-way, per EMC Section 16-4-30(d). Staff notes that the sign posted on the property is located at the corner of the lot at the intersection of Banner Street and Elm Street and is oriented outward such that it is clearly visible from both public rights-of-way. EMC Section 16-4-30(d) requires that notices consist of at least one sign facing each adjacent public right-of-way. Staff finds that the placement of the sign at the corner of the property, facing outward toward both Banner Street and Elm Street, fulfills the intent of this requirement, as the sign is clearly legible from both adjacent rights-of-way as required by the code. No noticing deficiency is found by staff.

Appropriateness of the Downtown District. Comments were made suggesting that the DT, Downtown District is not the appropriate zoning designation for this property. Staff respectfully disagrees. This property has never functioned as a single-family residence. Prior to the American Legion's ownership, it served as the Town Hall. Under the American Legion's ownership, it has operated as a community gathering space and veterans' post, generating regular activity comparable to many of the businesses along



TOWN OF ELIZABETH

Main Street that are zoned Downtown District. The R-1, Single-Family Residential District designation has never accurately reflected the use or character of this property. It should have been properly zoned when it was serving as Town Hall, and it certainly should have been rezoned when the American Legion took ownership and began operating it as a community and veterans' facility. Now that this application has come before the Board in a formal manner, it is appropriate to correct that designation.

Staff also wishes to address concerns that the Downtown District may be too permissive a designation for this location. The DT, Downtown District is in fact the least intense commercial district in the Town's zoning framework, more restrictive than both the Regional Commercial (RC) and Commercial Mixed Use (CMU) Districts. Many uses commonly associated with commercial zoning are expressly not permitted in the Downtown District, including auto repair garages, automotive wrecking yards, car lots, car washes, car and vehicle rental or leasing, drive-in restaurants, hotels and motels, service stations, sexually oriented businesses, trailer sales and service, and warehouse and storage facilities. The DT District is specifically designed to maintain a neighborhood commercial scale, promote pedestrian activity, and preserve the unique character of the old downtown area. It is the most appropriate and least intensive commercial designation available and is entirely consistent with the scale and character of this property and its surroundings.

It is also worth noting the character of Banner Street itself. Banner Street is not a purely residential street and has not been for many years. Moving south from Highway 86, Banner Street includes commercial businesses near the highway, Town Hall and Town-owned properties, the American Legion hall, Elizabeth Presbyterian Church, the church parking lot, and Frontier Center. This corridor is a well-established example of a mixed-use street, and the American Legion property sits squarely within that context. Rezoning it to the Downtown District is entirely consistent with the existing character of the street and the surrounding area.

Future Use of the Property. A question was raised regarding what would happen to the property if the American Legion were to sell or vacate the building in the future. This is a fair and important question that staff wishes to address directly. Currently, with R-1 zoning, the American Legion occupies the property as a nonconforming use. Under EMC Section 16-1-210, a nonconforming use cannot be expanded, extended, or changed to a less restrictive use, and if discontinued for a period of 180 days, it may not be reestablished. Under R-1 zoning, the property has very limited potential for any future productive use. Furthermore, the building is designated as a historic structure on the Town's local historic register and cannot be demolished without approval from the Historic Advisory Board and the Board of Trustees. The building will remain regardless of who owns it.

If this rezone is approved, any future owner of the property will be required to operate within the uses permitted in the DT, Downtown District. Those uses are consistent with the community-serving, neighborhood-scale character that has defined this property



TOWN OF ELIZABETH

throughout its history. The Downtown District designation does not open the door to intensive or incompatible uses. It ensures that whatever comes after the American Legion will do so from within the existing historic building and within a carefully defined set of permitted uses appropriate to the downtown core of Elizabeth. The proper zoning of this property gives it a viable future, while the current R-1 designation does not.

Project Overview

American Legion Post 82 requests approval of a rezone of the 0.15-acre property at 228 S. Banner Street from R-1, Single-Family Residential District to DT, Downtown District. The property is located within the incorporated limits of the Town of Elizabeth and is currently operated as an American Legion post for community gatherings and veterans' services. With both the original deed condition and the Use by Special Review having expired, the DT, Downtown District designation is sought to establish permanent and appropriate zoning that reflects the existing use of the property, recognizes its location within the heart of downtown Elizabeth, and acknowledges that Clubs and Lodges is a permitted use within the Downtown District.

Background

The property at 228 S. Banner Street (Lots 16 & 17, Block 5, Elizabeth Amended) was formerly owned by the Town of Elizabeth. On June 25, 2013, the Board of Trustees approved Ordinance 13-12, authorizing the sale of the town-owned property. The Board found pursuant to C.R.S. § 31-15-713(1)(a) that the property was no longer being used or held for a governmental purpose and authorized the sale upon such terms and conditions as the governing body determined appropriate. The property was conveyed to American Legion Post 82 via Special Warranty Deed recorded August 12, 2013 (Reception No. 537788) for a consideration of ten dollars (\$10.00). The deed specified that the conveyance was for so long as the property is utilized for public and/or U.S. Armed Forces veteran use for a ten (10) year period commencing the date the deed was made effective. The 10-year deed condition expired in August 2023, at which time the fee simple determinable and the Town's possibility of reverter lapsed. American Legion Post 82 now holds the property in fee simple absolute with no further conditions or reversionary interest held by the Town.

On August 26, 2014, the Board of Trustees approved a Use by Special Review for the American Legion to operate a nonprofit recreation center at the property. The approval was granted for a 10-year period retroactive to the date of the Special Warranty Deed (August 7, 2013), noting the Legion's significant contributions to the community.

With both the deed condition and the Use by Special Review having expired, the American Legion is now seeking to establish permanent and appropriate zoning for the

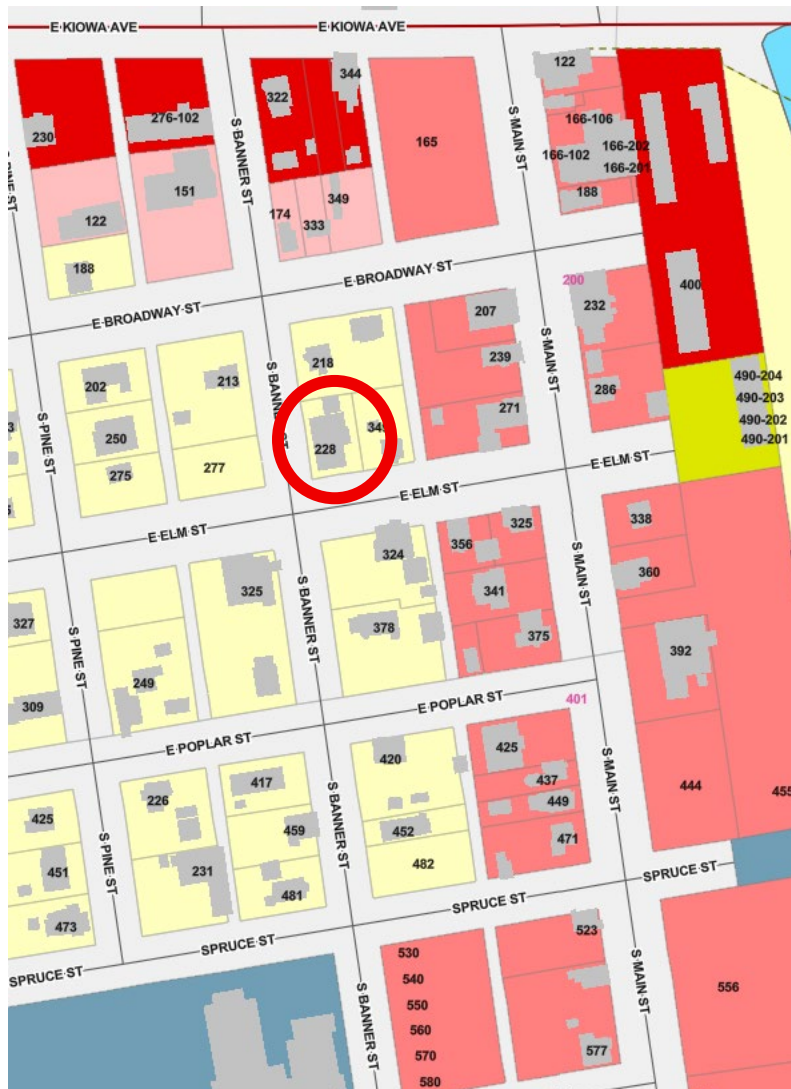


TOWN OF ELIZABETH

property. Clubs and Lodges is a permitted use within the DT, Downtown District, making it the most suitable zoning designation for this property and the surrounding area. The rezone corrects the zoning to reflect the established use and character of the property and its location within the heart of downtown Elizabeth.

Surrounding Land Uses

North: Single-Family Residential (R-1)
South: Single-Family Residential (R-1)
East: Single-Family Residential (R-1) / Downtown District (DT) transition
West: South Elm Street right-of-way; Elizabeth Presbyterian Church parking lot





TOWN OF ELIZABETH

Case Analysis

Elizabeth Municipal Code (EMC): The rezoning process requires Community Development staff to review and refer the application to various agencies for comments within a 25-day time frame. All referral agencies responded without objection to the proposed rezone to DT, Downtown District.

Comprehensive Plan: The Town's 2019 Comprehensive Plan supports the vitality of the downtown core and encourages land uses that contribute to a walkable, active downtown. The DT, Downtown District designation for this property supports those goals by formalizing a civic and community use within the downtown area. The property's location at the corner of Banner and Elm Streets places it within the downtown fabric of Elizabeth, and the proposed zoning is consistent with the character and vision for the surrounding area.

Referral Agency Comments

The rezone application was referred to the following agencies on December 15, 2025:

Agency	Comment Summary
Elizabeth Fire Protection District	No comments on the rezone. Any future changes in occupancy classification or building structure will require a building permit and plans submitted to the Fire District for review.
Elizabeth Police Department	No issues.
Town of Elizabeth – Engineering	No comments; approves as provided.
Town of Elizabeth – Public Works	Agrees that the DT, Downtown District is the most appropriate zone for this property and parcel.
CORE Electric Cooperative	Approves the proposed rezoning. Notes existing overhead electric facilities on the property; easements and facilities will remain unless the applicant requests modifications per CORE's extension policies.
Elizabeth School District	Supports the rezoning without any items of concern.
Community Development Department	Supports the rezone request. The original R-1 zoning is no longer appropriate given the property's established use, its location within the downtown core of Elizabeth, and the expiration of both the 10-year deed condition and the Use by



TOWN OF ELIZABETH

Special Review that previously governed the property's use. Clubs and Lodges is a permitted use within the DT, Downtown District, making it the most suitable and appropriate zoning designation for this property. Community Development recommends approval of the rezone application.

Findings and Staff Recommendation

The 228 S. Banner Street rezone application has been reviewed by the development review team and staff in accordance with Chapter 16 of the Elizabeth Municipal Code (EMC). Staff finds that the application meets the criteria for a rezone as set forth in the EMC.

Findings:

#	Finding	Staff Analysis
1	A need exists for the proposal.	The rezone to DT, Downtown District reflects the established community and veterans' service use of the property and aligns the zoning with the building's actual function within the downtown core.
2	The particular parcel of ground is the correct site for the proposed development.	The property's location at the corner of Banner and Elm Streets, within the downtown area of Elizabeth, makes it well-suited for the DT designation. The building has been a community hub since 2013.
3	There has been an error in the original zoning, or there have been significant changes in the area to warrant a zone change.	The original R-1 zoning was in place prior to the Town's conveyance of the property to the American Legion for public and veterans' service use. The transfer of ownership, the subsequent Use by Special Review, and the evolution of the surrounding downtown area represent significant changes warranting the proposed rezone.
4	Adequate circulation exists and traffic movement would not be impeded.	The property is located on Banner Street, a primary downtown corridor with existing infrastructure. No traffic concerns were raised by referral agencies.
5	Additional municipal service costs will not be incurred which the Town is not prepared to meet.	The rezone is not anticipated to generate additional municipal service demands. The property is already served by existing Town infrastructure and utilities.



TOWN OF ELIZABETH

6	There are minimal environmental impacts or impacts can be mitigated.	The property is an existing developed site. No new environmental impacts are anticipated as a result of the rezone.
7	The proposal is consistent with the Town Master Plan maps, goals and policies.	The proposal is consistent with the Town's 2019 Comprehensive Plan goals supporting a vibrant and active downtown. The DT designation reinforces the community-serving role of the property within the downtown area.
8	There is adequate waste and sewage disposal, water, schools, parks and recreation, and other services.	The property is within the Town of Elizabeth and is served by existing municipal utilities and services. No deficiencies were identified by referral agencies.

Staff Recommendation

Based on the analysis above, Staff finds that the proposed rezone application for 228 S. Banner Street meets all criteria set forth in EMC Section 16-1-240. The proposed rezone from R-1, Single-Family Residential District to DT, Downtown District is consistent with the Town's Comprehensive Plan, aligns with the established use and character of the property and the surrounding downtown area, and corrects a long-standing zoning inaccuracy. The Planning Commission unanimously recommended approval of this application on May 19, 2026. All referral agencies have reviewed the application and raised no objections.

Staff recommends the Board of Trustees approve the rezone ordinance for 228 S. Banner Street from R-1, Single-Family Residential District to DT, Downtown District.

Attachment(s)

Ordinance 26-09

ORDINANCE 26-09

AN ORDINANCE REZONING THE PROPERTY LOCATED AT 228 SOUTH BANNER FROM SINGLE-FAMILY RESIDENCE (R-1) DISTRICT TO DOWNTOWN (DT) DISTRICT

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF ELIZABETH, COLORADO, THAT:

Section 1. Findings of Fact.

A. The Town desires to rezone certain property within the Town of Elizabeth, Colorado, 228 S Banner Street, and more particularly described in **Exhibit A**, attached hereto, and incorporated herein by this reference, with a street address of 228 South Banner Street (the "Property") from Single-Family Residence (R-1) District to Downtown (DT) District.

B. Public notice has been given of such rezoning pursuant to Section 16-4-30 of the Town of Elizabeth Municipal Code more than 15 days in advance of the public hearing.

C. A need exists for rezoning the Property pursuant to Section 16-1-240 of the Town of Elizabeth Municipal Code.

Section 2. The Property is hereby rezoned from Single-Family Residence (R-1) District to Downtown (DT) District.

Section 3. The Zoning Ordinance and Zoning Map are hereby amended to conform to the zoning change for the Property.

Section 4. Severability. If any section, paragraph clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

Section 5. The Board of Trustees hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 6. This Ordinance shall become effective thirty (30) days after publication.

Read and approved at a meeting of the Board of Trustees of the Town of Elizabeth, Colorado, this ____ day of _____, 2026.

Passed by a vote of _____ for and _____ against and ordered published.

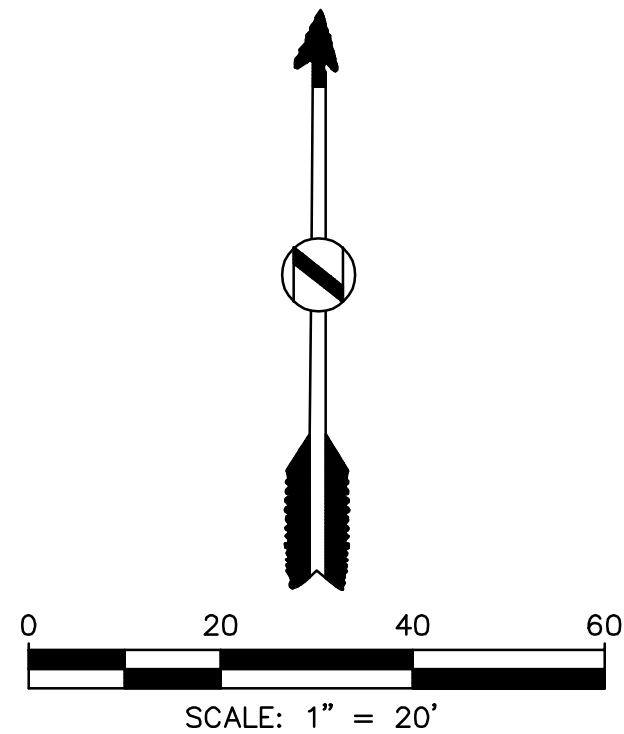
Angela Ternus, Mayor

ATTEST

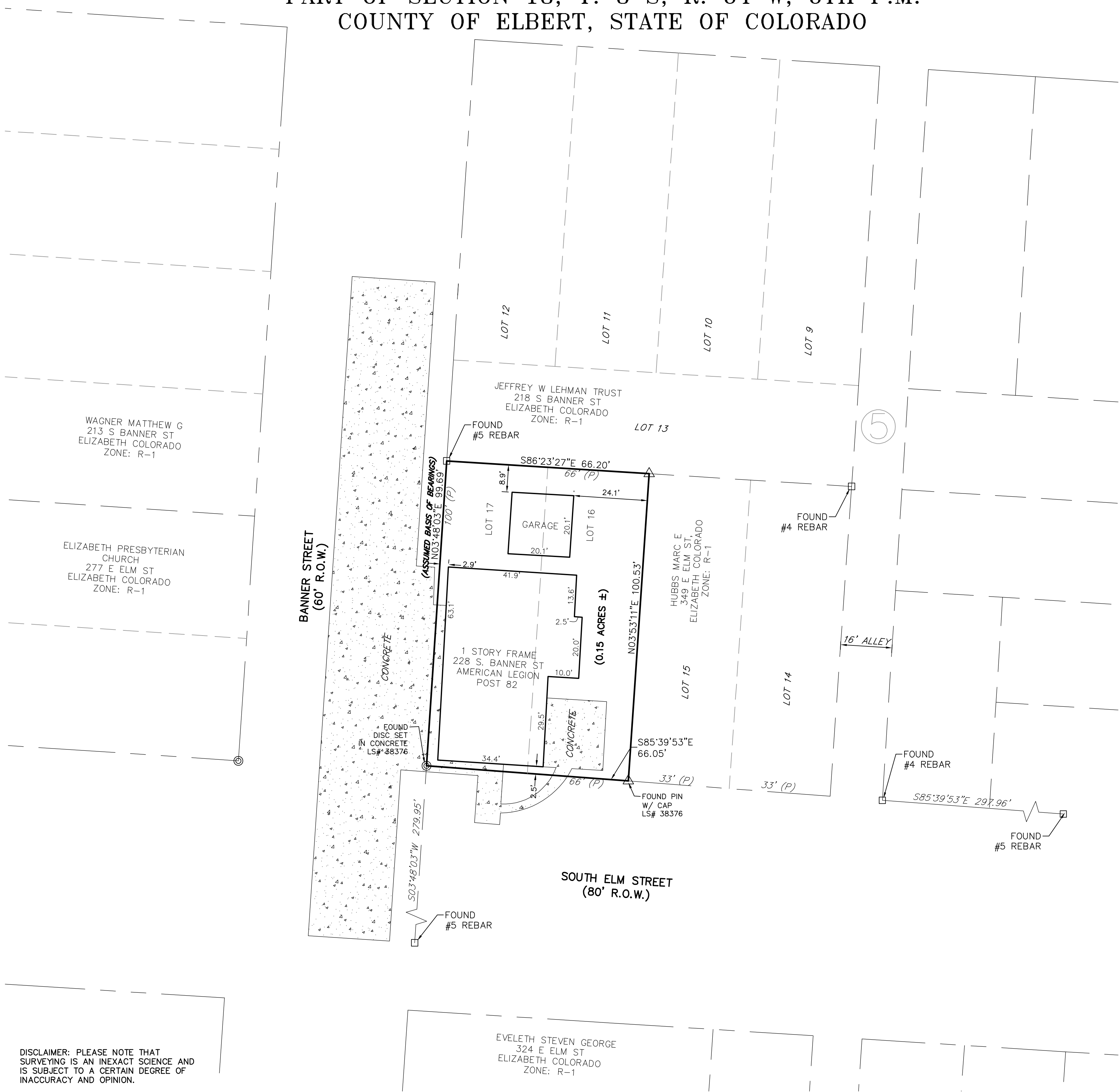
Michelle M. Oeser, Town Clerk

EXHIBIT A

AMERICAN LEGION POST 82
REZONE EXHIBIT
TOWN OF ELIZABETH
PART OF SECTION 18, T. 8 S, R. 64 W, 6TH P.M.
COUNTY OF ELBERT, STATE OF COLORADO



LEGEND	
	PARCEL BOUNDARY
	ADJACENT PARCEL
	RIGHT-OF-WAY
(P)	PLATTED BEARING & DISTANCE
	FOUND REBAR (AS NOTED)
	FOUND DISC SET IN CONCRETE LS# 38376
	FOUND PIN W/ CAP LS# 38376



OWNER'S CERTIFICATE:

I(We), _____ as owner(s) of the land affected by this Special Use by Review, accept and approve all conditions set forth herein.

Owner: _____ Date: _____
(signature)

(name printed)
State of _____ }
County of _____ } ss
The foregoing certificate was acknowledged before me this _____ day of _____, 20____, by (name of individual or authorized person [see below]).
WITNESS my hand and official seal.
SEAL

NOTARY PUBLIC
My Commission expires: _____

FIRE PROTECTION DISTRICT

THIS REZONE EXHIBIT WAS REVIEWED AND APPROVED BY _____
FIRE PROTECTION DISTRICT ON THE _____ DAY OF _____, 20____

FIRE MARSHAL, _____

FIRE PROTECTION DISTRICT _____

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO }
COUNTY OF ELBERT } ss
I HEREBY CERTIFY THAT THIS REZONE EXHIBIT WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 20____ A.D., AT _____ P.M., AND WAS RECORDED PER RECEPTION NUMBER _____ BOOK _____ PAGE _____

ELBERT COUNTY CLERK AND RECORDER

DISCLAIMER: PLEASE NOTE THAT SURVEYING IS AN INEXACT SCIENCE AND IS SUBJECT TO A CERTAIN DEGREE OF INACCURACY AND OPINION.

BASIS OF BEARINGS:

BEARINGS ARE BASED UPON THE WEST LINE OF BLOCK 5, SECTION 18, TOWNSHIP 8 SOUTH, RANGE 64 WEST OF THE 6TH P.M., BEING MONUMENTED AT THE NORTHWEST CORNER OF LOT 17, BLOCK 5, WITH A NO. 5 REBAR, AND AT THE SOUTHWEST CORNER OF LOT 17, BLOCK 5, WITH A DISC SET IN CONCRETE LS# 38376, SAID LINE HAS AN ASSUMED BEARING OF N03°48'03"E, WITH A DISTANCE OF 99.69 FEET.

"NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon."

PREPARER:

HIGH PRAIRIE SURVEY CO
KEITH WESTFALL
345 COMANCHE STREET
KIOWA, COLORADO 80117
(303)621-8672

OWNERS:

AMERICAN LEGION POST 82,
228 SOUTH BANNER STREET, ELIZABETH 80107

ZONING:

EXISTING: R-1
PROPOSED: DT
(Downtown District)

SURVEYOR'S CERTIFICATE

I, KEITH WESTFALL, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF AMERICAN LEGION POST 82 REZONE EXHIBIT WAS MADE UNDER MY DIRECT SUPERVISION AND THE ACCOMPANYING REZONE ACCURATELY AND PROPERLY SHOWS SAID PROPERTY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

KEITH WESTFALL, COLORADO PLS #30127
FOR AND ON THE BEHALF OF
HIGH PRAIRIE SURVEY COMPANY

PROPERTY DESCRIPTION:

LOT 16 & 17, BLOCK 5, ELIZABETH
AMENDED
COUNTY OF ELBERT, COLORADO

STATEMENT:

LINEAL UNITS ARE IN US SURVEY FEET.

REFERENCE DWG:	DATE:	REVISIONS:
	10/18/2024	REVISED PROPOSED ZONING

High Prairie Survey Co.
LAND SURVEYING CONSTRUCTION STAKING
OIL AND GAS SURVEYING
303-621-8672 FAX 303-621-7749
P.O. BOX 384 KIOWA, COLORADO 80117
SCALE 1"=20'
DATE 10/11/2024
DRAWN BY CRR

TITLE	
AMERICAN LEGION POST 82 REZONE EXHIBIT PART OF SEC. 18, T8S, R64W, 6TH P.M. ELBERT COUNTY, STATE OF COLORADO	
CLIENT	
AMERICAN LEGION POST 82	
SHEET	JOB NUMBER
1 OF 1	13235-RZ



TOWN OF ELIZABETH

COMMUNITY DEVELOPMENT DEPARTMENT

LAND USE APPLICATION

DATE: 11/11/2025

NAME OF PROJECT: ELIZABETH AMERICAN LEGION RE-ZONE

NAME OF APPLICANT: AMERICAN LEGION POST 82

ADDRESS AND LEGAL DESCRIPTION OF PROJECT: 228 S. BANNER STREET, ELIZABETH, PART OF SECTION 18, T. 8 S, R. 64 W, 6TH P.M.

Please check the appropriate item(s):

☒ REZONE

☐ PLAT

☐ USE BY SPECIAL REVIEW

☐ PUD (planned unit development)

☐ MINOR PLAT/REPLAT

☐ ANNEXATION

☐ VARIANCE

☐ SUBDIVISION

☐ MINOR SUBDIVISION

☐ SITE PLAN

☐ OTHER _____

PRESENT ZONING: RESIDENTIAL

AREA IN ACRES: .15

PROPOSED ZONING: COMMERCIAL

PRESENT USE: _____

PROPOSED # OF LOTS (if applicable): 1

PROPOSED GROSS FLOOR AREA (if applicable): _____

*PROPERTY OWNER

NAME: AMERICAN LEGION POST 82

ADDRESS: 228 S. BANNER ST., PO BOX 865, ELIZABETH, CO 80107

TELEPHONE #: (909) 720-1494

EMAIL: _____

APPLICANT REPRESENTATIVE

NAME: TEDD LIPKA

ADDRESS: P.O. BOX 235 ELIZABETH, CO 80107

TELEPHONE #: 720-318-7029

EMAIL: TEDDLIPKA@YAHOO.COM

SIGNATURE OF OWNER

SIGNATURE OF APPLICANT

SIGNATURE OF OWNER

SIGNATURE OF APPLICANT

*(OWNERS SIGNATURE NEEDS TO BE NOTARIZED)

Subscribed and sworn to be before me this 18th day of November, 2025
My commission expires 2/21/2027

Notary

KELLY RENEE OSTER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID# 20234006733
MY COMMISSION EXPIRES 2/21/2027

SPECIAL WARRANTY DEED

The Town of Elizabeth ("Grantor"), whose address is P.O. Box 159, Elizabeth, Colorado, 80107, County of Elbert, and State of Colorado, for the consideration of ten dollars (\$10.00) and other good and valuable consideration, in hand paid, the receipt and sufficiency of which is hereby acknowledged, hereby does grant, bargain, sell, convey and confirm unto American Legion Post 82 ("Grantee") whose address is P.O. Box 865 Elizabeth, CO 80107, its successors and assigns forever, the following real property together with any improvements thereto, in the County of Elbert, and State of Colorado, to wit:

Lots 16 & 17, Block 5, Elizabeth Amended, Town of Elizabeth, Elbert County, State of Colorado,

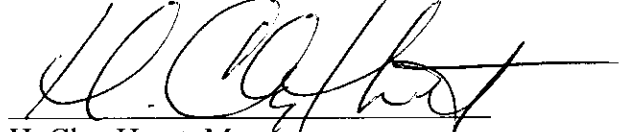
also known by a street address of 228 South Banner Street, Elizabeth Colorado 80107 (the "Property").

The Grantor hereby conveys the Property to the Grantee so long as the Property is utilized for public and/or U.S. Armed Forces veteran use for a ten (10) year time period. The ten (10) year time period will commence the day this Deed is made effective and run consecutively from that date. Through this conveyance, the Grantor and the Grantee intend to create a fee simple determinable for a time period of ten (10) years, whereby the Grantor will have a determinable interest and the consequent possibility of reverter for the ten (10) year time period. Thus, if the Grantee uses the Property in a manner that does not serve public and/or U.S. Armed Forces veterans during the ten (10) year time period, the Property will automatically revert back to the Grantor. After the ten (10) year time period has ended, the fee simple determinable and the Grantor's possibility of reverter will lapse and the Grantee will hold the Property in fee simple absolute.

TO HAVE AND TO HOLD the Property unto Grantee, its successors and assigns forever. Grantor, for itself and its successors and assigns, does covenant and agree that it shall and will warrant and forever defend the Property in the quiet and peaceable possession of Grantee its successors and assigns, consistent with the grant herein, against all and every person or persons claiming the whole or any part thereof, by, through or under Grantor.

Signed and delivered this 7th day of August, 2013.

TOWN OF ELIZABETH


H. Clay Hurst, Mayor

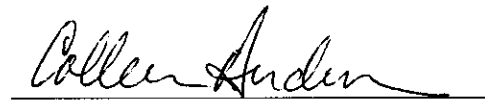
STATE OF COLORADO)

COUNTY OF Arapahoe) ss.
)

The foregoing instrument was acknowledged before me this 7th day of August, 2013, by H. Clay Hurst as the Mayor of the Town of Elizabeth.

My commission expires: 10/7/2013

Witness my hand and official seal.


Notary Public



Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.)

My Commission Expires 10/07/2013

ORDINANCE 13-12

AN ORDINANCE APPROVING THE SALE OF TOWN-OWNED PROPERTY LOCATED AT 228 S. BANNER STREET

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF ELIZABETH, COLORADO, THAT:

Section 1. The Board of Trustees hereby approves the Agreement to Buy and Sell Real Estate attached hereto as **Exhibit A**, and incorporated herein by this reference, authorizing the sale of the Town-owned property located at 228 Banner Street, and authorizes the Mayor to execute any necessary documents regarding said sale.

Section 2. The Board of Trustees further finds pursuant to C.R.S. § 31-15-713(1)(a) that the property at 228 Banner Street is no longer being used or held for a governmental purpose, and thus the Town is authorized to sell the property pursuant to C.R.S. § 31-15-713(1)(b) "upon such terms and conditions as the governing body may determine."

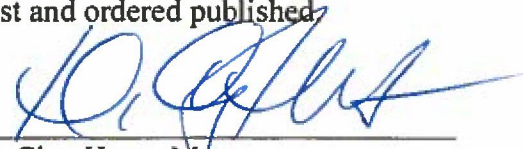
Section 3. Severability. If any section, paragraph clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

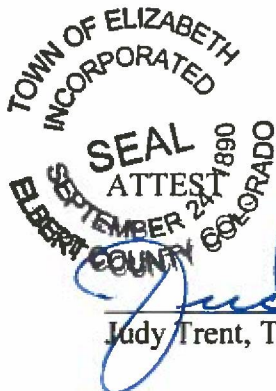
Section 4. The Board of Trustees hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 5. This Ordinance shall become effective thirty (30) days after publication.

Read and approved at a meeting of the Board of Trustees of the Town of Elizabeth, Colorado, this 25th day of JUNE, 2013.

Passed by a vote of 4 for and 0 against and ordered published.


H. Clay Hurst, Mayor



AGREEMENT TO BUY AND SELL REAL ESTATE

This Agreement to Buy and Sell Real Estate ("Agreement") is made and entered into effective as of June 25th, 2013, by and between the Town of Elizabeth, a Colorado municipal corporation (hereinafter referred to as "Seller"), and the American Legion [formal name of entity] (hereinafter referred to as "Buyer").

Article 1

Agreement to Sell and Purchase Property

Seller agrees to sell and convey to Buyer and Buyer agrees to purchase from Seller certain real property more particularly described as Lots 16 & 17, Block 5, Elizabeth Amended, Town of Elizabeth, Elbert County, State of Colorado, also known as 228 South Banner Street, Elizabeth, Colorado (the "Property"). The Seller shall convey any and all interest it has in the Property by Special Warranty Deed. Such conveyance and the Deed shall specify that the conveyance shall be for so long as the Property is utilized for public and/or U.S. Armed Forces veteran use for a ten (10) year time period. The ten (10) year time period will commence the day the Deed is made effective and run consecutively from that date. Through this conveyance, the Town and The American Legion intend to create a fee simple determinable for a time period of ten (10) years, whereby the Town will have a determinable interest and the consequent possibility of reverter for the ten (10) year time period. Thus, if the American Legion uses the Property in a manner that does not serve public and/or U.S. Armed Forces veterans during the ten (10) year time period, the Property will automatically revert back to the Town. After the ten (10) year time period has ended, the fee simple determinable and the Town's possibility of reverter will lapse and the American Legion will hold the Property in fee simple absolute.

Article 2

Purchase Price

(a) The parties agree that the conveyance of the Property shall be at no cost to Buyer, but subject to the provisions and additional consideration set forth in subsection (b) of this Article 2 below (the "Purchase Price"), delivered to Seller at Closing and upon delivery of the deed document at Closing, and subject to all terms and conditions set forth in this Agreement.

(b) Additional Consideration. Buyer shall retain ownership of the Property and use the building located on the Property for the purpose of providing services to the public and/or U.S. Armed Forces veterans for a period of time of no less than ten (10) years from the date of Closing. In the event Buyer ceases to provide such services to the public and/or U.S. Armed Forces veterans within such ten (10) year period, ownership of the Property shall automatically revert to the Town in accordance with Article 1 of this Agreement.

Article 3
Inclusions and Exclusions

3.1 The Purchase Price includes the following items (the "Inclusions"):

(a) Fixtures. If attached to the Property on the date of this Agreement, lighting, heating, plumbing, ventilating and air conditioning fixtures, inside telephone wiring and connecting blocks/jacks, plants, mirrors, floor coverings, intercom systems, sprinkler systems and controls; and

(b) Other Inclusions. If on the Property whether attached or not on the date of this Agreement: storm windows, storm doors, window and porch shades, awnings, blinds, screens, window coverings, curtain rods, drapery rods, storage sheds, smoke/fire detectors, kitchen cooking equipment, and all keys.

3.2 The Inclusions are to be conveyed at Closing free and clear of all taxes, liens and encumbrances. Conveyance shall be by bill of sale or other applicable legal instrument.

3.3 Exclusions. No attached fixtures are excluded from this sale.

3.4 Condition of, and Damage to Property and Inclusions.

(a) Except as otherwise provided in this Agreement, the Property, Inclusions or both shall be delivered in the condition existing as of the date of this Agreement, ordinary wear and tear excepted.

(b) Walk-Through; Verification of Condition. Buyer upon reasonable notice, shall have the right to walk through the Property prior to Closing to verify that the physical condition of the Property and Inclusions comply with this Agreement.

Article 4
Seller's Warranties; Merchantability of Title; Objections to Title

Seller represents and warrants as of the date hereof and as of Closing that the following are true and correct:

(a) Seller represents to Buyer that at Closing Seller will have and will convey to Buyer good, merchantable and insurable title to the Property, including fee simple title to the Property, subject only to any burdens, easements, rights-of-way, agreements, reservations, restrictions and encumbrances described in the title commitment approved by Buyer as hereinafter provided (the "Permitted Exceptions"), and attached hereto as **Exhibit A** and incorporated herein by this reference.

(b) Seller represents and covenants to the Buyer that it comprises all of the parties who have a fee interest in said Property and that to the best of Seller's knowledge, there are no other interested parties in said Property.

(c) If the title for any reason is not merchantable in Seller, Buyer shall give immediate notice thereof to Seller, and Seller shall make a reasonable effort to correct any defects objectionable to Buyer prior to the Closing date.

(d) If Seller is unable or unwilling to correct such defects on or before the Closing date, this Agreement, at Buyer's option, may be declared void and of no force or effect. In the event of such termination, the parties shall have no further rights or obligations hereunder.

(e) The Seller acknowledges that the Purchase Price is full and just compensation for all of its interests, the interests of all lienors, deed of trust holders and beneficiaries, mortgagees, lessees (whether or not the lease is recorded), and any and all other legal or equitable interests in the Property that exist at the time of the Closing.

(f) No Conflicts. Neither the execution of this Agreement nor the consummation of the transaction provided for herein constitutes, or will result in, any breach of the terms, conditions, or constitute a default under, any mortgage, deed of trust, note, loan agreement, lien, lease, license, instrument, or other agreement to which Seller is a party or to which the Property is subject to Seller's knowledge after due inquiry.

(g) No Litigation. There is no pending or threatened litigation, proceeding, or investigation by any governmental authority or any other person or entity known to Seller against or otherwise affecting the Property. Seller does not know of any grounds for any such litigation, proceeding, or investigation.

(h) Soils. Seller has no knowledge of any patent or latent defects, soil deficiencies, or subsurface anomalies existing on the Property.

(i) Leases. Seller has notified Buyer of all leases, tenancies or rental agreements relating to the Property, or to any part thereof.

(j) Third Party Improvements. Seller has notified Buyer of all improvements, real or personal, on the Property not owned by the Seller and Seller hereby warrants to Buyer that it is the lawful owner of all other improvements located in or on the Property and is entitled to compensation for same.

(k) Easements. Seller has notified Buyer of all easements, rights-of-way or claims of possession not shown by record, whether by grant, prescription, adverse possession or otherwise, as to any part of the Property.

(l) No Landfill. To the best of Seller's knowledge, no part of the Property has ever been used as a landfill, and no materials have ever been stored or deposited upon the Property which would, under any applicable governmental law or regulation, require that the Property be treated or

materials removed from the Property prior to the use of the Property, for any purpose which would be permitted by law but for the existence of said materials on the Property.

(m) No Pollution. To the best of Seller's knowledge and belief:

(1) The Property is not contaminated with any hazardous substance.

(2) Seller has not caused and will not cause, and to the best of Seller's knowledge, after diligent investigation and inquiry, there never has occurred, the release of any hazardous substance on the Property.

(3) The Property is not subject to any federal, state or local "superfund" lien, proceedings, claim, liability or action, or the threat or likelihood thereof, for the cleanup, removal, or remediation of any such hazardous substance from the Property or from any other real property owned or controlled by Seller or in which Seller has any interest, legal or equitable.

(4) There is no underground storage tank on the Property.

(5) By acquiring the Property, Buyer will not incur or be subject to any "superfund" liability for the cleanup, removal or remediation of any hazardous substance from the real estate or any liability, cost, or expense for the removal of any asbestos or underground storage tank from the Property.

(The terms "hazardous substance," "release," and "removal," as used herein, shall have the same meaning and definition as set forth in paragraphs (14), (22) and (23), respectively, of Title 42 U.S.C. Section 9601; provided, however, that the term "hazardous substance," as used herein, also shall include "hazardous waste," as defined in paragraph (5) of 42 U.S.C. Section 6903 and "petroleum," as defined in paragraph (8) of 42 U.S.C. 6991. The term "superfund," as used herein, means the Comprehensive Environmental Response, Compensation and Liability Act, as amended, Title 42 U.S.C. Section 9601, *et seq.*, as amended, and any similar state statute or local ordinance applicable to the Property, and all rules and regulations promulgated, administered and enforced by any governmental agency or authority pursuant thereto. The term "underground storage tank," as used herein, shall have the same meaning and definitions as set forth in paragraph (1) of 42 U.S.C. Section 6991. Seller agrees to cooperate with the Buyer in completing an environmental audit, if one is conducted. Should any environmental audit reveal the presence of hazardous materials on the Property, then the Buyer has the express option of terminating this Agreement.)

(n) In order to provide the Buyer with information to protect the Buyer and its contractors and agents, the Seller agrees to provide any information whatsoever that it may have with regard to environmental contamination and will answer environmental inventory questions, to the best of the Seller's knowledge, if requested by the Buyer.

Article 5
Affirmative Covenants of Seller

During the term of this Agreement, Seller shall not modify the encumbrances or execute any agreement, lease, or instrument affecting the Property or title thereto and/or encumber, rezone, plat, or change the use of the Property without the prior written approval of Buyer first having been obtained.

Article 6
Closing

6.1 Date of Closing. The settlement of this Agreement ("Closing") shall take place August 08, 2013. In the event that Closing does not occur on this date and the Closing date is not extended by mutual written agreement of the parties hereto, then this Agreement shall automatically terminate.

6.2 Obligations. At the Closing, the following shall occur, each being a condition precedent to the others and all being considered as occurring simultaneously:

(a) Seller shall deliver to Buyer the following documents:

(1) A good and sufficient Special Warranty Deed, subject to the provisions set forth in Article 1 of this Agreement, conveying merchantable title to the Property, executed and acknowledged as required by law, subject to those Permitted Exceptions attached hereto as Exhibit A.

(b) The Title Company shall deliver, or agree to deliver to Buyer within thirty (30) business days after Closing, the Title Policy at Buyer's expense.

(c) The parties shall further execute Buyer's and Seller's settlement sheets and such other agreements and documents as may be required to carry out the intent of this Agreement. The parties shall each pay one-half of the closing costs.

6.3 Adjustments. The following are to be apportioned as of the date of Closing: none

6.4 Possession. Buyer shall be entitled to possession of the Property upon Closing, free and clear of all leases and tenancies.

Article 7
Buyer's Contingencies

Notwithstanding any other provision contained in this Agreement, Buyer's obligation to proceed with Closing shall be contingent upon the following conditions being fulfilled or waived in writing by Buyer:

(a) Seller shall obtain and deliver to Buyer at Buyer's expense, within ten (10) days of the effective date of this Agreement, a current commitment ("Title Commitment") from the Title Company owner's title insurance policy ("Title Policy"), which premium therefor Buyer shall pay, insuring good and marketable title in fee simple to the Property in Buyer, in the amount of Two Hundred Thousand Dollars (\$200,000), free of all liens, leases, encumbrances, and reservations, except for Permitted Exceptions. The standard printed exceptions shall be deleted at Buyer's expense. The Title Commitment shall be accompanied by copies of all instruments and documents referred to therein as creating exceptions to title and any unrecorded leases or tenancies affecting the Property.

(b) Buyer shall have until fifteen (15) calendar days after the effective date hereof ("Title Due Diligence Date") to review and approve or disapprove the title to the Property by reason of any items listed in the Title Commitment as exceptions to title and to notify Seller in writing ("Title Notice") as to any such defects in title ("Title Defects").

(c) From the date of Seller's Title Notice until Closing, Seller may either cure the Title Defects or notify Buyer in writing which Title Defects, if any, (i) Seller is unable to cure at or before Closing and (ii) Seller elects not to cure at or before Closing.

(d) If Seller is unable to cure or elects not to cure any Title Defects at or before Closing, Buyer may, at its option, (i) terminate this Agreement pursuant to Article 8, or (ii) waive such defects in writing.

(e) Seller shall cause the Title Commitment to be updated three (3) days before Closing (which updated commitment is referred to as the "Updated Commitment"). The Updated Commitment shall not show any liens, leases, encumbrances, or reservations not shown on the Title Commitment. In the event any of same are shown on the Updated Commitment, same shall be deemed Title Defects, and Buyer may, at its option, exercise the remedies listed in Article 7.1(d). All Title Defects that are not objected to by Buyer pursuant to this Article 7.1 are called herein "Permitted Exceptions."

7.2 Inspection of Property.

(a) From the effective date hereof until July 24, 2013 (the "Due Diligence Date"), Buyer shall have the right, at its expense, during ordinary business hours, to have an engineer or other independent inspector of Buyer's choice inspect the Property ("Inspection"). Any disturbance to the Property caused by the inspection shall be promptly remedied or repaired at the expense of Buyer.

(b) Buyer shall have until the Due Diligence Date to review and approve or disapprove of the results of the Inspection and to notify Seller in writing ("Inspection Notice") as to any conditions identified by the Inspection to be unsatisfactory to Buyer in Buyer's sole discretion ("Inspection Condition"). Any Inspection Condition identified in the

Inspection Notice shall be deemed a Title Defect, and the provisions of Article 7.1(c) and (d) shall apply.

(c) Seller shall notify Buyer of any conditions or events that would have materially changed the Inspection results had the Inspection taken place after the Due Diligence Date, and Buyer's obligation to close hereunder shall remain subject to Buyer's approval or waiver of any such conditions or events.

7.3 Other Documents. Seller shall within twenty (20) days after the effective date hereof deliver to Buyer, at Seller's expense, a copy or an original of every agreement, lease, contract, instrument, document, report, engineering or technical data, model, map, photograph, or other such documents which are in the possession of Seller on, or subsequent to, the date of this Agreement and which are in respect of or are related to the Property. Buyer shall deliver to Seller any working documents prepared by or on behalf of Buyer in the course of due diligence within twenty (20) days after the termination of this Agreement.

Article 8 Time of Essence and Remedies

Time is of the essence hereof. There shall be the following remedies:

(a) If Buyer is in Default:

(1) The Town may treat this Agreement as void and of no further force or effect.

(b) If Seller is in Default:

(1) Buyer may elect to treat this contract as canceled. Under no circumstances shall Buyer have a right to seek a claim for damages against Seller for breach of this Agreement.

(c) Termination Without Default. This Agreement may be terminated by Buyer or Seller for any reason within the Due Diligence Date.

Article 9 Termination

In the event this contract is terminated, all payments and things of value received hereunder shall be returned and the parties shall be relieved of all obligations hereunder, unless otherwise specifically set forth herein.

Article 10

Risk of Loss

In the event of damage by fire or other casualty on the Property prior to the Closing, this Agreement shall remain in full force and effect, and in such event Seller shall assign to Buyer any and all claims or proceeds under any then existing fire or other casualty insurance policies covering the Property, and Buyer shall take title with the assignment of such claims or proceeds and subject to such destruction.

Article 11 Miscellaneous Provisions

11.1 Captions. The captions in this Agreement are inserted only for the purpose of convenience and in no way define or prescribe the scope of this Agreement.

11.2 Inurement. This Agreement shall be binding upon and inure to the benefit of Buyer and Seller and their respective heirs, personal representatives, successors and assigns, as the case may be.

11.3 Assignability. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, personal representatives, successors and assigns. The parties hereto agree that, except for such of the terms, conditions, covenants and agreements hereof which are, by their very nature, fully and completely performed upon Closing, all of the terms, conditions, representations, warranties, covenants and agreements herein set forth and contained shall survive the Closing and shall continue to be binding upon the parties and their above-named successors.

11.4 Waiver of Lead Based Paint. Buyer hereby waives any objection to Lead Based Paint being found in any of the building or improvements located on the Property.

11.5 Brokers. Each party represents that no broker participated in this transaction or will participate in this transaction, and each party specifically warrants that no claims for commissions are due or will be due to any person in any such capacity.

11.6 Pronouns. The pronouns of any gender shall include the other gender, and either the singular or the plural shall include the other.

11.7 No Amendments. No amendment or modification of this Agreement shall be valid or binding unless in writing and executed by the parties hereto in the same manner as the execution of this Agreement.

11.8 Severability. If any clause or provision of this Agreement is illegal, invalid, or unenforceable under present or future laws effective during the term of this Agreement, then and in that event, it is the intention of the parties hereto that the remainder of this Agreement shall not be affected thereby.

11.9 Notices. All notices herein required shall be in writing and shall be served at the addresses appearing below, or such other address as a party may designate in writing. The mailing of a notice by registered or certified mail, return receipt requested, shall be sufficient service. Notices shall be deemed to have been given when mailed as provided herein, or upon personal delivery to any one of the attorneys of any of the parties listed hereinbelow. Notices may also be sent via facsimile or email, provided that follow-up copies are also sent via regular US mail.

If to Buyer:

American Legion Post 82
P.O. Box 865
Elizabeth, CO 80107

With a Copy to:

Ric Morgan, Esq.
Ric N. Morgan, LLC
Box 131
Elbert, CO 80106
Phone: (303) 520-6088
Fax: (303) 648-8883
Email: morgan@hayday.org

If to Seller:

Town of Elizabeth
Attn:
P.O. Box 159
Elizabeth, Colorado 80107-0159
Telephone: (303) 646-4166

With a copy to:

Corey Y. Hoffmann, Esq.
Hayes, Phillips, Hoffmann & Carberry, P.C.
1530 16th Street, Suite 200
Denver, Colorado 80202
Telephone: (303) 825-6444

11.10 Governing Law. This Agreement is made in and shall be governed by and interpreted in accordance with the laws of the State of Colorado, without giving regard to conflicts of laws principles.

11.11 Counterparts. This Agreement shall not be effective unless and until it is signed by Seller and a signed copy returned to Buyer. This Agreement may be executed in counterparts, each of which taken together shall be deemed one instrument.

11.12 Entire Agreement. This Agreement constitutes the entire understanding, contract, and agreement between the parties as to the subject matters herein set forth, and this Agreement supersedes all prior written or oral understandings, agreements, and commitments, formal or informal, relative thereto between all the parties hereto. No change, modification, alteration, or amendment to this Agreement shall be binding upon the parties except as specifically expressed in writing, making reference to this Agreement and signed by all of the parties hereto agreeing to be bound thereby.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to Buy and Sell Real Estate the date and year first above written.

SELLER: TOWN OF ELIZABETH

By:


H. Clay Hurst, Mayor

ATTEST:


Judy Trent, Town Clerk



BUYER: AMERICAN LEGION POST 82

By:


Kathi Bartik, Post Commander

ATTEST:


Greg Sukamp, Post Adjutant

Town of Elizabeth

P.O. Box 159, 151 S. Banner St.
Elizabeth, Colorado 80107



Phone: (303) 646-4166
Fax: (303) 646-9434
<http://www.townofelizabeth.org>

Board of Trustees – Record of Proceedings August 26, 2014

CALL TO ORDER

The Regular Meeting of the Board of Trustees of the Town of Elizabeth was called to order on Tuesday, August 26, 2014 at 7:01 PM by Mayor H. Clay Hurst.

ROLL CALL

Present were: Mayor H. Clay Hurst, Trustees Diana Robins, June Jurczewsky, Steve Gaither, Rachel White, Richard Kuna and Ken Peter. Student Liaison Matt Rutkowski was present. There was a quorum present to conduct business.

Also present were: Town Administrator Dick Eason, Acting Police Chief Eric Stremel, Town Attorney Corey Hoffmann, Community Development Director Rachel Hodgson and Town Clerk Judy A. Trent.

PLEDGE OF ALLEGIANCE

Mayor Hurst led the audience in the pledge of allegiance.

UNSCHEDULED PUBLIC COMMENT:

Bob Ware, 2681 Gold Creek Drive, questioned the sale of bulk water to Agave Oil and Gas.

Susette Frausto, 678 S. Pearl Street, thanked everyone for the flowers, cards, e-mails and calls during her recent hospital stay.

AGENDA CHANGES:

Administrator Eason informed the Board that he had provided hard copies of the correspondence items inadvertently left out of the Board packet.

Eason asked to strike Agenda item 8b, Elizabeth Auto Parking Lot Repair, per the owner's request.

Eason requested adding Agave Oil & Gas Bulk Water Request in the vacated Agenda item 8b.

There were no objections from the Board.

Board of Trustees – Record of Proceedings
August 26, 2014

CONSENT AGENDA:

- a. Approval of the Minutes for August 12, 2014
- b. Approval of Bills – Disbursements
- c. Approval of Liquor license Renewal for Safeway

MOTION: Trustee Robins moved to approve the Consent Agenda items. Trustee White seconded the Motion.

COMMENTS: Trustee Peter asked for clarification on the disbursement to I & C Design, LLC.

The vote of those Trustees present was unanimously in favor. The Motion Carried.

Mayor Hurst closed the regular meeting of the Board of Trustees and opened the Public Hearing at 7:11 PM

PUBLIC HEARING:

Request for Use by Special Review for the American Legion property located at 228 S. Main Street.

The American Legion is requesting Use by Special Review for the property at 228 S. Banner Street. They have done wonders with revitalizing the building and would like to open as a recreation center for the residents of the Town of Elizabeth and surrounding areas. The proposed use meets the criteria as required in EMC 16-9-20 along with the time stipulation required in EMC 16-9-30.

Public Comment:

Jeff Lehman, 218 S. Banner Street, commented on the progress in refurbishing the property and his delight for the intended use.

Mayor Hurst noted the benefits and support the Legion has offered the community through the years.

There were no further comments.

Mayor Hurst closed the Public Hearing and reopened the regular meeting of the Board of Trustees at 7:16 PM.

NEW BUSINESS:

a. Use by Special Review – American Legion

The American Legion acquired the property at 228 S. Banner Street on August 7th, 2013. Zoning for the property is R-1 which allows for Use by Special Review of Recreation Centers-Nonprofit Neighborhood. Notification procedures have been completed as required and are as follows:

1) Notice was published in Ranchland News on July 17th, 2014, 2) Property owners within 500 feet were notified by certified mail on July 14th, 2014 and 3) Property was posted on July 16th, 2014.

Board of Trustees – Record of Proceedings
August 26, 2014

MOTION: Trustee Robins moved to approve the Use by Special Review for American Legion with specific conditions being: 1) approval for a 10 year period beginning retroactively to August 7th 2013, the date of the Special Warranty Deed and 2) a formal written agreement between applicant and Elizabeth Presbyterian Church for a proposed shared parking arrangement. Trustee Peter seconded the Motion. The vote of those Trustees present was unanimously in favor. The Motion Carried.

b. Request from Agave Oil and Gas, LLC to Purchase Bulk Water from the Town of Elizabeth for Drilling Projects

Per an e-mail received by Administrator Eason, Agave Oil and Gas LLC has requested to purchase bulk water from the Town of Elizabeth for its drilling operations in Elbert County. Agave is requesting 200,000 gallons of water per well for (2) wells at this time.

There was very little information provided for this request and there was not a representative present from Agave to answer questions.

MOTION: Mayor Hurst moved to deny the request for the purchase of bulk water based on the need for additional information. Trustee Jurczewsky seconded the Motion. The vote of those Trustees present was unanimously in favor. The Motion Carried.

c. Ordinance 14-08, Fines in Lieu of Liquor License Suspension

The State of Colorado recently adopted Senate Bill 14-054 making changes to Colorado Revised Statutes (CRS) dealing with Liquor License Suspensions. Our Town Attorney has provided Ordinance 14-08 to amend the Town of Elizabeth Municipal Code to incorporate the changes to CRS.

MOTION: Trustee Peter moved to approve Ordinance 14-08 concerning the imposition of fines in lieu of suspension of Liquor Licenses. Trustee Kuna seconded the Motion.

AYES: Gaither, Hurst, Robins, White, Peter, Kuna and Rutkowski (advisory vote)

NAYS: Jurczewsky

The Motion passed on a vote of 6 for and 1 against.

d. Letter of Intent to Participate in Multi-Jurisdictional Hazard Mitigation Planning

The Town previously participated in a Multi-Jurisdictional Planning effort that resulted in the adoption of Resolution 09R16 creating a Hazard Mitigation Plan in November 2009. Although this is an Elbert County plan, our participation will cover the Town of Elizabeth and eliminate the need to create a Town plan to meet FEMA requirements. The joint effort will be to review and update, if needed, the 2009 plan.

MOTION: Trustee Robins moved to approve sending a letter of intent to participate in Multi-Jurisdictional Hazard Mitigation Planning with Elbert County. Trustee White seconded the Motion.

AYES: Gaither, Hurst, Robins, White, Peter, Kuna and Rutkowski (advisory vote)

NAYS: Jurczewsky

The Motion passed on a vote of 6 for and 1 against.

Board of Trustees – Record of Proceedings
August 26, 2014

e. Discussion Establishing the Agenda for the September 6th Board of Trustees Retreat

Administrator Eason informed the Board that a tentative schedule for the Board of Trustee Retreat is to begin at 9:00 AM with a tour of Town-owned properties from 9:00 to 10:00 AM and return to Town Hall for a discussion and work session lasting approximately 3 to 4 hours. Eason requested input on topics for discussion.

Board members suggested discussions on economic visionary goals, trail systems, Main Street, roles and responsibilities and protocols.

Eason stated that he will prepare an Agenda for the retreat based on those suggestions.

BRIEF RECESS

Mayor Hurst recessed the meeting at 8:17 PM. The meeting was called back to order at 8:30 PM.

STAFF REPORTS:

Administrator – Town Administrator Eason presented his written report and responded to questions from the Board.

Police Dept – Acting Police Chief Stremel presented his written report and statistics and responded to questions and comments from the Board.

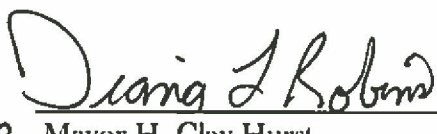
BOARD REPORTS:

Comments from the Board included the DOLA Main Street Program, highway signs to advertise Town Parks and input on the Elizabeth Auto parking lot repair.

MEETING MINUTES:

ADJOURNMENT:

Trustee White moved to adjourn the regular meeting at 9:01 PM. Trustee Kuna seconded the Motion. There were no objections. The meeting was adjourned.

FOR  - MAYOR
Mayor H. Clay Hurst PRO
TEM


Town Clerk Judy A. Trent

EXHIBIT B



TOWN OF ELIZABETH

PO Box 159, 151 S. Banner Street • Elizabeth CO 80107 • 303-646-4166 x4

REFERRAL AGENCY REVIEW FORM

Project Title:	228 S Banner Street Rezone		
Description:	A 0.15-acre parcel located on the northeast corner of Banner and Elm Street, requesting to rezone to DT, Downtown District		
Review Sent Date:	12/15/2025	Review Due by:	01/12/2026

REFERRAL AGENCY	Town of Elizabeth - Engineering
Contact Name	Martin Metsker
Contact Email and Phone Number	mmetsker@terracinadesign.com 720-854-9456

COMMENTS:

1. Engineering has no comments and approves this as provided.



TOWN OF ELIZABETH

PO Box 159, 151 S. Banner Street • Elizabeth CO 80107 • 303-646-4166 x4

REFERRAL AGENCY REVIEW FORM

Project Title:	228 S Banner Street Rezone		
Description:	A 0.15-acre parcel located on the northeast corner of Banner and Elm Street, requesting to rezone to DT, Downtown District		
Review Sent Date:	12/15/2025	Review Due by:	01/12/2026

REFERRAL AGENCY	Elizabeth Public Works
Contact Name	James McErnie
Contact Email and Phone Number	jmcernie@townofelizabeth.org , 303-646-4166

COMMENTS:

Public Works has reviewed the application and request for rezone. Public Works agrees that the Rezone would align with the needs of the property as it is stated. The Downtown Zone would be the most appropriate use case for this particular property/parcel.



REFERRAL AGENCY REVIEW FORM

Project Title: 228 S Banner Street Rezone

Description: A 0.15-acre parcel located on the northeast corner of Banner and Elm Street, requesting to rezone to DT, Downtown District

Review Sent Date: 12/15/2025

Review Due by: 01/12/2026

REFERRAL AGENCY	Community Development Department
Contact Name	Alexandra Cramer
Contact Email and Phone Number	acramer@townofelizabeth.org

COMMENTS:

Community Development has reviewed the rezone application for 228 S. Banner Street and supports the request to rezone the property from R-1, Single-Family Residential District to DT, Downtown District. The property is currently owned and operated by American Legion Post 82 for community gatherings and veterans' services. The original R-1 zoning is no longer appropriate given the property's established use, its location within the downtown core of Elizabeth, and the expiration of both the 10-year deed condition and the Use by Special Review that previously governed the property's use. Clubs and Lodges is a permitted use within the DT, Downtown District, making it the most suitable and appropriate zoning designation for this property. Community Development recommends approval of the rezone application.

From: [Brooks Kaufman](#)
To: [Alexandra Cramer](#)
Subject: RE: Rezoning Submittal - 228 S Banner St
Date: Monday, January 12, 2026 6:47:27 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Good morning, Alexandra,

CORE Electric Cooperative has reviewed the contents of the above-referenced referral response packet. We have evaluated the project with respect to maintaining our existing facilities, utility easements, electric loading, and service requirements. Please note the following comments and concerns:

- CORE has existing overhead electric facilities on the subject property. These utility easements and facilities will remain in place unless the applicant requests modifications in accordance with CORE's current extension policies.
- CORE Electric Cooperative **approves** the proposed rezoning from residential to commercial.
-

Please let us know if you have any questions or require additional information.

Respectfully

Brooks Kaufman

Lands and Rights of Way Manager

800.332.9540 MAIN
720.733.5493 DIRECT
303.912.0765 MOBILE

www.core.coop





[Book time to meet with me](#)

From: Alexandra Cramer <acramer@townofelizabeth.org>

Sent: Monday, December 15, 2025 10:49 AM

Subject: Rezoning Submittal - 228 S Banner St

[CAUTION:] This email is from an external source. Avoid clicking links or opening attachments unless you trust the sender and verify the content's safety.

Hello,

We have received a submittal for a rezoning request at 228 S Banner St (American Legion building). They are requesting to be rezoned from R-1, Single-Family Residential District to the DT, Downtown District to better align with the current and future use of the building. See below for a link to their submittal. Please have comments back to me by Monday, January 12th. If there are any questions, please let me know.

<https://www.dropbox.com/scl/fo/b83wncq314vzlfme6k9oz/AEzzCLMG4saCcl-6w6tNHA4?rlkey=8bt215ewx8fnwck0eann91wbl&st=r9lzhg3e&dl=0>

Thank you,

Alexandra Cramer, AICP

Planner / Project Manager

Elizabeth, CO. 80107

Phone: 303-646-4166 ext. 503

acramer@townofelizabeth.org





TOWN OF ELIZABETH

PO Box 159, 151 S. Banner Street • Elizabeth CO 80107 • 303-646-4166 x4

REFERRAL AGENCY REVIEW FORM

Project Title:	228 S Banner Street Rezone		
Description:	A 0.15-acre parcel located on the northeast corner of Banner and Elm Street, requesting to rezone to DT, Downtown District		
Review Sent Date:	12/15/2025	Review Due by:	01/12/2026

REFERRAL AGENCY	Elizabeth Fire Protection District		
Contact Name	Kara Gerczynski		
Contact Email and Phone Number	kara@elizabethfire.org	303-800-2748	

COMMENTS:

Fire has no comments on the rezone at this moment. Any changes in occupancy classification or building structure will require a building permit and plans submitted to the Fire District for review.

From: [Justin Henry](#)
To: [Alexandra Cramer](#)
Cc: [Dianna Hiatt](#)
Subject: Fw: Rezoning Submittal - 228 S Banner St
Date: Monday, December 15, 2025 11:25:28 AM
Attachments: [image001.png](#)
[ATT00001.htm](#)
[228 S Banner Street Rezone - Referral Review Form.doc](#)
[ATT00002.htm](#)

Alexandra,

The School district supports the rezoning without any items of concern to be addressed.

Justin.

Please update your distribution list to include me on all property lists and development items. Thank you.

From: Dan Snowberger <dsnowberger@esdk12.org>
Sent: Monday, December 15, 2025 11:17 AM
To: Justin Henry <jhenry@esdk12.org>
Subject: Fwd: Rezoning Submittal - 228 S Banner St

Did you get this?

Dan Snowberger
Superintendent
Elizabeth School District
(303) 646-1838
Email: DSnowberger@esdk12.org

Sent from my iPad

Begin forwarded message:

From: Alexandra Cramer <acramer@townofelizabeth.org>
Date: December 15, 2025 at 10:48:49 AM MST
Subject: Rezoning Submittal - 228 S Banner St

Hello,

We have received a submittal for a rezoning request at 228 S Banner St (American Legion building). They are requesting to be rezoned from R-1, Single-Family Residential District to the DT, Downtown District to better align with the current and future use of the building. See below for a link to their submittal. Please have comments back to me by Monday, January 12th. If there are any questions, please let me know.

<https://www.dropbox.com/scl/fo/b83wncq314vzlfme6k9oz/AEzzCLMG4saCcl-6w6tNHA4?rlkey=8bt215ewx8fnwck0eann91wbl&st=r9lzhg3e&dl=0>

Thank you,

Alexandra Cramer, AICP

Planner / Project Manager

Elizabeth, CO. 80107

Phone: 303-646-4166 ext. 503

acramer@townofelizabeth.org

From: [Jeffery Engel](#)
To: [Alexandra Cramer](#)
Subject: Re: Rezoning Submittal - 228 S Banner St
Date: Monday, December 15, 2025 7:22:51 PM
Attachments: [image001.png](#)

PD has no issues.

From: Alexandra Cramer <acramer@townofelizabeth.org>
Sent: Monday, December 15, 2025 10:48 AM
Subject: Rezoning Submittal - 228 S Banner St

Hello,

We have received a submittal for a rezoning request at 228 S Banner St (American Legion building). They are requesting to be rezoned from R-1, Single-Family Residential District to the DT, Downtown District to better align with the current and future use of the building. See below for a link to their submittal. Please have comments back to me by Monday, January 12th. If there are any questions, please let me know.

<https://www.dropbox.com/scl/fo/b83wncq314vzlfme6k9oz/AEzzCLMG4saCcl-6w6tNHA4?rlkey=8bt215ewx8fnwck0eann91wbl&st=r9lzhg3e&dl=0>

Thank you,

Alexandra Cramer, AICP

Planner / Project Manager
Elizabeth, CO. 80107
Phone: 303-646-4166 ext. 503
acramer@townofelizabeth.org



EXHIBIT C



TOWN OF ELIZABETH

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the Planning Commission and Board of Trustees shall hold public hearings concerning a rezoning application from R-1 to DT for the project known as American Legion Post 82 located at 228 S Banner Street on property described in Exhibit A and generally located at S Banner Street and E Elm Street pursuant to the Town of Elizabeth Land Development Ordinance.

The public hearings are to be held before the Planning Commission on May 5, 2026, at 6:30 p.m. and Board of Trustees on May 26, 2026 at 7:00 p.m., or as soon as possible thereafter. The public hearings shall be held in the Town Hall, 151 South Banner Street, Elizabeth, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Town Community Development Department at 303-646-4166.

ALL INTERESTED PERSONS MAY ATTEND

EXHIBIT A (legal description)

A rezoning of 228 S Banner Street, Lot 16, Block 5, Elizabeth Original situated in Section 18, Township 8 South, Range 64 West of 6th P.M., Town of Elizabeth, County of Elbert, State of Colorado



TOWN OF ELIZABETH

Sent via USPS Mail April 8, 2026

The Town of Elizabeth Community Development Department has received a land use application from American Legion Post 82 requesting a rezone of the property located at 228 S. Banner Street. The applicant is requesting to rezone the property from R-1, Single-Family Residential District to DT, Downtown District.

The 0.15-acre property is located at the northeast corner of Banner Street and Elm Street and is currently owned and operated by American Legion Post 82 for community gatherings and veterans' services. No new construction or change in use is being proposed at this time. The rezone request is intended solely to correct the zoning designation to reflect the property's existing use and its location within the downtown area of Elizabeth.

If you have any questions or comments regarding this application, please contact the Community Development Department at (303) 646-4166 or by mail at P.O. Box 159, Elizabeth, Colorado 80107.



PUBLISHER'S AFFIDAVIT

STATE OF COLORADO)
COUNTY OF ELBERT) ss.

I, Nikki Lister, do solemnly affirm that I am the Publisher of RANCHLAND NEWS; that the same is a weekly newspaper published in the counties of Lincoln, Elbert, & El Paso, State of Colorado, and has a general circulation therein; that said newspaper has been continuously and uninterruptedly published in said County of Lincoln, Elbert & El Paso for a period of at least 52 consecutive weeks next prior to the first publication of the annexed notice, that said newspaper is entered in the post office at Calhan, Colorado as second class mail matter and that said newspaper is a newspaper within the meaning of the Act of the General Assembly of the State of Colorado, approved March 30, 1923, and entitled "Legal Notices and Advertisements," with other Acts relating to the printing and publishing of legal notices and advertisements. That the annexed notice was published in the regular and entire issue of said newspaper, once each week for one successive weeks; that the first publication of said notice was in the Issue of said newspaper dated;

March 19, 2026

and the last publication of said notice was in the issue of said newspaper dated;

March 19, 2026

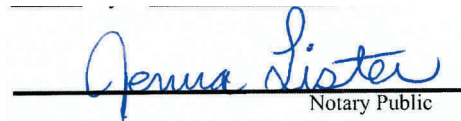
and that copies of each number of said paper in which said notice and/or list was published were delivered by carriers or transmitted by mail to each of the subscribers of said newspaper, Ranchland News, according to the accustomed mode of business in this office.



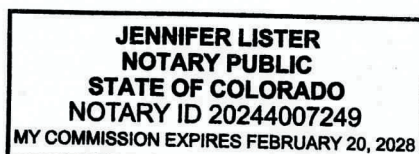
Publisher

The above certificate of publication was subscribed and affirmed to before me, a Notary Public, to be the identical person described in the above certificate, on the

19 day of March, 2026


Notary Public

February 20, 2028
(My Notary Public Commission Expiration Date)



NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the Planning Commission and Board of Trustees shall hold public hearings concerning a rezoning application from R-1 to DT for the project known as American Legion Post 82 located at 228 S Banner Street on property described in Exhibit A and generally located at S Banner Street and E Elm Street pursuant to the Town of Elizabeth Land Development Ordinance.

The public hearings are to be held before the Planning Commission on April 7, 2026, at 6:30 p.m. and Board of Trustees on May 26, 2026 at 7:00 p.m., or as soon as possible thereafter. The public hearings shall be held in the Town Hall, 151 South Banner Street, Elizabeth, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Town Community Development Department at 303-646-4166.

ALL INTERESTED PERSONS MAY ATTEND

EXHIBIT A (legal description)

A rezoning of 228 S Banner Street, Lot 16, Block 5, Elizabeth Original situated in Section 18, Township 8 South, Range 64 West of 6th P.M., Town of Elizabeth, County of Elbert, State of Colorado

Published March 19, 2026

In Ranchland News

Legal No. 109



AMERICAN
LEGION
POST 82

NOTICE OF PUBLIC HEARINGS
NOTICE IS HEREBY GIVEN THAT THE PROPERTY UPON WHICH THIS SIGN IS POSTED SHALL BE CONSIDERED AT PUBLIC HEARINGS FOR REZONING PURSUANT TO THE TOWN OF ELIZABETH LAND DEVELOPMENT ORDINANCE. THE PUBLIC HEARINGS ARE TO BE HELD BEFORE THE PLANNING COMMISSION ON **MAY 19, 2026, AT 6:30 PM** OR AS SOON AS POSSIBLE THEREAFTER, AND THE BOARD OF TRUSTEES ON **MAY 26, 2026, AT 7:00 PM** OR AS SOON AS POSSIBLE THEREAFTER. THE PUBLIC HEARING SHALL BE HELD IN CHAMBERS FOR THE TOWN OF ELIZABETH. FURTHER INFORMATION IS AVAILABLE THROUGH THE TOWN COMMUNITY DEVELOPMENT DEPARTMENT AT (303)646-4166. ALL INTERESTED PERSONS MAY ATTEND.



TOWN OF ELIZABETH

CHRIS LOWE/INTERIM TOWN ADMINISTRATOR

MEMORANDUM

To: Mayor and Board of Trustees

From: Chris Lowe, Interim Town Administrator

Cc:

Date: May 7, 2026

Re: 2023 Purchasing Policy revisions

Recently, the Board expressed some concerns with respect to current financial policies in place and requested a review of these policies. I have reviewed the following policies:

Travel and Training Policy;
Presentment of Payment with Insufficient Funds Policy;
Disposal of Surplus Property Policy;
Grant Management Policy;
Credit Card Policy; and
Purchasing Policy

1. Introduction

Many of you have completed training with respect to the legal and ethical requirements of an elected official; however, I think it is always important when Board composition changes to review fundamental principles of the Board-Administrator (known also as the Council-Manager) form of government. Perhaps the most important of the fundamental principles of our form of local government is to divide responsibilities between the Board and staff in the most efficient and effective fashion. The Board is charged with policy decisions while staff is responsible for the day-to-day operations of the Town. An analogy that I always like to use to help understand where priorities of the elected body should be versus that of staff is the cracked sidewalk analogy. For example, the Board should be responsible for passing a sidewalk maintenance ordinance because of policy considerations like community walkability, preservation of safe school access, and many other reasons that are rooted in the expression of community values as embodied by a duly elected official. Installation, care, monitoring and maintenance of the sidewalk to ensure it is in safe condition, and cracks are repaired in a timely fashion, are staff responsibilities. In short, the focus of the elected officials should be on the community's horizon and the staff's focus should be on the immediate provision of services. In training of newly elected officials, I explain that often in communities that have not had these discussions, the inverse proposition is true. One might see an elected official that is focused on getting a pothole fixed in their neighborhood rather than on directing that a pavement maintenance program be

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- Fax: (303) 646-9434 ▪ www.townofelizabeth.org



TOWN OF ELIZABETH

CHRIS LOWE/INTERIM TOWN ADMINISTRATOR

implemented. This would be an example of the elected official worrying about a day-to-day issue rather than a broader policy consideration. Where there is effective teamwork and communication on a situation like this, normal procedure would be for the elected official to inform the appropriate staff member (usually the Town Administrator) about an issue and staff would address that accordingly and would provide follow-up to the elected official. The elected officials and Town administration (Town Administrator and Department Heads) make up a leadership team for the community and this healthy flow of responsibility and communication back and forth is an essential element of a highly effective local government.

2. The politics/administration dichotomy

The politics-administration dichotomy is a theoretical framework that suggests a distinct separation between the roles of politicians and administrators in governance. Politicians are responsible for policymaking and representing the will of the people, while administrators focus on implementing these policies efficiently and without political bias. This concept was first articulated by Woodrow Wilson in his influential 1887 essay, "The Study of Administration". As a general rule, the Board is a policymaking body and should make policy decisions either on their own accord or when policy recommendations are brought forward by staff. The administration of those policies is to be executed by staff. Staff (either through the Town Administrator or Department Heads) should always be mindful of the need to consult the Board when there are policy implications for the Board to consider.

Obviously, the distinction between policy and administration is not always a clear and distinct one. On many occasions, a particular issue may not be clearly one of policy or operations. If there is doubt as to its foundation in policy or administration and if that item is of sufficient fiscal significance, staff should err on the side of providing information to the Board with respect to that issue. Conversely, members of the Board should not attempt to control or hinder the ability of staff to execute their functions that govern the day-to-day operations of the Town. Another foundational principle to always be mindful of to support the proper operation of this form of government is that no individual member of the Board has any authority to direct operations of the Town or its employees. The authority of the individual Board member is only legitimate when acting in concert with the other Board members with direction authorized when a quorum is duly recognized. Just as staff should be mindful of interfering in policy decisions without appropriate consultation and direction from the Board, so must each individual Board member respect the authority and discretion of staff in their efforts to carry out their duties.

As an editorial note, it has always been my advice when I do training for leadership teams to both staff and elected officials that when either a staff member or elected official is viewed as going outside of their prescribed area of responsibility, that those actions or efforts be given a certain amount of grace. High functioning organizations develop a culture that respects the difference in individual roles and are laser focused on each member performing their role to the best of their ability as a member of this team. Often it is unclear where policy ends and operations begin in terms of decisions or actions, a healthy relationship between elected and staff members recognizes the possibility of these situations



TOWN OF ELIZABETH

CHRIS LOWE/INTERIM TOWN ADMINISTRATOR

and uses respectful communications to improve understanding on both sides when this occurs. Respect should be given to these situations where it may be perceived that one party is acting outside of its agreed scope because healthy Board/Staff relations recognize that each respects the differing roles and always attempts to maintain its actions within those boundaries understanding that at times those distinctions can be difficult to discern. Regardless, if all parties keep these fundamental principles in mind, the working relationship between elected officials and staff will be much more effective and stable.

3. Policy Review

The policies outlined above are adopted specifically to respect this dichotomy. The Board is appropriately focused on stewardship of public funds as a matter of policy. To that end, at the direction of the Board, many of these policies were brought forward by staff and ratified by the Board by resolution. Travel, Surplus Disposal, Insufficient Funds and Grant Management were ratified by previous resolution. The Purchasing policy was ratified separately in 2023 by Resolution 23R16. Because of the recent issues in oversight of a major capital improvement project, this Board asked for a comprehensive review of these policies with specific attention to aspects of the Purchasing Policy.

A. Travel, Surplus, Insufficient Funds, Grant Management and Credit Card Policy

No significant deficiencies exist in these current policies. These are all consistent with current best practices for municipal finance. These policies have been provided to the independent auditor and are included as part of their analysis of the Town's financial audit. No recommendations are deemed necessary to these policies at this time.

B. Purchasing Policy

For purposes of procurement, there is nothing improper or incomplete with respect to oversight of common purchasing of items throughout the year in the current policy. However, the purchasing policy does reference many different types of agreement and applies the same rules to all agreements whether they are purchase agreements, agreements for professional services, and capital improvement project contracts that have gone through a formal bidding process. Application of the various provisions of the purchasing policy to agreements that may be for very different sizes and types of projects could lead to some confusion. The revised purchasing policy that accompanies this memorandum is an attempt to further clarify how particular types of agreements should be handled and in addition how the purchasing policies should be applied with respect to the relationship of purchasing to the budget process.

This revised policy primarily focuses on specifically identifying how larger, capital projects are expected to be managed from a financial standpoint to ensure appropriate fiscal discipline to budget. The

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TOWN OF ELIZABETH

CHRIS LOWE/INTERIM TOWN ADMINISTRATOR

recommended revisions are intended to provide more specificity as to how certain types of agreements should be administered. Specific attention is paid to capital projects that are identified as such in the Town's 5-year Capital Improvement Plan and are funded in whole or in part out of special revenue funds for capital improvements. In addition, discussion of additional considerations about purchasing and how change orders shall be handled with respect to these types of projects are included. Finally, guidance is provided on how to handle changes to the annual budget at a staff and Board level.

1. Purchasing Thresholds

The current purchasing policy establishes authority for various levels of staff decisions with respect to purchasing. Those thresholds provide that purchases of less than \$10,000 may be approved by the Department Head without specific Town Administrator or Board approval. Purchases that are greater than \$10,000 but less than \$50,000 may be approved by the Town Administrator without specific Board approval. Purchases that are greater than \$50,000 shall be submitted to the Board for approval. Generally, I do not recommend any adjustment to these thresholds. We surveyed communities throughout Colorado to solicit information about where other municipalities set these thresholds. Many of the purchasing policies we reviewed did not set specific thresholds (Manitou Springs, Castle Pines, Cortez), others had varying degrees of budget authority by level. For example, in Hugo, department heads can purchase up to \$25,000 with administrator authority to \$50,000 and formal bidding accepted by Council greater than \$50,000. Cherry Hills Village differentiates professional service contracts from capital asset purchases. For professional services, department heads may approve up to \$50,000, the city manager approves bids formal or informal up to \$100,000 and Council approves over \$100,000. For capital asset purchases, CHV authorizes department heads up to \$50,000, department head and town manager from \$50,000 to \$100,000, formal bids approved by manager up to \$300,000 and $\geq$ \$300,000 manager and board approval required. Kersey (population ~1,500) allows staff up to \$5,000, department heads (\$5-\$50,000), town manager (\$50-\$150,000) and mayor/council approval $\geq$ \$150,000. As you can see, there is no "correct" answer as to where levels are set.

One might frame the issue of these thresholds with consideration that if a department head or the Town Administrator cannot be trusted with the current threshold amounts, the issue is not the threshold amount, but the trust provided to the individual in that role. In other words, if you cannot trust the staff member with these levels, the problem is not the level of authority, but the person given that authority. I believe the thresholds in the current policy are appropriate and provide sufficient discretion and oversight at current levels.

2. Summary of Revisions

Additional sections were added in this draft policy to provide guidance to purchasing decisions at various levels of authority for the Town and are included in this updated version to address specific

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TOWN OF ELIZABETH

CHRIS LOWE/INTERIM TOWN ADMINISTRATOR

concerns of this Board. The additional sections deal with CIP projects, requirements for approval and tracking of change orders (in contracts for CIP projects or other agreements), guidance for when budget amendments should be presented to the Board and appropriate budget authority for department heads and the Town Administrator.

There is no policy, at least one that is understandable, effective and not overly burdensome to staff, that covers absolutely every financial situation, question or issue that may occur with respect to public finance and procurement. This is precisely why I discuss the need for both elected officials and staff to approach these interpretations with common sense and a spirit of cooperation as to how policies are executed. When areas of disagreement or conflict arise on decisions that may have been made with respect to application of these purchasing policies, approaching the resolution of these disagreements with a spirit of grace and attribution of the best motives to each side will ensure that there is an open, transparent and honest flow of information between staff and the elected body.

3. Conclusion

The revisions to this policy are intended to provide both general guidance and principles that the Board and staff can rely on when carrying out their respective functions in furtherance of the Town's mission. These provisions are not meant to be exhaustive, but they do provide certain reference points that staff may rely on when executing their day-to-day administrative functions and will assist staff in determining what items are within the role of staff and when the policy and oversight function of the Board may be implicated. It bears repeating that the use of common sense in the application of these policies is essential and that in areas where there is doubt, timely and open communication is always encouraged in resolving questions in this regard.

Staff Recommendation:

Staff recommends consideration of the draft Purchasing Policy with revisions and approving Resolution 26R17 adopting this updated policy.

RESOLUTION 26R17

A RESOLUTION REPEALING RESOLUTION 23R16 REGARDING THE TOWN OF ELIZABETH PURCHASING POLICY, AND ADOPTING A REVISED AND AMENDED PURCHASING POLICY FOR THE TOWN OF ELIZABETH

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

1. On February 28, 2023, by means of Resolution 23R16, the Board of Trustees for the Town of Elizabeth adopted the Town of Elizabeth Purchasing Policy. By and through Resolution 26R17 Resolution 23R16 is hereby repealed.

2. The Board of Trustees for the Town of Elizabeth hereby adopt the Purchasing Policy for the Town of Elizabeth, attached hereto as **Exhibit A**, and incorporated hereby by this reference.

PASSED, APPROVED, and ADOPTED this 26th day of May 2026, by the Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of _____ for and _____ against.

Angela Ternus, Mayor

ATTEST:

Michelle M. Oeser, Town Clerk

PURCHASING POLICY FOR THE TOWN OF ELIZABETH

The purpose of this Purchasing Policy is to establish policies and procedures to ensure equitable and impartial treatment of all vendors seeking to do business with the Town of Elizabeth. It is meant to supply the needs of the Town, encourage effective economic competition, and ensure the Town's dollars are spent in a wise and prudent manner. This Purchasing Policy is designed to update the Town's previous Purchasing Policy (09R06 - 2009) to reflect changes in the needs of the Town and the changes in the means of commerce in the modern economy.

APPLICATION AND DEFINITIONS FOR THIS POLICY:

This Purchasing Policy shall apply to every purchase to which the Town of Elizabeth is a party. In the event of a conflict with this Purchasing Policy, or any other Financial Policy of the Town of Elizabeth, this Purchasing Policy shall control. In the event there is any potential transaction contemplated, for which two different requirements could be inferred, the more restrictive process for Town Staff shall be applied to ensure equitable and impartial treatment of vendors.

"Bids" shall mean either bids or proposals submitted in response to a written invitation for bids or a written request for proposals.

"Professional Services" shall mean architectural, engineering, legal, accounting and auditing, consulting or other services that involve primarily the furnishing of skilled labor, time, or expertise.

"Purchase Agreement" shall mean statements, contracts, or invoices for the purchase of construction, professional services, or other services and supplies, or for the purchase of real estate. For purposes of this policy, projects that are approved as part of the annual budgeting process and are funded in whole or in part by funds from the Capital Improvement Fund shall be governed by additional requirements as set forth in this policy.

"Quotes" shall mean an informal solicitation for fulfilling a need for a specific product or service. Quotes may be obtained by electronic means such as text messages, email, website inquiries, or by means of telephonic solicitation.

GENERAL REQUIREMENTS AND THRESHOLDS:

1. Every Purchase Agreement shall be in writing, indicating the parties to be bound by the Agreement, specify the total amount potentially due and owing under the Agreement, and to the extent possible clearly identify the date for the transaction to occur, the product to be provided, or the professional services to be completed. The amounts set forth establish the appropriate level of purchasing authority for positions within the Town.

2. Every Purchase Agreement that does not make use of the Town's standardized contracts shall be approved as to legal form by the Town Attorney before being executed on behalf of the Town of Elizabeth.

3. A Purchase Agreement in the amount of twenty-five thousand dollars (\$25,000) or less and appropriated by the Board of Trustees in the current Budget, may be approved by a Department Head with the approval of the Town Administrator and without further action by the Board of Trustees.

4. A Purchase Agreement in the amount of fifty thousand dollars (\$50,000) or less and appropriated by the Board of Trustees in the current Budget, may be approved by the Town Administrator without further action by the Board of Trustees. However, any such expenditure shall be timely reported to the Board of Trustees at the Board's next regularly scheduled meeting.
5. **Purchases Under \$10,000.** Small items in this category, used on a day-to-day basis, may be purchased without competitive bidding on each item. However, periodic telephone/online inquiries should be made to be certain the purchases are obtained at the lowest costs for the quantity and quality desired.
6. **Purchases from \$10,000 to \$50,000.** Purchases or contracts for services for the sum of \$10,000 to \$50,000 shall be secured on a competitive bid basis. This must be accomplished by soliciting at least three (3) written informal quotes. When seeking written informal quotes, all quotes must be tabulated in detailed for future reference. If the recommended quote is not the lowest, a detailed explanation must accompany the contract and/or invoice. Bids for Professional Services are exempt from this provision, unless otherwise directed by the Town Administrator or the Board of Trustees. If less than three informal quotes are obtained, the Town Administrator must approve the expenditure.
7. **Purchases Greater than \$50,000.** Any item for services, projects or equipment in this category shall be purchased through the formal bid process. Formal bids shall be secured by advertisement by any means reasonably calculated to receive the highest number of potential vendors or suppliers. This may be by direct solicitation, newspaper advertisements, announcement via social media, mailers, or other processes. The responsibility for advertising and securing formal bids shall be that of the Department Head or Administrator as may be required. Bids for professional services are exempt from this requirement. It is required that an advertisement for formal bid be solicited for at least ten (10) days prior to the bid opening.

PRINCIPLES and ETHICS IN PURCHASING:

Every officer and employee of the Town of Elizabeth is expressly prohibited from knowingly:

- (A) Seeking or accepting any personal gift or money directly or indirectly, from any person, company, firm, or corporation in connection with a Purchase Agreement; that is prohibited by Town policy, Town Code and C.R.S. 24-18-104.
- (B) Underestimating or exaggerating requirements to a prospective bidder for the purpose of influencing bids.
- (C) Misrepresenting the quality of a bidder's products or services.
- (D) Influencing the Town to enter into a Purchase Agreement that will benefit the officer or employee, either directly or indirectly.
- (E) Approving the purchase in which any employee, elected or appointed officer of the Town has an interest without the approval of the Town Board of Trustees.
- (F) No single purchase or transaction shall be subdivided for the purpose of circumventing the dollar value limitations of this Purchasing Policy.

FORMAL BIDDING REQUIRED:

(A) Formal bidding procedures shall be followed when the amount of the Purchase Agreement exceeds fifty thousand dollars (\$50,000), unless:

1. The Town Board of Trustees determines by unanimous resolution of those present at the meeting that the public interest will be best served by joint purchase with or from another unit of government, including State and Federal bid awards; or
2. The Town Board of Trustees determines, upon recommendation of the Town Administrator, that the public interest will be best served by a negotiated contract with a single vendor or contractor.

(B) The expenditure is the purchase of utilities, employee services, the expenditure is part of an intergovernmental agreement, purchase of lease of real property, acquisition of water rights or the expenditure is for items for which there is not competitive alternative.

(C) In case of a declared or pronounced emergency affecting the public peace, health or safety, the Town Board of Trustees may waive all requirements for formal bidding. In such cases, the Town Administrator may direct the appropriate department head to procure emergency needs by informal, open-market procedures, at not more than current market prices, as expeditiously as possible. The Town Administrator shall present a full report of the circumstances necessitating the emergency action at the next regular meeting of the Town Board of Trustees, with the potential option to extend the waiver of requirements for formal bidding.

FORMAL BIDDING PROCEDURES AND SELECTION CRITERIA:

(A) When formal bidding is required pursuant to this Policy, at least ten (10) days prior to the deadline for receipt of bids, a request or invitation for sealed bids shall be announced by any means reasonably calculated to receive the highest number of potential vendors or suppliers. Such a solicitation may be made by being published at least once in the designated newspaper, sent to three (3) or more potential bidders, and/or posted via electronic solicitation.

(B) Sealed bids shall be opened in public at that time and place identified in the notice. All bids received shall be available for public inspection. In the event of a delay in opening the bids, each bidder shall be notified as to the date and time of the delayed bid opening.

(C) After the bid opening and review by the Town Administrator, any proposed purchase exceeding the Town Administrator's authority shall be presented to the Town Board of Trustees for action. The Town Administrator shall provide a recommendation for an award for further action by the Board of Trustees. The Board of Trustees is not required to accept the recommendation of the Town Administrator, and may select a party other than the lowest responsible bidder if such bid meets the bid specifications. In selecting a bidder who has not submitted the lowest bid, the Board of Trustees should consider the following:

1. The bidder's skill, ability, and capability to perform the services or to furnish the materials, equipment, or supplies required.

2. Whether the bidder can perform the services or furnish the materials, equipment, or supplies promptly, or within the timer period specified, without delay or interference.
3. The bidder's character, integrity, reputation, judgment, experience and efficiency.
4. The quality of the bidder's prior performance on previous Purchase Agreements.
5. The bidder's previous and current compliance with statutes, ordinances and rules relating to the purchase.
6. The sufficiency of the bidder's financial resources necessary for the performance of the Purchase Agreement.
7. The bidder's ability to provide future maintenance or service to the Town of Elizabeth.
8. The number and nature of any conditions attached to the bid.

COMPARATIVE PRICE QUOTATIONS:

(A) When the amount of a Purchase Agreement does not exceed fifty thousand dollars (\$50,000), comparative price quotes given by telephone, in person, or in writing from at least three (3) vendors or contractors will be required, unless:

1. The Town Administrator determines that the public interest would be best served by negotiated contract with a single vendor or contractor or by joint purchase with or from another unit of government; or
2. The Town Administrator determines that the public interest would be best served by obtaining the good or services through the formal bidding process.

(B) Comparative price quotes must be obtained every three (3) years, except with permission from the Town Administrator.

AMENDMENTS TO PURCHASE AGREEMENTS:

(A) The Town Administrator shall have the authority to approve an amendment to any Purchase Agreement when the change order does not exceed ten percent (10%) of the original agreement and combined with the original agreement does not exceed the approved appropriation for said purchase.

(B) All other amendments to a Purchase Agreement previously approved by the Town Board of Trustees shall be approved or ratified by the Board.

PROCUREMENT REQUIREMENTS WHEN SPENDING FEDERAL FUNDS:

All purchases paid for or reimbursed with Federal Grant Funds shall be spent in compliance with the Federal Office of Management and Budget (OMB) "Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards" and shall otherwise comply with Code of Federal Regulations (CFR) Title 2, Subtitle A, Chapter II, Part 200.318 through 200.326.

CAPITAL IMPROVEMENT PROJECT AGREEMENTS (CIP PROJECTS)

- (A) All projects approved in the Town's annual budget, that are part of the Town's approved 5-year Capital Improvement Plan and funded in whole or in part by funds allocated to the Capital Improvement Fund that are less than \$50,000 shall be authorized and executed in writing in the Town's standard contract form or a form agreed to "as to form" by the Town Attorney.
- (B) All projects approved in the Town's annual budget, that are part of the Town's approved 5-year Capital Improvement Plan and funded in whole or in part by funds allocated to the Capital Improvement Fund and/or the Street Capital Improvement Fund that are greater than \$50,000 shall be authorized by the Board of Trustees.
- (C) All capital improvement projects greater than \$50,000 shall identify a project manager responsible for the project. This may be a member of Town staff (Town Administrator, Public Works Director, etc.) or may be a third party hired for the purpose of acting as the Owner's representative on the project (e.g. contracted engineer, contracted project manager). The identified project manager shall be responsible for complying with the policies and procedures set forth in this Purchasing Policy.
- (D) The Town Board may allocate up to 8% percent for contingencies for changes in the project allocation that are considered as approved in advance by the Town Board which do not require specific Board approval. This is discretionary and may or may not be included in the final agreement or contract at the discretion of the Board.

CHANGE ORDERS

- (A) The general definition of a change order for purposes of this policy: Written Direction by the Town through its authorized representative (Project Manager and/or Town Administrator) directing or approving the Contractor to construct some portion of the project in manner different from that described in plans & specifications for which the Contractor or Town may be entitled to an adjustment in contract price and/or time.
- (B) Change orders for capital improvement projects bid by the Town through the process above shall be governed by the following:
 - 1) All change orders shall be in writing. Verbal changes in the work are allowed at the direction of the Project Manager as long as they are not material or that they do not change the plans/specifications of the work, the total cost of the project or timeline of the project's completion.
 - 2) Change orders (or other written, documented changes to the work regardless of title) that do not affect the primary content, plans and specifications of the project, the total allocated budget amount of the project and/or the estimated completion date may be approved by the Project Manager without approval of the Town Administrator or the Town Board.
 - 3) Change orders, the value of which is \$50,000 or less, that do not increase the approved and allocated cost of the project including the contingency, if included, shall be approved by the Project Manager with the approval of the Town Administrator.
 - 4) Except for those change orders meeting the previous criteria of this section, any change order meeting one or more of the following criteria shall be approved by the Board of Trustees:
 - a) The change order exceeds \$ 50,000 and is not within the percentage of contingency approved in advance by the Board of Trustees, if included in the original agreement.
 - b) The total of all previous change orders plus the current change order exceeds the projects contingency (generally 8%) as was approved by the Town Board at the time of award.
 - c) The change order would modify the project completion date.

- d) The change order materially influences the scope of the project or is being used to acquire additional construction or fixtures not intended or included in the original contract.
- e) The Project Manager/Town Administrator may approve change orders without prior Board approval which are necessary to safeguard life or property or are necessary to guard against financial risk or loss provided that the Project Manager and/or Town Administrator shall report the situation to the Board of Trustees at the first opportunity.
- f) All of the following requirements shall apply to all change orders:
 - i) Related work shall not be split up onto multiple change orders in order to circumvent the required Board of Trustees approval.
 - ii) The change order shall be required due to a valid change.
 - iii) The value of the change order shall reflect the value of the work and shall be in the interest of the Town.
 - iv) All change orders shall be provided to the Project Manager/Town Administrator or his designee for processing.
 - v) The Project Manager/Town Administrator shall prepare a report listing all change orders that have been approved in the previous month and present it to the Board of Trustees on a monthly basis.

BUDGET AUTHORITY

- A) All appropriations included as part of the duly authorized annual budget prepared by the Town Administrator, approved by the Board of Trustees and submitted to the State of Colorado are by definition approved in advance by the Board. As such, purchases made that are within the departmental budget do not require separate Board approval. In addition, the Town Administrator is responsible for ensuring that spending within each fund remains at or below the allocated amount. The Board is not responsible for day-to-day purchasing decisions as those are operational and not policy driven. The Board's policy function is exercised by passing an annual budget that approves the recommended spending by Town staff. Staff is responsible for staying within the allocated budgets that are set by the Board in the budget.
- B) Consistent with best practices for municipalities, Department Heads are responsible for managing their departmental budgets. Department Heads have authority to approve departmental expenditures and/or expenses that are a part of the annual budget consistent with purchasing guidelines outlined in this policy. Department Heads have the discretion within their total allocation in the budget for their department to reorganize and reprioritize spending as long as they do not exceed the approved allocation within the annual budget.
- C) Consistent with best practices for municipalities, the Town Administrator is responsible for managing the budget among all funds that are included in the approved annual budget. The Town Administrator shall have the authority to approve changes and may reorganize and/or reprioritize spending as long as the reallocation does not exceed the approved allocation within the annual budget in each fund.
- D) Town Administrator and Department Heads should attempt to accomplish the objectives that are outlined in the budget process that were the basis for the allocations approved by the Board in the annual budget. If there are changes within the departmental or individual funds that change any major spending within the department or individual funds, the Town Administrator or Department Head should report any large changes to the approved budget, regardless of whether those changes do or do not exceed the approved allocated amount in the annual budget, to the Town Board as soon as practicable. This is not meant to require the Board's intervention in the day-to-day operations of the Town but to keep the Board informed as to the progress of the major

objectives that were part of the Board's consideration of the total annual budget as a policy matter. The Board should only expect reports of spending changes based on the standard of reasonableness.

BUDGET AMENDMENTS

- A) Colorado's budget law (C.R.S. 29-1-102(13)) requires municipalities to prepare and submit budgets that outline revenues and expenses, but it does not mandate a balanced budget. However, many municipalities adopt balanced budget policies voluntarily to ensure fiscal responsibility and transparency. Balanced budgets reduce reliance on borrowing or state/federal aid, provide more predictable funding for services and demonstrate fiscal discipline to residents and investors. As a general rule, the policy goal of the Town as set forth by the Town Board should be to adopt a balanced budget. However, there may be years where planned expenditures and/or expenses will exceed budgeted revenues. The Town Board shall approve deviation from the balanced budget requirement as part of its approval process for the annual budget.
- B) The goal of Department Heads and the Town Administrator should always be to stay within the amount of spending authorized as part of the annual budget as approved by the Board. Best practices in municipal finance often include provisions for contingencies within the annual budget. When possible, the Town Administrator should budget contingencies within departments and within individual funds to allow flexibility in the face of unanticipated budgetary needs.
- C) Local governments subject to the Colorado local government budget law (C.R.S. 29-1-101) must amend the budget if spending exceeds the "appropriation" set in the budget. Appropriations are made by fund (C.R.S. 29-1-102(10)) and may be made by spending agency (C.R.S. 29-1-102(17)). The amounts appropriated must not exceed the expenditures specified in the budget (C.R.S. 29-1-108(2)). If a budget amendment is deemed necessary, the Town Administrator, or his designee, shall prepare a report on a quarterly basis of the need for a budget amendment. If no such amendment is required in a particular quarter, no such report shall be necessary.



TOWN OF ELIZABETH

COMMUNITY DEVELOPMENT DEPARTMENT

To: Board of Trustees
From: Chris Lowe, Interim Town Administrator
Date: May 26, 2026
Subject: Discussion on Gesin Lot Swap Meet

Summary

At the May 12, 2026 Board of Trustees meeting, the idea of hosting a swap meet on the Gesin Lot was raised for board consideration. Staff appreciates the community-minded intent behind the proposal and has reviewed its feasibility as a town-led event.

After careful consideration, staff recommends that the Board not pursue this as a staff-led, officially sanctioned town event. Several factors inform this recommendation:

1. **Venue Limitations:** The Gesin Lot is not well-suited for a swap meet. Given the Town's location in Elbert County, this type of event would likely draw large items, vehicles, and trailers. Swap meets of this nature are typically held at fairground-style venues with adequate space and infrastructure. The Gesin Lot does not provide sufficient room, and the surrounding Main Street corridor is not designed to accommodate the volume of large trucks and trailers such an event would generate.
2. **Operational Concerns:** Swap meets commonly result in items being left behind at the venue — an outcome that would create additional burden for town staff and raise liability concerns on town-owned property.
3. **Staff Capacity:** The Town's event season runs from June through the Mayor's Tree Lighting in December, representing the most demanding period of the year for staff resources. Taking on a new event of this scope during that window would place additional strain on an already committed team. The Town has a strong calendar of community events already underway, and staff's focus will be directed toward those commitments.

Staff Recommendation

Staff recommends the Board acknowledge the community interest in this type of event while directing interested parties — including board members and members of the public — to contact Elbert County regarding use of the county fairgrounds, which would be a more appropriate and capable venue for a swap meet of this nature.



TOWN OF ELIZABETH

CHRIS LOWE/INTERIM TOWN ADMINISTRATOR

ADMINISTRATOR REPORT

05/26/2026

- We are working on getting an Order of abatement from our municipal judge to abate conditions on the Stinnette property. This is a long-standing Code Enforcement dispute that has been finally adjudicated in municipal court. Property address is 131 S. Pine Street. Will plan on hiring a 3rd party to perform the abatement once we receive a duly signed Order. Will keep you posted.
- I authorized \$4,000 to ECOG at the request of Candace Payne to assist in provision of senior service luncheons through May and June. We are coding that to two different senior line items (one is using proceeds from the Flower sale) and the other account is budgeted for the Town's support of our own monthly luncheons. No anticipated budgetary impact. Will absorb from other general fund spending.
- Staff is working on providing you a powerpoint with the title Facilities and Operations review. This will give you a "virtual" tour of town facilities and their current status. This will be on your June 9 agenda. This is a lead-in to presentation for your approval of an RFP for a Facilities Master Plan (budgeted in Capital Improvement for 2026), either 2nd meeting in June or first in July.
- I authorized change in job title for Alex Kramer from Planner/Project Manager to Community Development Director effective May 31, 2026. Information in support of that decision is included in your packet.
- Had my first budget meeting with Hannah. We are mapping out a budget process with DHs right now and will be beginning preparations for your first budget workshop sometime this summer.



TOWN OF ELIZABETH

CHRIS LOWE/INTERIM TOWN ADMINISTRATOR

MEMORANDUM

To: File

From: Chris Lowe, Interim Town Administrator

Cc: Alexandra Cramer, CD Director, Mayor and Board of Trustees

Date: May 18, 2026

Re: Request for Job Title Change to CD Director

I am in receipt of a memorandum from Alexandra Cramer dated May 13, 2026, requesting that her job title be changed to more accurately reflect her current job duties. I reviewed this memorandum along with the current job descriptions for the Community Development Director position dated February 21, 2024 and the Planner/Project Manager position dated March 12, 2024.

Having been fully advised in the premises cited above, pursuant to powers conferred to the Town Administrator in the Elizabeth Municipal Code Section 2-3-40, it is my conclusion that Ms. Cramer is performing all of the duties described in the Community Development Director job description and her job title should reflect that she has been performing those duties for some time.

It should be noted that Ms. Cramer is not requesting any adjustment in salary only to her job title. I take no position with respect to whether that lack of adjustment is appropriate. Because of this request, there is currently no fiscal impact to this promotion. I am authorizing this change of title and directing Human Resources to accurately reflect that the position of CD Director is occupied by Ms. Cramer beginning May 31, 2026.

Attachments: Memorandum 5/13/2026, Job Descriptions

MEMORANDUM

TO: Chris Lowe, Interim Town Administrator
FROM: Alexandra Cramer, Town Planner / Project Manager
DATE: 13 May 2026
RE: Request for Promotion to Community Development Director

PURPOSE

The purpose of this memorandum is to formally request a promotion to the position of Community Development Director. Since Zach Higgins departed in December 2024, I have been performing the full scope of the Director's duties alongside my responsibilities as Town Planner/Project Manager. This memo documents what that work has looked like in practice and serves as a formal request to have my title reflect it.

BACKGROUND

The Community Development Department has been without a director since December 2024. During that time I have managed department operations, staffed all boards and commissions, and continued to serve the public and Town administration in that capacity. I hold AICP certification and have nearly seven years of experience in planning, zoning, development review, and project management.

My current position — Planner/Project Manager — is structured to work under the direction of a Community Development Director. The sections below describe how I have been carrying out the Director's duties during this period, organized around the adopted job description for that position.

IMMEDIATE NEED

The department currently has a Planning Technician on staff who is approaching retirement, and we are actively recruiting for her replacement. As the incoming hire will be new to the department and the role, having a formally designated supervisor in place from the start will provide the structure and clarity that position needs to be set up well.

ALIGNMENT WITH COMMUNITY DEVELOPMENT DIRECTOR JOB DESCRIPTION

The following addresses each duty in the adopted Community Development Director job description and describes how I have been performing that work since December 2024.

Plans, directs, and coordinates the Community Development Department's work plan; prepares and monitors the department's annual budget.

Since December 2024, I have managed the department's day-to-day operations, coordinated workload across active planning cases, code amendment projects, and board schedules, and served as the department's point of contact with Town administration. I was also consulted during the 2025 budgeting process and provided input on the department's needs.

Oversees and directs planning activities including project, plan, and design reviews; formulates research and analyzes policies.

I manage all land use applications from pre-application through final hearing, coordinating review comments across Town departments and outside agencies. Since December 2024, I have also researched, drafted, and guided multiple zoning code amendments through the full adoption process, including revisions to parking requirements, childcare and senior care facility regulations, and a lot width reduction.

Develops and implements policies and procedures to advance the department's mission, goals, and objectives.

Since Zach Higgin's departure, I have continued to advance the planning principles and priorities that were in place when he left — promoting incremental infill development in the town core, encouraging pedestrian-friendly and walkability-focused design, and keeping economic development and fiscal responsibility at the forefront of planning decisions. These have guided my work on code amendments, development reviews, and policy discussions. In a director capacity, I would look to formalize those priorities into a defined set of departmental goals and objectives that can provide clearer direction for the department going forward.

Oversees and manages the local Main Street Program while acting as the Main Street Manager.

I have been serving as the Main Street Manager throughout this period, staffing the Main Street Board of Directors, developing annual work plans covering downtown programming, historic preservation, and youth engagement, and managing day-to-day program coordination. I drafted the original foundational documents for the Town's façade grant program and have continued to oversee it since. On the programming side, I have maintained existing events and added new ones — including two Main Street car shows and the Elizabeth Backyard BBQ Showdown. In coordination with the DOLA Main Street Program, I have attended the last two Main Street Manager Summits, hosted the annual DOLA town visit, participated in monthly statewide Main Street manager meetings, and maintained a monthly individual check-in with DOLA staff. Main Street management is not a component of the Planner/Project Manager role and is reflected in the Community Development Director job description.

Directs and oversees the interpretation, amendment, and enforcement of codes and ordinances.

Since December 2024, I have been the primary point of contact for all code interpretation questions from applicants, residents, realtors, developers, and other Town departments, and have handled enforcement coordination as issues have arisen. During the four-month period when the Town also did not have a Town Administrator, I was making those determinations entirely independently. Code interpretation and enforcement oversight are reflected in the Community Development Director job description and are not a component of the Planner/Project Manager role.

Explains, justifies, and defends the Comprehensive Plan, programs, policies, and activities; negotiates and resolves sensitive and controversial issues.

I attend every Board of Trustees meeting, Planning Commission meeting, Historic Advisory Board meeting, and Main Street Board of Directors meeting, preparing all staff materials and presenting land use cases, code amendments, and planning initiatives to each body. Zoning and land use are consistently among the more contentious topics that come before the Board, and I am regularly called upon to interpret and defend the Comprehensive Plan and municipal code on the spot in meetings. I manage land use applications from pre-application through final public hearing, and by the nature of that process — which requires all referral agency approvals and full code compliance before an application advances — presenting a project at public hearing means not only laying out the facts but grounding the board's decision in the requirements of the municipal code and Comprehensive Plan. I have also attended several developer-led neighborhood meetings as required by Town ordinance, a responsibility that is specifically designated to the Community Development Director, and have reported back to the Board of Trustees on those meetings when applications have proceeded to public hearing.

Develops and coordinates economic development marketing strategies including business attraction, expansion, and retention.

Since December 2024, I have maintained regular contact with local commercial brokers regarding available sites in town, discussing development opportunities and market conditions on the Town's behalf. I also helped facilitate the Gesin Lot Redevelopment Roadmap with Ayres Associates, which examined development options for a vacant Town-owned lot. Through my role as Main Street Manager, I have been actively involved in several properties along Main Street that have converted from residential to commercial use, engaged in discussions around prospective buyers of the Odd Fellows Building at 122 S. Main Street, and have been part of ongoing conversations around the Town's direction on the Gesin Lot. Economic development coordination is reflected in the Community Development Director job description and is not a component of the Planner/Project Manager role. It is also an area I would look to expand in a director capacity, as the title carries weight in conversations with developers, brokers, and outside stakeholders that can meaningfully affect what those conversations look like.

Represents the Community Development Department and coordinates activities with other Town departments, elected officials, and outside agencies; establishes and maintains partnerships with area business organizations.

Since January 2025, I have attended weekly department head meetings and have been providing management monitoring reports to the Board of Trustees on a regular basis. I coordinate with other Town departments on planning and development matters and serve as the department's representative with outside agencies, business organizations, and the public. This has included coordination with Elbert County and the Elizabeth Parks and Recreation District in various capacities, assistance to the School District on grants that intersect with community planning, and occasional representation of the Town at CDOT Eastern Transportation Planning Region 4 meetings.

Provides staff assistance to the Town Administrator and Board of Trustees; participates in boards, commissions, and committees; stays abreast of new trends in planning and economic development.

I provide direct staff assistance to the Town Administrator and Board of Trustees on planning and development matters as needed. I maintain AICP certification, which requires ongoing professional development, and stay current on planning trends, zoning reform, and community development practice.

Oversees, manages, and facilitates the Historic Advisory Board, Main Street Board of Directors, and the Planning Commission.

I staff the Planning Commission, Historic Advisory Board, and Main Street Board of Directors, preparing agendas, staff reports, and meeting materials, facilitating meetings, tracking action items, and developing annual work plans for the Historic Advisory Board and Main Street Board. Since December 2024, I have interviewed candidates and facilitated the appointment of eight individuals across all three bodies, effectively overhauling the composition of the Planning Commission and Historic Advisory Board. Board recruitment, interviewing, and appointment coordination are reflected in the Community Development Director job description and are not a component of the Planner/Project Manager role.

Researches issues and materials for the Town Administrator and Town Board; responds to public and departmental questions concerning Town policies, ordinances, and related issues.

I regularly research and prepare materials on planning and development topics at the request of the Town Administrator and Board members, and serve as the primary point of contact for public inquiries on zoning, development, and Town ordinances. Responding to public inquiries is a component of the Planner/Project Manager role; providing research and briefing support directly to the Town Administrator and Board is reflected in the Community Development Director job description.

Supervises employees of the Community Development Office; develops work plans and schedules, directs and coordinates work, coordinates training, evaluates performance.

The department currently has a Planning Technician on staff who is approaching retirement, and we will soon begin actively recruiting for her replacement. Given that

she and I were hired within a year of each other and both navigated the loss of the Community Development Director position together, the traditional supervisor-staff dynamic has not been a feature of our working relationship. That changes with the incoming hire. Formalizing my title prior to that transition ensures supervisory authority is clearly established from day one.

Project management — additional note.

I was assigned project management responsibility for the Greater Elizabeth Parks, Recreation, Open Space and Trails (PROST) Master Plan while still under the former director's supervision. When he departed shortly after, I assumed sole management of the process and carried it through to adoption in June 2025, managing the consultant contract and coordinating among the Town, Parks District, School District, and Elbert County. This included full project management of the \$190,000 GOCO grant that funded the plan, from application through closeout.

CONCLUSION

The work described in this memo reflects what the Community Development Director role looks like in practice, and it is the work I have been doing. I am requesting that my title be updated to reflect that. I welcome the opportunity to discuss this further at your convenience.

Respectfully submitted,

Alexandra Cramer, AICP

Town Planner / Project Manager

Town of Elizabeth



TOWN OF ELIZABETH

JOB DESCRIPTION

TITLE: COMMUNITY DEVELOPMENT DIRECTOR
DEPARTMENT: COMMUNITY DEVELOPMENT
REPORTS TO: TOWN ADMINISTRATOR
EMPLOYMENT STATUS: REGULAR FULL-TIME
FLSA STATUS: EXEMPT
SALARY RANGE: GRADE 115 35.87 – 50.21

Description:

Under general direction, the Community Development Director provides planning services to the community, including short- and long-range planning, zoning, building and economic development. The Director oversees the department and plans and coordinates economic opportunities to improve the Town of Elizabeth's business climate. The Director oversees and acts as a liaison for the Town's advisory boards, Planning Commission, Main Street Board, and Historic Advisory Board.

Duties:

*The following duties **are not** intended to serve as a comprehensive list of all duties performed by all employees in this classification. Shown are duties intended to provide a representative summary of the major duties and responsibilities. Incumbent(s) may not be required to perform all duties listed and may be required to perform additional, position specific duties.*

- Plans, directs, and coordinates the Community Development Department's work plan. Prepares and monitors the department's annual budget.
- Oversees and directs planning activities including project, plan, and design reviews; formulates research and analyzes policies.
- Develops and implements policies and procedures to advance the department's mission, goals, and objectives.
- Oversees and manages the local Main Street Program while acting as the Main Street Manager.
- Directs and oversees the interpretation, amendment, and enforcement of codes and ordinances.
- Explains, justifies, and defends the Comprehensive Plan, programs, policies, and activities; negotiates and resolves sensitive and controversial issues.
- Develops and coordinates economic development marketing strategies including business attraction, expansion, and retention.

- Represents the Community Development Department and coordinates activities with other Town departments, elected officials, and outside agencies. Establishes and maintains partnership with area business organizations that facilitate and implement programs and activities that support the Town's economic development.
- Provides staff assistance to the Town Administrator and Board of Trustees and participates in a variety of boards, commissions, and committees. Attends and participates in professional group meetings and stays abreast of new trends and innovations in the fields of economic development, planning, and building inspection.
- Oversees, manages, and facilitates the Historic Advisory Board, Main Street Board of Directors, and the Planning Commission.
- Research issues/materials as needed for Town Administrator and Town Board. Responds to public and departmental questions concerning Town policies, ordinances, and related issues.
- Supervises employees of the Community Development Office. Develops work plans and schedules, directs, and coordinates work, coordinates training, evaluates performance, and manages progress on an on-going basis.
- Performs related duties as established by law or ordinance or as directed by the Town.

Other Job Duties:

- Protect confidential information (both verbal and written) by preventing the unauthorized release of confidential or proprietary information which comes to the office in the normal course of municipal business.
- Counsels and gives advice to customers and the public.
- Perform other related duties as assigned.

Required Knowledge, Skills and Abilities:

Knowledge of -

- Applicable Town, county, state and federal statutes, regulations, ordinances, and codes.
- Applicable Town policies and procedures.

Ability to –

- Work with sensitive or confidential information appropriately.
- Manage multiple tasks and meet deadlines.
- Communicate effectively orally and in writing.
- Establish and maintain effective working relationships with elected officials, Town staff, and the public.
- Interact with consultants and developers as well as make clear and concise presentations to the Board of Trustees and the public.
- Lead by example and always demonstrate honesty, integrity, diplomacy, and dependability.

Skilled in -

- Communication skills, both verbal and written.
- Utilizing problem-solving strategies and an excellent problem solver.
- Providing high quality customer service.
- Motivating staff and working collaboratively with them, encouraging teamwork, is respectful and provides mentoring and resources.

Minimum qualifications:

- Bachelor's degree from an accredited college or university in Planning, Urban Planning, Economics, Business Administration, Public Administration, or related field.
- Minimum combination of three (3) years of experience in Community Development in the public sector for similar sized communities, or equivalent experience in the private sector for an organization of similar size and complexity.
- AICP Certification preferred but not required.
- Any equivalent combination of training, education, and experience, which provides the individual with the required knowledge, skills, and abilities to perform the job.
- Must possess, at time of employment and continuously throughout employment, a valid Colorado Class "C" driver's license.

Special Requirements:

- Ability to work evenings to attend scheduled public meetings.

Environmental and Physical Conditions:

Physical activities include sitting, and occasional walking or standing; hearing, speaking, seeing, and manual dexterity. Ability to move to and from various points within the Town Hall facility. Ability to grasp, see, read, handle, and manipulate documents. Ability to participate in routine conversation in person, via telephone, or via recording. Ability to remember schedules, programs instructions, and Town Board actions.

Employee's Signature

Supervisor's Signature

Date

Date



TOWN OF ELIZABETH POLICE DEPARTMENT

CHIEF OF POLICE JEFF ENGEL

ELIZABETH POLICE DEPARTMENT ACTIVITY STATISTICS REPORT

Period: 05/03/2026 to 05/16/2026



ELIZABETH POLICE DEPARTMENT'S MISSION STATEMENT:

"The Elizabeth Police Department is committed to service excellence in protecting life and property, impartial enforcement of law, and building community with those who live, work, and visit, the Town of Elizabeth."

The following is an informational breakdown of EPD police activity from **05/03/2026 at 12:01 a.m. to 05/16/2026 at 11:59 p.m.** This information is compiled from our Records Management System (RMS), identified as New World (NW), as well as Douglas County Regional Dispatch (DCRD) records.

***All suspects/defendants are presumed innocent until proven guilty in a Court of Law. ***



425 S. Main St., P.O. Box 1527, Elizabeth, Colorado, 80107
Phone: 303-646-4664 Fax: 303-646-0616
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Colorado Association of
Chiefs of Police



TOWN OF ELIZABETH POLICE DEPARTMENT

CHIEF OF POLICE JEFF ENGEL

ELIZABETH POLICE DEPARTMENT ACTIVITY STATISTICS REPORT

Period: 05/03/2026 to 05/16/2026

Total Calls for Service:

283

Traffic Stops:

Total Stops:

**Penalty Assessments
Issued:**

Warnings Issued:

49

8

41

Other Calls for Service:

Call Type:	Number of Calls:
911 Rapid SOS	5
Abandoned Vehicle	1
Alarm-Bank	1
Alarm-Business Burglary	5
Animal Barking	1
Animal Bite	1
Animal Complaint	3
Animal Cruelty	1



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Period: 05/03/2026 to 05/16/2026

Assault	2
Assist to Fire Department	2
Assist to Other Agency	5
Attempt to Contact	3
Business Check	19
Citizen Assist	15
Citizen Contact	11
Crime Prevention	14
Dead Animal	1
Disturbance	1
Domestic Violence-Physical	1
Domestic Violence-Verbal	1
Fireworks	1
Flock	1
Follow Up	25
Found Property	1
Homeless Contact	1
Increased Patrol	15
Informational Report	2



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Period: 05/03/2026 to 05/16/2026

Juvenile Complaint	1
Livestock Complaint	1
Medical Assist	7
Mental Health Hold	1
Motorist Assist	6
Municipal Ordinance Violation	7
Motor Vehicle Crash with Property Damage	1
Park Check	3
Parking Complaint	12
Report Every Drunk Driver Immediately (REDDI)	2
Repossession	1
Restraining Order Violation	1
School Education	2
Sex Offense	1
Suspicious Circumstance	10
Suspicious Person	1
Suspicious Vehicle	10
Theft	2
Traffic Complaint	7



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Period: 05/03/2026 to 05/16/2026

Traffic Hazard	7
Traffic Stop	49
VIN Verify	4
Welfare check	5
Wildlife	3

Open Patrol Division Criminal Investigations:

Case Number:	Call Type:	Details:
25-6683	Financial Crimes	Investigation into theft and fraud of a local business.
26-1889	Financial Crimes	Investigation into theft and fraud of a resident.
26-1417	Financial Crimes	Investigation into fraud of a resident.
26-2384	Drug Investigation	Investigation into possible multiple drug violations
26-2427	Financial Crimes	Investigation into fraud of a resident.
26-2487	Theft	Investigation into theft from a local business.
26-2603	Domestic Violence	Investigation into a domestic violence case.



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Period: 05/03/2026 to 05/16/2026

26-2690	Sex Offense	Investigation into a sex offense involving a juvenile.
26-2486	Theft	Investigation into theft from a local business.
26-2101	Suspicious Circumstance	Investigation into a letter received by a local school.

Open Community Services Division Municipal Ordinance Violations:

Case Number:	Call Type:	Notes:
N/A	N/A	No open cases.

**Please note that limited information regarding open investigations is available. This is to protect the integrity of the investigations. **

Closed Case/Incident Reports:

Case/Incident Number:	Call Type:	Details:
26-2150	Weapons/Drug Offense	EPD received an anonymous tip regarding a juvenile in possession of possible narcotics and a firearm. After investigation there was insufficient probable cause to support criminal charges.
26-2356	Extortion	EPD closed a case regarding "swatting" calls occurring in a local school. EPD coordinated with the Federal Bureau of Investigation (FBI) and turned the case over to them. This case



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Period: 05/03/2026 to 05/16/2026

		was quite similar to numerous other cases in the metro area.
26-2371	Mental Health Hold	EPD responded to a report of a suicidal juvenile. After evaluation, the juvenile was transported to a mental health facility.
26-2375	Assist to Elbert County	EPD assisted the Elbert County Sheriff's Office (ECSO) on a "swatting" call at a local school.
26-2411	Assist to Elbert County	EPD Community Services assisted the Elbert County Sheriff's Office (ECSO) on an animal impound.
26-2485	Suspicious Circumstance	EPD contacted several juveniles who were believed to be engaged in unlawful sexual activity. After investigation, there was insufficient evidence to support criminal charges.
26-2494	Sex Offense	EPD responded to a report of a cold sex offense involving a juvenile. After preliminary investigation, it was determined the alleged crime would have occurred out of state. The case was forwarded to the proper law enforcement agency for further investigation.
26-1619	Animal Complaint	EPD Community Services closed a case regarding unregistered and unvaccinated dogs. The owner of the dogs voluntarily came into compliance with Town codes.
26-1996	Theft	EPD closed a theft investigation due to lack of cooperation from the victim. The suspect(s) remained unidentified.



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Period: 05/03/2026 to 05/16/2026

26-2286	Harassment	An EPD School Resource Officer (SRO) investigated a case involving harassment between several students. After investigation, it was determined that no crime had occurred.
26-2451	Dog Bite	EPD Community Services and Patrol responded to a reported dog fight between two dogs. Upon arrival, neither party was on scene. Community Services took over the investigation and ensured the owner of the dog that was located, was in compliance with Town codes.
26-2524	Mental Health	EPD Officers responded to a local residence on a reported suicidal subject. After evaluation, the subject did not meet the threshold for an emergency mental health hold. However, due to a medical condition, the subject was taken to a local hospital by ambulance.
26-2648	Assault	An EPD SRO responded to a local school on a reported assault. After investigation, it was determined that the altercation was non-criminal, and the students involved were turned over to school administration for any possible discipline.
26-2668	Mental Health Hold	While an EPD Officer was conducting a separate investigation, a subject involved stated they were suicidal. After evaluation, the party met the threshold for an



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Period: 05/03/2026 to 05/16/2026

		emergency mental health hold. The party was transported to a mental health facility.
26-2682	Dog Bite	EPD Community Services responded to a residence on a reported dog bite. The victims of the dog bite were the owners of the dogs. The owners decided to transport the dogs to a local vet to be humanely euthanized. No charges were sought against the owners.
26-2685	Sec Offense	EPD investigated a possible cold sex offense involving a juvenile. After preliminary investigation, it was determined the alleged crime would have occurred in another jurisdiction. The case was forwarded to that law enforcement agency for further investigation.
26-2687	Restraining Order Violation	EPD responded to a reported cold restraining order violation. After investigation, it was determined the restraining order had not been violated.



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TOWN OF ELIZABETH POLICE DEPARTMENT

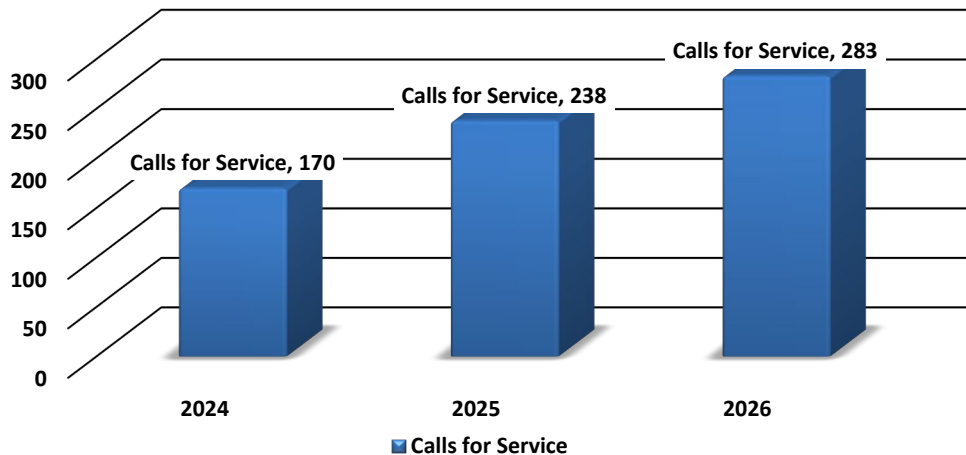
CHIEF OF POLICE JEFF ENGEL

ELIZABETH POLICE DEPARTMENT ACTIVITY STATISTICS REPORT

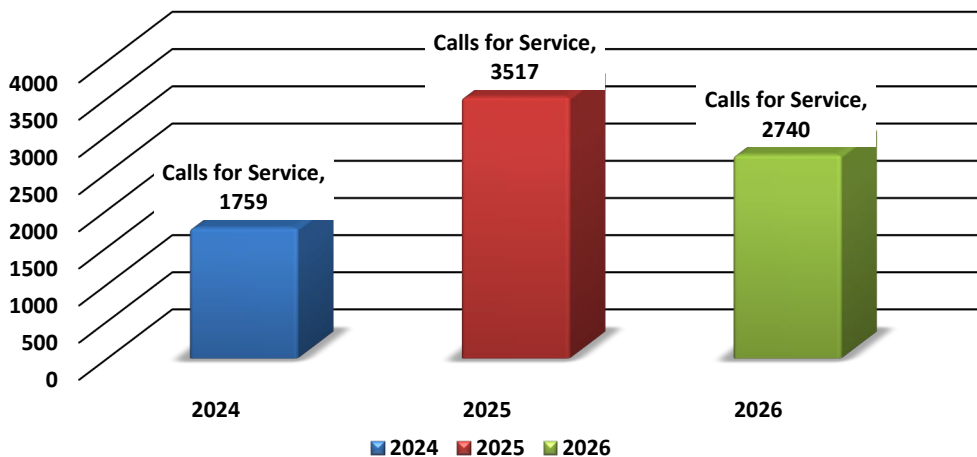
Period: 05/03/2026 to 05/16/2026

Historical Data:

Calls for Service For Same Period:



Total Calls for Service Year to Date



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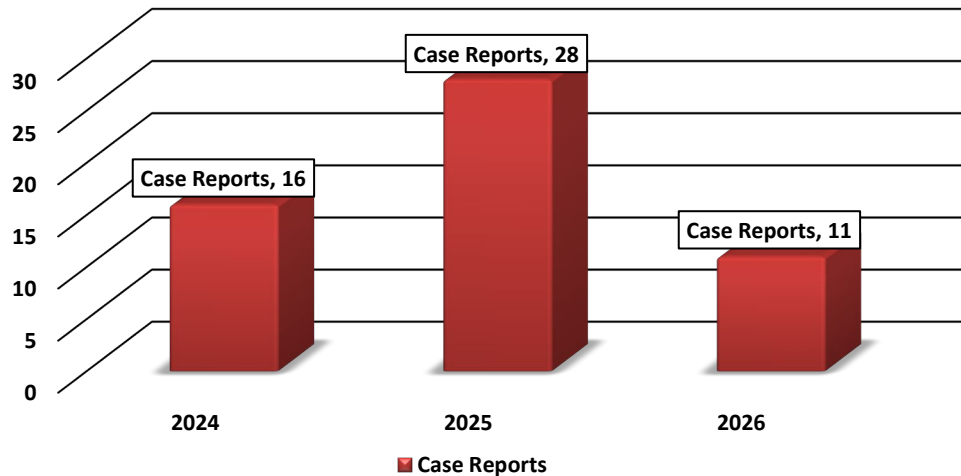
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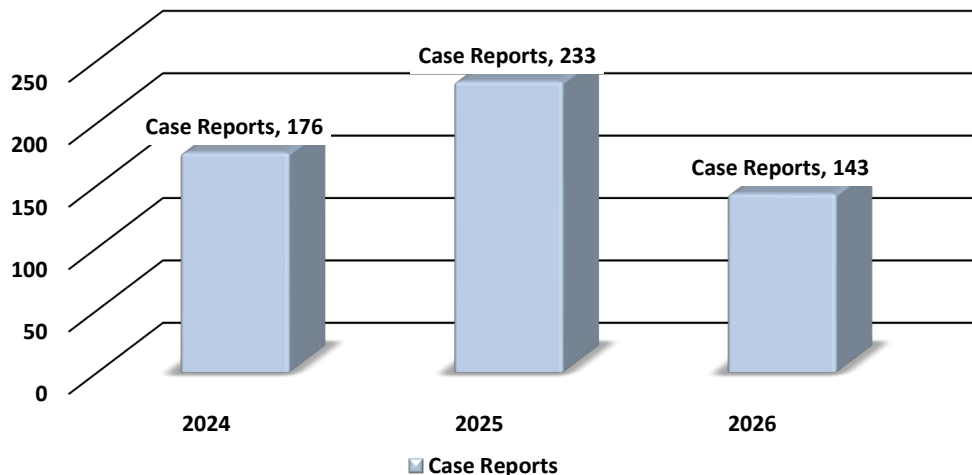
ELIZABETH POLICE DEPARTMENT ACTIVITY STATISTICS REPORT

Period: 05/03/2026 to 05/16/2026

Case Reports Pulled For Same Period:



Total Case Reports Pulled Year to Date:



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TOWN OF ELIZABETH POLICE DEPARTMENT

ACCOUNTABILITY•INTEGRITY•RESPECT•TEAMWORK•EXCELLENCE

Town of Elizabeth Police Department Monitoring Report

May 26, 2026

Departmental Updates:

- Planning for the 2026 Stampede is in the final stages. With the changes to the parking, there is potential for an increased number of vehicles to park in nearby neighborhoods. We will have duty cars monitoring the parking situation.
- The Student Academy will be in progress this week. Officer Steven Herbel worked with the fire department to finalize the schedule. His last-minute recruitment effort worked, and our census of students has surpassed last year's. We are looking forward to a great Student Academy.
- Officer Herbel and Officer Tucker provided safety presentations on E-bike safety. Due to the demands of the Student Academy, Officer Herbel was unable to coordinate with the elementary school during the regular school year. As an alternative, he contacted the school regarding its summer school program. One day each week is designated as a "Bike to School" day, and Steven is coordinating a one-day bike rodeo scheduled for early June.
- We are currently developing an online complaint form that will allow community members to report traffic and/or E-bike concerns. We hope this provides an additional avenue for reporting issues and enhances the Police Department's ability to respond to community concerns in a timely and effective manner.

Training Updates:

- Commander Cutler has completed his first section of Northwestern Command College. Topics addressed included project management, communication, and staffing.
- The Elizabeth Police Department is hosting Advanced Police Concepts Emerging Leadership for Modern Public Safety. The dates for the course are June 1 and 2nd.



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May 26th, 2026

Management Team Updates

Community Development — Alexandra Cramer, AICP, Planner/Project Manager

Current Activities (2025-2026)

- **2026 Event Planning:** Staff is actively planning the Main Street 5K/Color Run and the 250/150 Community Celebration, which are scheduled on the same day. For the Backyard BBQ Contest, staff has received sanctioning approval from the Kansas City BBQ Society and is coordinating with the Elbert County Health Department. Sponsorship and vendor recruitment for the event is underway. Amanda Love will be handling sponsorship recruitment and organization for both the BBQ Contest and the 5K/Color Run. A full calendar of Town events is available on the Town's website.
- **Planning Commission:** The Planning Commission now has all 7 seats filled. at their May 19th meeting, the PC discussed that with a full and highly qualified commission in place, it would be of interest to begin a section-by-section review of the 2019 Comprehensive Plan, noting any areas in need of updating. This is directly conducive to the BOT's 2025 strategic plan and its outlook toward a comprehensive plan update over the next few years — this preliminary work will allow that process to get started in a meaningful way. The PC will also begin training over the coming months, with presentations from various referral agencies to provide an overview of what they evaluate in submitted plans.
- **Façade Grant Program:** Staff is working on the launch of this year's Façade Grant Program round and anticipates strong interest based on prior year patterns.
- **HAB:** The 2nd Annual Historic Building Coloring Contest has wrapped up with 42 submissions — double the entries received last year. Winners will be announced throughout Historic Preservation Month (May) via the Town's social media channels. The HAB's "Preservation Myths" social media campaign has also concluded. Staff is now working on compiling a reference document and/or brochure with links to preservation resources that will be posted to both the Town and HAB websites.
- **2026 Licensing Activity:** In 2026, the CD Department has processed 17 new business licenses to date, 12 of which were issued in April alone. New businesses include: *TPLO2GO (313 E Kiowa Ave)*, *Legends Real Estate (276 E Kiowa Ave #104)*, *Elizabeth Card and Game (210 S Elizabeth St)*, *Rock Canyon Roofing (375 S Main St)*, *Sizzor Magic Hair & Nail Salon (796 E Kiowa Ave #109)*, *All Star Pet Grooming (724 E Kiowa Ave #106)*, *Montessori School of Elizabeth (635 W Beverly St)*, *Light to Wellness (810 E Kiowa Ave #107)*, *Golden Spur Feed Store (125 S Tabor St)*, *Elizabeth Liquors (787 Crossroads Circle)*, *Heritage Cleaners (276 E Kiowa Ave #106)*, *Doug's Diner (724 E Kiowa Ave)*, *Insightful Healing Therapy (286 S Main St)*, *Safeway Fuel Center #1532 (110 S Elizabeth St)*, *ECC Kitchen & Bath (755 Crossroads Circle #101/102)*, *Elevated Auto Body 2 LLC dba Bender Menders LLC (763 Crossroads Circle)*, and *The Pokémon Company International Inc (220 S Elizabeth St)*.

- **MSBOD:** Staff intends to establish a meeting between the BOT and MSBOD beginning in June to discuss Main Street matters, specifically with the Gesin Lot. Staff has also connected with Main Street managers from Pagosa Springs and Silverton regarding a regional business summit they recently executed. The Elizabeth Main Street program is interested in pursuing a similar initiative and will be working on developing this concept and gathering partners over the coming months.
- **Code Updates:** Staff is working on identifying areas in the code that are recommended to be updated/revised. Staff has seen a notable uptick in resident inquiries regarding ADUs — specifically how property owners can pursue them on their properties. This trend appears consistent with broader challenges around home ownership affordability and the need for income supplementation. In reviewing the Town's current ADU requirements, staff has found them to be outdated relative to other Colorado municipalities. Staff plans to bring this to the attention of the Planning Commission and Board of Trustees in the coming month. Staff is also continuing research on downtown district height standards. If the Board has additional code topics it would like to see addressed, please let staff know.

Background & Context — Main Street Board

- **2025 Permit and Licensing Activity:** Building permit fees remain unchanged since Resolution 22R55 adoption. Staff utilizes SAFEbuilt's valuation calculator for consistent use tax assessment. *2025 activity included: 166 building permits issued, 23 new business licenses processed, and 14 sign permits issued.*
- **Chamber Collaboration (October 25):** Some members on the MSBOD will be assisting the Elizabeth Chamber of Commerce at their BooBash on October 25th. This cooperation came out of several meetings the MSBOD had with Chamber on how to better collaborate and assist with each organization's events and efforts. The MSBOD is also sponsoring a musician to play on Main Street during the event from 11am-1pm to encourage attendees to stay and patronize the businesses.
- **2025 5K and Family Color Run:** The 5K and Family Color Run was a success this year. We had approximately 240 participants. We were sponsored by the following organizations/businesses: Waste Management, Independence/Craft Companies, Potestio Brothers, Bobo Bars, EBC, EPR District. We partnered with the Elizabeth Chamber of Commerce to help coordinate sponsorships to pay for the t-shirts this year. We received donations from the following businesses: RNK Running & Walking, Sprouts, Mountain Man, Randy's Antiques, IC Threads, The Nest, EBC, The Prickly Pear and Coffee House on Mainstreet, Carriage Shoppes. We had volunteers from the following organizations: EHS Poms Team, Running Creek PTCO, Boy Scout Troop 636, Elbert Schools Booster Club, Elbert County Fair Royalty, Kiowa Schools, and Redstone Bank.
- **DOLA Colorado Main Street Manager Summit:** Staff attended the Colorado Main Street Manager Summit in Lyons, where Main Street communities across the state presented their recent work. Notable accomplishments included: Windsor received the Colorful Colorado Choice Award for their Downtown Master Plan and launched a new 501(c)(3) Main Street Partnership; Silverton secured

full funding for their Blair Street Revitalization Project; Town of Lyons completed town-wide wayfinding signage; Pagosa Springs supported downtown businesses through a two-year US 160 reconstruction; Rifle launched "Third Thursday on Third Street"; Wellington completed two new downtown murals and launched their Walk of Fame project; Victor adopted a new Land Use Code and launched a Revitalization Program providing \$7,500 property improvement grants to 10 businesses. The MSBOD will review all accomplishments presented at the summit to identify programs and initiatives that could be adapted for Elizabeth.

- **Main Street Car Show (September 5, 2025):** The Main Street Car Show took place on September 5th, 2025. There were over 80 cars that participated. We had 3 food trucks and a local musician. We received good feedback from both participants and attendees—some that were visiting Elizabeth Main Street for the first time. The MSBOD would like to explore another car show in the spring.
- **Colorado Main Street Community of the Year Award (2024):** The MSBOD was named the Colorado Main Street Community of the Year in 2024. As part of this recognition, the Town was awarded professional services from DOLA Main Street with Ayres Associates to conduct a development analysis for the Gesin Lot. The analysis was completed in June with the report scheduled for presentation to the BOT in July.
- **Oddfellows Building Mural (May):** Through DOLA mini grant funds, Staff and MSBOD members collaborated to install a mural on the Oddfellows building in May. The public art installation has received positive community reactions.
- **Chamber of Commerce Partnership Development:** The MSBOD is working to build stronger partnerships with the Chamber of Commerce. Staff and MSBOD members have met with the Chamber several times over the past six months to identify collaboration opportunities and improve resources for the business community. Staff also coordinated a meeting with DOLA Main Street and the Chamber to further these discussions. All meetings have been successful, with the Chamber moving forward to assist with 5K sponsorships for the first time.
- **Locable Website Development:** The MSBOD's Locable website continues to grow with approximately 40 local businesses and organizations registered in the directory. The website has been opened to all businesses within Town limits and features numerous events in the calendar. Staff and the MSBOD will continue promoting the website as the Elizabeth area's primary event calendar resource.
- **ElizaBash Weekend Promotion:** During ElizaBash weekend, the MSBOD provided Main Street stickers, temporary tattoos, and bags to participating Main Street businesses for patron distribution. The businesses expressed appreciation for these promotional offerings.
- **Networking Event (May):** The MSBOD held a networking event at Elizabeth Brewing Company in May with approximately 50 attendees from various boards, organizations, businesses, and the general public. The event was catered by the Elizabeth High School Culinary Class and was successful.
- **Stampede Participation:** The MSBOD attempted to attend the Stampede, but their participation was cut short due to storms and tent malfunctions.

Background & Context — Historic Advisory Board

- **Oral History Program:** The HAB continues to expand their oral history collection available at historichelizabethco.org. Bob Rasmussen and Lynn Mitchell, with the assistance of Dianna Hiatt, have been conducting interviews and compiling oral histories. The website currently features 10 completed oral histories with a backlog of additional interviews to be posted. These have proven to be an effective community engagement tool, with social media generating 250+ engagements on Facebook.
- **11th Historic Walk and Talk (September 27):** The HAB held their 11th Historic Walk and Talk on September 27th at 9:30am with approximately 100 attendees. The event received positive feedback from both new and returning participants. Highlights included a tour of the Oddfellows building and a first-person historic character enactment performed by a Historic Advisory Board member, who dressed in historically accurate attire and portrayed Elsie Banes through monologue. Staff created brochures focusing on the town's historic figures for distribution at the event. American Legion provided lunch, and Elizabeth Brewing Company featured their "Elizabrew" commemorating the town's 135-year anniversary.
- **Museum Tour:** The HAB recently took a tour of the Elbert County Museum and got to meet some of their board members.
- **Historic Building Coloring Contest:** The HAB completed their first historic building coloring contest and received 14 entries. Community voting determined winners from each grade level (K-3rd). The four winners received award bags presented at the First Friday Night Market, and all participants were offered complimentary DQ ice cream cones. The Town thanks the Library District and Elbert County Artist Guild for their partnership on this project. All contest entries can be viewed on the HAB's website.
- **Historic Property Research:** Historic property research efforts are ongoing with several properties completed. As research is finalized, properties are added to the virtual walking tour map on the HAB's website. Property owners receive completed packets of research findings. Staff has received positive feedback from property owners expressing gratitude for the opportunity to meet with HAB members and learn previously unknown history about their properties.
- **Partnership Development:** The HAB is exploring new partnerships with the Library District as well as the Elbert County Historical Society and Museum.

Additional Department Updates

- **Consulting Services Clarification:** At the workshop on October 20th, a comment was made that suggested eliminating SAFEbuilt consulting services as a budget cut, with the implication that Community Development staff should be doing this work instead. This assumes the work is not already being done in-house, which is incorrect. Community Development manages project coordination, stakeholder communication, code compliance, public engagement, Board presentations, and long-range planning. Consulting services provide technical input on specific matters, not ongoing project management or regular planning review. Since the Planner/Project Manager position was filled in 2023, Community Development staff has managed and reviewed all projects. Multiple projects have been presented to and approved by the Board without any third-

party consultation. This includes projects managed after the department was reduced by a third in December 2024. The 350 S Elbert Street Subdivision represents a specific exception where the former director established a third-party arrangement in 2022 for project management due to applicant difficulties, and this was kept in place for continuity with both staff and the applicant through the director's departure. With Walnut Grove, SAFEbuilt was used as a planning resource and second opinion through coordination with the applicant, engineering consultants, and staff on how planning and engineering considerations intersected. Plan review against code is only one small part of what planning and project management entails. The reality is that the town's zoning code and PUDs are outdated and create situations that are rarely black and white. Relying on a single planner to interpret these ordinances without peer review at times is not responsible planning. SAFEbuilt has worked with the Town for over eight years and knows how things generally work here. Getting a second set of eyes on certain situations is standard practice and ultimately protects the Town.

Background & Context — Ongoing Initiatives

- **Greater Elizabeth PROST Master Plan:** The master plan was approved by the Town's BOT, EPR District, and Elizabeth School District.
- **2025 Neighborhood Block Parties:** Neighborhood block parties took place over the course of June, July, and August. *If the BOT plans to move forward with long-range planning initiatives such as a Facilities Master Plan or a Comprehensive Plan Update in 2026-2027, neighborhood block parties should be considered for a way to reach and receive authentic feedback from residents.*
- **Advisory Board Onboarding Packets:** Staff is working on developing onboarding packets for all three boards: Planning Commission, Historic Advisory Board, and Main Street Board of Directors.
- **Permit Document Updates:** Staff is updating permit documents and creating a one-stop shop informational packet to streamline the permitting process.
- **Strong Towns Workshop Series:** The Planning Commission participated in Strong Towns workshops on 08/20/2024 and 09/03/2024. More information can be found on the Town's website under Community Development and Planning Commission. Additional PC training will be researched to help prepare them for a potential comprehensive plan update.



TOWN OF ELIZABETH

CLERK'S/FINANCE OFFICE MANAGER'S REPORT

May 26, 2026

The Clerk's / Finance report reflects updates provided by individual Staff members.

Hannah

Allison

Michelle

- April 3rd was comprised of 48 cases on our court day docket. There were 40 arraignments, 1 pre-trial, 5 reviews, 1 show cause hearing, and 1 trial.
- May 7th was comprised of 55 cases on our court day docket. There were 30 arrangements, 1 continuance, and 24 reviews.
- There is going to be court on May 28th and trial on May 29th, then court on June 25th, and no court in July. This schedule is to accommodate the Stampede, and vacations for council and the judge.
- Allison and Hannah are catching me up on the process of opening morning and reconciling the previous day's cash receipting. It has been quite a while since I have done any of this, good to review and stay on top of changes.
- This month's Senior Luncheon's topic was Alzheimer's. We had 34 attendees; there was much discussion with questions and answers shared. This was a large group for a hard topic, usually this is one of the least attended luncheons. I noticed quite a few new faces.
- At this time there have been 3 applications submitted for the Front Desk / Utility Billing position. We are hoping to receive a few more before starting the interview process.



Town of Elizabeth

Historic Advisory Board Regular Meeting

Monday, March 9, 2026 at 4:30 PM

Town Hall, 151 S. Banner Street

Call to Order

The Regular Meeting of the Elizabeth Historic Advisory Board was called to order on Monday, March 9, 2026, at 4:31 PM by Chair Lynn Mitchell.

Roll Call

Present:

Chair Lynn Mitchell

Vice Chair Gayle Gardner

Historian Jacque Hallett

Member Jeff Lehman

Member Dennis Rodriguez

Absent:

There was a quorum to do business.

Also in Attendance:

Planner/Project Manager Alexandra Cramer

Deputy Town Clerk Allison Ritter

Public Comment

This is a meeting of the Historic Advisory Board held in public. We welcome you here and thank you for your time and concerns. When you are recognized, please stand and state your name and address to the Board. Your comments will be limited to 3 minutes. The Historic Advisory Board may not respond to your comments during this meeting. Rather, they may take your comments and suggestions under advisement and your questions will be directed to the appropriate person or department for follow-up. Personal attacks against Board Members, Administrative Staff, or Employees will not be recognized. If a response from Staff is requested, the Chair will direct Staff to have a response at the next regularly scheduled Board meeting.

There was no Public Comment.

Agenda Changes

No changes from Administration.

No changes from the Board.

Agenda set.

Consent Agenda

1. Minutes of the Regular Meeting of February 9, 2026

Motion by Member Lehman, seconded by Historian Hallett, to approve the Minutes of the Regular Meeting of February 9, 2026.

Voting Yes: Chair Mitchell, Vice Chair Gardner, Historian Hallett, Member Lehman, Member Rodriguez

Voting No: None

Motion Passed Unanimously (5-0)

New Business

2. Discussion on Preservation Myths Campaign — Alexandra Cramer

Ms. Cramer gave a Staff report. Board gave Staff direction to move forward with the Preservation Myths Campaign.

3. Discussion on 2026 Historic Walk and Talk - Alexandra Cramer

Ms. Cramer gave a Staff report.

Staff Report

4. Staff Report

- Planner/Project Manager Alexandra Cramer:
 - Reviewed her report provided in the packet.
 - Discussed a conflict which had arisen with the April 2026 meeting date. Board gave Staff direction to cancel the meeting.

Board Reports

- Member Jeff Lehman:
 - Discussed Robert Adams' book of photographs of the Town of Elizabeth and the surrounding area.

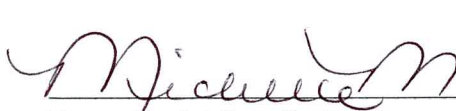
Adjournment

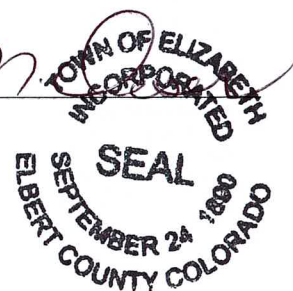
Motion by Vice Chair Gardner, seconded by Member Rodriguez, to adjourn the meeting at 5:43 PM.

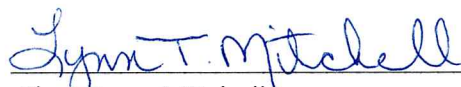
Voting Yes: Chair Mitchell, Vice Chair Gardner, Historian Hallett, Member Lehman, Member Rodriguez

Voting No: None

Motion Passed Unanimously (5-0)


Town Clerk Michelle Oeser

TOWN OF ELIZABETH
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ELBERT COUNTY COLORADO


Chair Lynn Mitchell



Town of Elizabeth

Planning Commission Regular Meeting

Tuesday, April 7, 2026 at 6:30 PM
Town Hall, 151 S. Banner Street

Call to Order

The Regular Meeting of the Planning Commission was called to order on Tuesday, April 7, 2026, at 6:32 PM by Chair George Fick.

Roll Call

Present:

Chair George Fick
Vice Chair Amy Schmidt
Commissioner Jim Santangelo
Commissioner Samantha Barnhart
Commissioner Paula Ray
Commissioner Jennifer Malley

There was a quorum to do business.

Also in Attendance:

Planner/Project Manager Alexandra Cramer
Deputy Town Clerk Allison Ritter

Public Comment

This is a meeting of the Planning Commission held in public. We welcome you here and thank you for your time and concerns. When you are recognized, please stand and state your name and address to the Commission. Your comments will be limited to 3 minutes. The Planning Commissioners may not respond to your comments during this meeting. Rather, they may take your comments and suggestions under advisement and your questions will be directed to the appropriate person or department for follow-up. Personal attacks against Commissioners, Administrative Staff, or Employees will not be recognized. If a response from Staff is requested, the Chair will direct Staff to have a response at the next regularly scheduled Commission meeting.

There was no Public Comment.

Agenda Changes

No changes from Administration.

No changes from the Board.

Agenda set.

Consent Agenda

1. Minutes of the March 3, 2026, Meeting

Motion by Commissioner Santangelo, seconded by Vice Chair Schmidt, to approve the Consent Agenda.

Voting Yes: Chair Fick, Vice Chair Schmidt, Commissioner Santangelo, Commissioner Barnhart, Commissioner Ray

Voting No: None

Abstain: Commissioner Malley

Motion Passed Unanimously (5-0)

Chair Fick closed the Regular Meeting and opened the Public Hearing at 6:33 PM.

Public Hearing

This matter requires this body to conduct a quasi-judicial hearing, which means the body must find facts and base its decision upon the application of the adopted regulation standards/criteria and the competent, substantial, and material evidence received during this hearing.

2. 228 S Banner Street Rezone Application - Alexandra Cramer

Staff is requesting the Public Hearing be continued to the May 5, 2026, Regular Meeting.

Ms. Cramer gave a Staff report.

Chair Fick closed the Public Hearing and reopened the Regular Meeting at 6:37 PM.

New Business

3. Discussion and possible action on the continuance of the Public Hearing regarding the 228 S Banner Street Rezone Application to the May 5, 2026, Meeting - Alexandra Cramer

Motion by Commissioner Santangelo, seconded by Commissioner Barnhart, to approve the continuance of the Public Hearing regarding the 228 S Banner Street Rezone Application to the May 5, 2026, Meeting.

Voting Yes: Chair Fick, Vice Chair Schmidt, Commissioner Santangelo, Commissioner Barnhart, Commissioner Ray, Commissioner Malley

Voting No: None

Motion Passed Unanimously (6-0)

Staff Report

4. Staff Report

- Planner/Project manager Alexandra Cramer:
 - Notified Commission of approval by the Town of Elizabeth Board of Trustees of the new Parking Ordinance.
 - Discussed holding a meeting with the Main Street Board of Directors regarding development of the Gesin Lot.
 - Requested direction from the Commission to research and create a proposal regarding Auxiliary Dwelling Units (ADU's). Commissioners gave direction to move forward.
 - Discussed creating a proposal regarding allowing Small Scale Manufacturing within the

Downtown District.

Commissioner Reports

The Commissioners introduced themselves to one another.

Adjournment

Motion by Vice Chair Schmidt, seconded by Commissioner Santangelo, to adjourn the meeting at 7:28 PM.

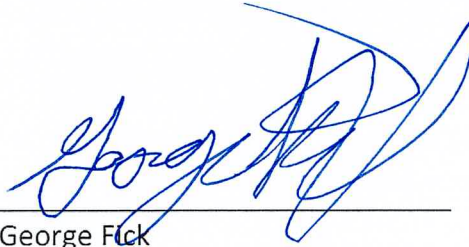
Voting Yes: Chair Fick, Vice Chair Schmidt, Commissioner Santangelo, Commissioner Barnhart, Commissioner Ray, Commissioner Malley

Voting No: None

Motion Passed Unanimously (6-0)



Deputy Clerk Allison Ritter



Chair George Fick

