

COMMUNIQUE

“The Official Town Newsletter”



June 27, 2008

Community Calendar

July & August BOARD MEETINGS

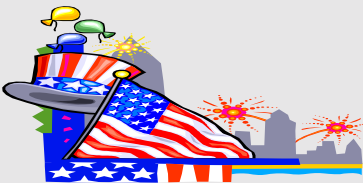
July 17, 2008
August 7, 2008
August 21, 2008

Parker Fire Station #2
7320 South Parker Road

PUBLIC DISCUSSION

COMING EVENTS

July 4th
Parade and Picnic



The Board meeting minutes published in the Communiqué are recorded by the Town Clerk and filed for public record. Complete transcripts can be requested from the Town Clerk.

The Communiqué is published monthly discussing the two Town meetings that were held the previous month. Minutes have been edited. own information and related articles are included.

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Town of Foxfield Comprehensive Plan - Amendment #2

On February 7, 2008, after several years of considering multiple uses for the property along Parker Road, the Board of Trustees approved Amendment #2 to the Comprehensive Plan.

Amendment #2 changes the land use from residential to commercial along Parker Road, from East Costilla Avenue south to the southern boundary of the town, west of South Norfolk Street and East Easter Way. Amendment 2 allows the lots to be re-zoned for commercial use in the future. The lots will remain rural residential until such time that an applicant requests that they be re-zoned. Applications for re-zoning must go through the complete re-zoning process including planning, engineering reviews, referrals and public hearings

The Board considered many issues and concerns regarding the lots along Parker Road before changing the use.

The feasibility of single family residences adjacent to the heavy traffic on Parker Road.

Foxfield's rural residential neighborhood.

Potential additional revenue to provide property tax relief and ensure the Town's fiscal responsibility in the future. At some point in time the Board will need to consider a part-time town manager.

Creation of a buffer for the noise and visual pollution from Parker Road, with berms and landscaping along the west right-of-way of South Norfolk Street and East Easter Way.

Access to the new signalized intersection at Chambers
(continued on page 2)

(CornerStar mall) and Parker Road by re-routing East Fremont Avenue and making cut-through traffic less appealing.

Alternative access for Jehovah's Witness Kingdom Hall to the new signalized intersection on Parker Road.

The Board of Trustees plans to update the zoning regulations and create a business district to control development along Parker Road to complement the guidelines in the Comprehensive Plan

There are several challenges for developing commercial lots along Parker Road: deed restrictions on some lots that have been carried with the land for fifty years; the infrastructure service and utility planning require that storm water drainage improvements need to be bored under Parker Road; a 12 inch water service loop needs to be installed and may require a bore under Parker Road; two easements will be required for sanitary sewer lines to connect with the trunk line located along Cherry Creek. Both of these lines, one 1,700 feet and the other 2,100 feet must be bored under Parker Road.

The future of the lots along Parker Road will be a cooperative effort between the owners of the lots, developers and the residents of Foxfield.



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Please be aware of the EXTREME
fire danger this year.

Also it is illegal in the state of
Colorado to use fireworks that
leave the ground.

TIPS ON PUMPING GAS

Here are some tricks to get more of your money's worth for every gallon...

At the Kinder Morgan Pipeline in San Jose, CA, we deliver about 4 million gallons in a 24-hour period thru the pipeline. One day is diesel the next day is jet fuel, and gasoline, regular and premium grades. We have 34-storage tanks here with a total capacity of 16,800,000 gallons.

Only buy or fill up your car or truck in the early morning when the ground temperature is still cold. Remember that all service stations have their storage tanks buried below ground. The colder the ground the more dense the gasoline, when it gets warmer gasoline expands, so buying in the afternoon or in the evening....your gallon is not exactly a gallon. In the petroleum business, the specific gravity and the temperature of the gasoline, diesel and jet fuel, ethanol and other petroleum products plays an important role.

A 1-degree rise in temperature is a big deal for this business. But the service stations do not have temperature compensation at the pumps.

When you're filling up do not squeeze the trigger of the nozzle to a fast mode. If you look you will see that the trigger has three (3) stages: low, middle, and high. In slow mode you should be pumping on low speed, thereby minimizing the vapors that are created while you are pumping. All hoses at the pump have a vapor return. If you are pumping on the fast rate, some of the liquid that goes to your tank becomes vapor. Those vapors are being sucked up and back into the underground storage tank so you're getting less worth for your money.

One of the most important tips is to fill up when your gas tank is HALF FULL or HALF EMPTY. The reason for this is, the more gas you have in your tank the less air occupying its empty space. Gasoline evaporates faster than you can imagine. Gasoline storage tanks have an internal floating roof. This roof serves as zero clearance between the gas and the atmosphere, so it minimizes the evaporation. Unlike service stations, every truck that we load is temperature compensated so that every gallon is actually the exact amount.

Another reminder, if there is a gasoline truck pumping into the storage tanks when you stop to buy gas, DO NOT fill up--most likely the gasoline is being stirred up as the gas is being delivered, and you might pick up some of the dirt that normally settles on the bottom. Hopefully this will help you get the most value for your money.

TIPS FOR SELLING YOUR HOME IN TODAY'S MARKET

By Lisa Jones

YOU HEAR IT EVERYWHERE-ON THE NEWS-IN THE NEWSPAPERS-THE REAL ESTATE MARKET IS CRASHING-FORECLOSURES ARE AT AN ALL TIME HIGH.

HOW DO YOU SELL YOUR HOME IN SUCH A DEPRESSED MARKET?

DON'T DESPAIR-THERE ARE BUYERS!!

But, today's buyers are more discerning. Their laundry lists are getting longer and their pocketbooks are getting tighter. Move up buyers are afraid they won't be able to sell their existing homes. Rates for nonconforming loans are high. Political and economic uncertainty is making people cautious. And, most importantly, the attitude is that this market will get worse before it gets better, so why not wait and see how much cheaper things get.

SO WHAT DO YOU DO IF YOU HAVE TO OR WANT TO SELL YOUR HOME?

The good news is that Foxfield, with its close in acreage, great schools and convenience to DIA is still a valuable commodity. Recent sales for 2.5 acre vacant lots have been between \$335,000 and \$400,000. Current inventory of 2.5 acre vacant lots are priced between \$375,000 and \$450,000. So who are Foxfield buyers? There are certainly buyers that will opt for a smaller, older home to escape the small lots in master planned communities. There are horse people and then there are the new buyers. They are purchasing homes with the intention of remodeling, adding on or scraping and building a new home. So what can you do to appeal to as many buyers as possible.

If we assume that most buyers are coming to Foxfield because of the land, it makes sense to make the outside of your home as attractive as possible. Remember, there is no second chance for first impressions.

- Make sure your fields are mowed, the grass is green, and flower beds and rock areas are weed free.
- Exterior trim and paint should be in good condition. If the trim is peeling-have it painted.
- Front porches should be clean and welcoming. Pots of colorful flowers add a nice touch.
- Exterior decks should be freshly painted or stained. A large part of the value is the outdoor space, so make it as inviting as possible. Add some patio furniture and pots of flowers. You want potential buyers to envision themselves relaxing on your deck with their morning coffee or having dinner with friends.

Now to the interior. Whether a potential buyer is going to remodel or move in, the interior must be clean, neat and as updated as possible. A property can look updated



NEIGHBORHOOD HAPPENINGS

FOURTH ANNUAL FOXFIELD CLEAN-UP DAYS

By Susan Current

If the number of bins demonstrates success, we were successful indeed. There were eleven bins hauled away with approximately 90% of it being brush, tree limbs, and other yard debris. We sent off six mattresses, three couches, chairs (upholstered and plastic) in various states of disrepair, wooden bureaus and chests. Surprisingly, Friday was the busiest day of the two-day event. "Come early and dump often" was the theme for the Friday. We took in \$590 thanks to the generosity of the 'dumpees'. While it in no way begins to cover the Town's cost, it does help.



We're grateful for the participation once again of the Scrap Metal Hauling Company. Among other things, Gene Holschuh hauled away numerous batteries, rolls of fencing and appliances. If you missed having your junk, unlicensed vehicle(s) hauled away for free, it isn't too late. Contact Trustee Susan Current at 303-680-1986. The Holschuh's need at least two cars to pick up to make the trip worthwhile and we have at least that many languishing illegally in Town.

It is impossible for Clean-Up Days to happen without the volunteer spirit being alive and well in our community. Richard Simons, Con Frank, Arnie Wills, Sky Yost, Mary Ann Rossi, Jim and Bobbi Chincholl, Diane Leshner, Graham Wilson, and Judy Lenane gave their time and all deserve a round of thanks. Graham and Judy went the extra mile and pulled double shifts on Saturday. Bob Easton provided ice for the sodas & water in addition to the tent which shaded our volunteers. Gordon Kinney manned the electronic recycle portion of Clean-Up days both Friday and Saturday. There were 18 items collected which required payment: 9 PC monitors and 6 TV's along with non-chargeable items such as PC's, scanners, cable boxes, etc. That much less is going into the landfill. Residents were most appreciative of the opportunity to avoid a trip (or several) to the landfill dump. And Foxfield is glad to provide this service to its residents.

There will be no Regular Board Meeting on July 3rd to allow the Board members to help set up for the July 4th picnic.

NEIGHBORHOOD HAPPENINGS



SHERIFF'S NEWS May 2008 Call Out Report



Traffic Complaints/Arrests	16	Medical Assist	2
Property Damage	5	Other	2
Alarms	3	DUI/Injury Accident	4
Suspicious Person	1	Shoplifting/Theft	1
Disturbance/Trespass	3	Welfare Check	2

There were 125 traffic tickets issued in Foxfield in the month of May
Arapahoe County Sheriff's Department telephone number are:

- ** Sergeant Al Holstein — 720-874-3806
Email—aholstein@co.arapahoe.co.us
- ** Arapahoe County Sheriff's Department - 303-795-4711
- ** Emergency - 911

To report traffic concerns please call the traffic hotline on 720-874-4170



FOXFIELD RESIDENTS, ARE YOU INTERESTED?

For some time, I have been thinking of inviting neighbors and friends to come together and confidentially listen and share with one another. The purpose would be to have a venue to release whatever is troubling us and free us to better express our love into the world.

I would like to openly invite anyone who wants to come one night a week for one hour either to my home or some neutral place to listen and share with one another. All people, regardless of religious preferences, social or political positions, nationality, gender or age would be welcome. Since it has been said, we are souls living a human experience the souls inside all of us know best how to solve our problems, so helping one another **would not be one of the purposes** in coming together. Rather, we would be a venue for a higher power to do its work. The group would be there to share and listen, not comment, advise, suggest, help- just listen. Solving our concerns, worries, our problems would be the job of our God, however we define it.

There would be no cost, no refreshments, and no obligation to return. It would be a weekly hour at a nearby location where we would confidentially share and listen to one another in a non-judgmental way from a loving heart.

Would any of you be interested in doing this with me? If you think you would, please e-mail or call me after 6). khart3@du.edu (303) 627-0104

Thanks,

Kathi Hart

NEIGHBORHOOD HAPPENINGS

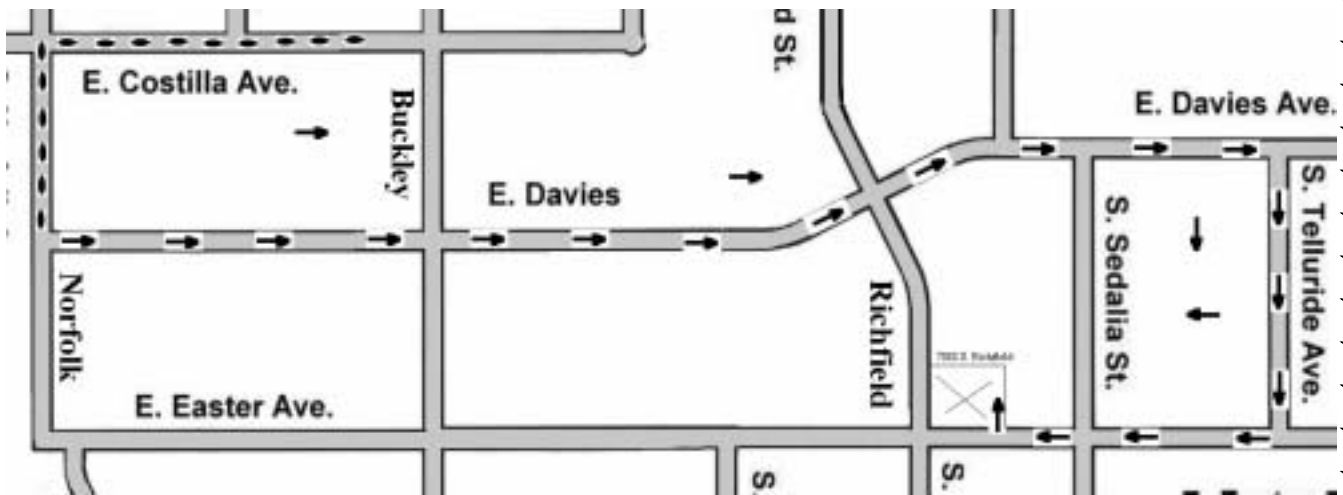
Independence Day Celebration 2008

The parade will line up from the corner of Davies and Norfolk, facing south, beginning at 10:00 am Friday morning July Fourth. The Parade will start at 10:30 and will proceed Eastward from that location, across S. Buckley and across Richfield to Telluride. Then turn South, one block, to E. Easter, then turn Westward and go just past Sedalia to # 7088 Richfield, East entrance.

PARADE LINE UP:

- | | |
|-------------------|-------------------------------|
| ★ Honor Guard | Bicycles |
| ★ Mayor | Go Carts & Lawn Tractors |
| ★ Sheriff | Foot Traffic |
| ★ Fire Department | Specialty Vehicles & Floats |
| ★ Tricycles | Antique & Classic Automobiles |
| | Horses |

ROUTE:



All are invited to participate in the parade and to join us at the picnic (11:00). Please bring your favorite "Pot Luck" dish, Salad, Dessert, etc.. There will be a Clown for the youngsters, Hot Dogs Ice Cream, & Drinks for all, and Games for Young & Old. You are also invited to help with the clean up afterwards (about 1:30).

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Minutes - BOT Regular Meeting - May 1, 2008

Call to Order/Roll Call

The meeting was called to order at 6:44 p.m. at Parker Fire Protection District Station No. 2, Foxfield, CO, 80016.

The following Trustees were present:

Melissa Watson, Judy Lenane, Susan Current, Bob Easton, Lisa Jones and Mayor Headley.

A quorum was present.

The Pledge of Allegiance was recited.

Amending the Master Plan – 6:45 p.m.

Mayor Headley discussed whether or not the Board was going to continue the public hearing. Town Attorney, Corey Hoffmann, informed the Board that the previous public hearing was closed and if the Board wanted to receive more public comment regarding amending the Comprehensive Plan they would have to notice a new public hearing. He stated the Board can only consider comments from the public during a public hearing when they are making their decisions. Trustee Lenane asked the public if they have more input regarding this issue and there was no response. Mayor Headley discussed the three previous public hearings held to discuss amending the Comprehensive Plan. Mr. Hoffmann stated the notice for the Comprehensive Plan doesn't have to be fifteen days prior to the public hearing so they could have a public hearing on May 15. The Board discussed their feelings on amending the Comprehensive Plan. Trustee Easton provided the Board with a diagram which shows five possible groupings for commercial zoning along Parker Road. He stated at this time he would be in favor of amending the Comprehensive Plan and including three additional lots in the rezoning area. Trustee Watson commented the Town will need more financial input in the distant future so there will be a need for more commercial development. She stated she doesn't want to impact residents who bought years ago with the security of deed restrictions. Trustee Watson stated she was in favor of amending the Comprehensive Plan to show the intent for future commercial development but not in favor of rezoning to commercial development unless residents who would be impacted by it are supportive of it. Mayor Headley discussed using a PUD zoning as a buffer for residents from the traffic noise on Parker Road. Trustee Jones stated for the public health of the Town and property tax relief more commercial development will be beneficial. She said residents will be more protected with commercial development than with churches or homes

being built on the lots. She stated she is concerned that in five years residents will be demanding the Town to do something about the noise and the costs will be astronomical for the Town to take the necessary actions. By zoning these lots as commercial the developers will have to bare the costs of mitigating noise. Also the property owners want their lots to be zoned to commercial so the Board should move forward with their desires. Trustee Lenane said it is the Board's responsibility to balance the rural residential quality of life with the Town's need for fiscal growth. She is in favor of taking the first step of amending the Comprehensive Plan. Trustee Current expressed her concern for the property owners who are in close proximity to these properties. She asked if all of the property owners included in the three proposed alternatives were in favor of the plan. Mayor Headley stated several of the property owners are in support of the plan but he is not certain Millennium Property wants to do at this time and the fire station does not want to move. He stated if the Board approved amending the Comprehensive Plan it would show the Town's intent on letting property owners pursue what they want for their land. Trustee Easton pointed out that any time a resident goes for re-zoning they have to have a public hearing and the public can voice their opposition. Mayor Headley informed the Board he had a letter from Trustee Frank that states he is in favor of amending the Comprehensive Plan.

A **motion** was made by Trustee Easton to continue consideration of the Comprehensive Plan to May 15 at 6:30 p.m. and direct the Town Clerk to publish the reopening of the public hearing to take additional public comment.

For: Unanimous Approval

At 7:33 p.m. Mayor Headley called for a break, and at 7:39 p.m. the meeting resumed.

Public Initiated Business – none

Town Planner Fred Fox discussed the fact that the Board would like to have a workshop prior to the public hearing on the Our Lady of Loreto rectory. He stated he won't get the packet on the hearing until a week before the hearing and there are legal concerns associated with having a workshop. Mr. Hoffmann informed the Board when they are acting on an application for development, they are assuming the role of judges and they cannot receive information without the defendant, or applicant, present.

It's considered "due process of law". He stated once the application is filed the Board cannot discuss it without the applicant present. Trustee Watson asked if they could write to the applicant. Mr. Hoffmann stated that if the Town was in a lawsuit the judge would only review what was presented in the public hearing and if a decision was made based on a work session it appears that the Board's decision was arbitrary. He informed the Board they do not have to make a decision the night of the public hearing. They can continue the public hearing to take more comment at a later date. He stated it is a rule of thumb to re-advertise the public hearing after sixty days. He warned the Board that the decision making process is supposed to be transparent. Mr. Hoffmann reviewed the legal procedure for public hearings. He told the Board he would provide them with information regarding quasi/legislative issues, amendment #41 on receiving gifts, agendas and emails.

Corey Hoffmann informed the Board he sent a letter to Kathy Harper on April 29th regarding the items she placed in the Town's right-of-way. She responded by email and sent a copy of the survey she had done. Ms. Harper has asked to have to May 15, 2008, to make a decision on what she wants to do with those items. The Board directed Mr. Hoffmann to inform her that she has until May 15, but no later.

Minutes of the 4-17-08 and 4-24-08 and Approval –

A **motion** was made by Trustee Lenane to approve the 4-17-08 minutes as amended and the 4-24-08 minutes as written.

For: unanimous approval.

TREASURER'S REPORT – 8:40 p.m.

The Accounts Payable was reported as follows:

B. Catterall – Salary 4/16 to 4/30/08 = \$1,159.77
 B. Catterall – Car/Office Compensation May = \$230.87
 Qwest – Telephone 4/13 – 5/12/08 = \$64.58
 IREA – Electricity RR 3/14 – 4/14/08 = \$10.00
 Total Accounts Payable = \$ 1,465.22
 Total Funds Available after invoice are paid =
 \$245,192.43

A **motion** was made by Trustee Lenane to approve the Treasury Report and pay the accounts payable as amended.

For: Unanimous approval.

COMMITTEE REPORTS - 8:49 p.m.

Trustee Easton discussed the following:

Trustee Easton informed the Board he held a Fourth of July planning meeting on April 22nd where tasks were assigned to volunteers and changes were made to the procedure.

Trustee Easton received an email from the Town Clerk regarding the trash service contract with Waste Management and the fact that there hasn't been a contract for a couple of years. Trustee Easton stated he received the contract renewal letter and forwarded it onto Mayor Sullivan. Apparently no response was made to Waste Management. He stated that in the new contract Waste Management wanted the Town to do their own billing and the Town didn't want to provide that service. Trustee Easton informed the Board that a resident has requested to use his own trash company. The Town Clerk stated she would research the ordinances to see if we have an ordinance mandating that all residents Waste Management.

Trustee Current discussed the following:

Trustee Current informed the Board a flyer on the garage sale was mailed to all residents.

Trustee Current discussed the Town Clean Up Days that will be held in June. She stated the hours will be 9:00 a.m. to 5:00 p.m. on Friday, June 6 and 8:00 a.m. to 4:00 p.m. on Saturday, June 7. Trustee Current reported that electronics, refrigerators, and junked cars will be picked up. She asked the Board if they want to have a chipper available and the Board agreed they didn't want to do it this year. Trustee Lenane suggested also asking residents to clean up the right-of-way. Trustee Current said she will get a flyer out on the event.

Trustee Current reported there were twenty seven police calls in the Town of Foxfield in the month of March.

Trustee Current informed the Board there will be a rate increase for off-duty patrols effective July 16, 2008.

Trustee Current reported that she has received fifteen traffic tickets so far for the month of March, and one of them was for a Foxfield

resident.

Trustee Current stated she had researched the cost of name tags for the Board. She stated the cost would be \$8.31 for a 1"x 3" tag with two lines of text. The setup fee for a logo would be \$35.00. The Board asked Trustee Current to provide a sample.

Mayor Headley asked Trustee Current if she sent the Town's response to the resident that asked to be able to extend the deadline to remove his home based business until after the last snowfall of 2009. Trustee Current stated the letter was ready to be sent out. The Board discussed the situation and concurred they would approve the request for the extension to May 15, 2009.

Trustee Lenane discussed the following:

Trustee Lenane informed the Board that part of her duties will now include getting articles for the Communiqué. She also informed the Board that Trustee Easton will help get residents signed up to receive the newsletter via email, and the Town Clerk will take on the responsibility of maintaining the email database.

Trustee Watson discussed the following:

Trustee Watson informed the Board that the Town's resident database is moving along slower than was planned as the data she received from Aimee Svenneby needs to be incorporated with other data the Town has been maintaining. It will take some time to compare and update the file.

Trustee Watson provided color and material samples for the new bulletin boards. She informed the Board that the cost to purchase three boards, posts, brochure boxes and shipping will cost \$3,500. Mayor Headley suggested contacting Arapahoe County to see where they purchase their bulletin boards. Trustee Watson stated she looked into purchasing the posts locally but the material is not as high quality and will fade.

Mayor Headley discussed the following on behalf of Trustee Frank:

Trustee Frank has been working on adopting by reference Arapahoe County's key building codes.

Trustee Frank has been working on zoning violations and creating an ordinance that all expenses, beyond initial notification of the

violation, will be paid by the violators.

Mayor's Report – 9:22 p.m.

Mayor Headley stated the Board met with Barbara Cole of Community Matters Incorporated. He informed the Board she is a planner with vast experience in zoning and business districts. Mayor Headley asked the Board to authorize paying for seven hours of her time so she can begin working on zoning issues. He stated the Town needs to apply for a grant at DRCOG and DOLA to get funds for to pay for her services.

A **motion** was made by Trustee Watson to approve 7 hours at \$140/hour on the concept of implementing a business district in the zoning regulations.

Discussion: Trustee Lenane stated she thought it was premature at this point and would like to wait to do this until the direction of amending the Comprehensive Plan has been determined. Trustee Watson withdrew the motion.

Mayor Headley stated he would get a scope of work before moving forward.

Trustee Watson informed the Board that CML has a grant writing seminar in June. Mayor Headley stated the Town has been very successful in writing grants.

Unfinished Business- 9:35 p.m.

The Town Clerk informed the Board she will be taking a data management class offered by the Municipal Clerks Association.

Mayor Headley informed the Board that the Town has received a letter regarding the easement request for the McDanal Open Space property. Mayor Headley contacted Steve Sullivan to respond to the letter.

Mayor Headley discussed drafting a letter to CDOT asking them to put in an access road to the Jehovah's Witness property.

Correspondence – none

Adjournment

The meeting was adjourned by Mayor Headley at 9:42 p.m.

Minutes - BOT Regular Meeting - May 15, 2008

Call to Order/Roll Call

The meeting was called to order at 6:35 p.m. at Parker Fire Protection District Station No. 2, Foxfield, CO, 80016.

The following Trustees were present:

Melissa Watson, Judy Lenane, Susan Current,
Con Frank, Lisa Jones and Mayor Headley.

A quorum was present.

The Pledge of Allegiance was recited.

PUBLIC HEARING – Request for a 4th Amendment of the Our Lady of Loreto Final Development Plan

Mayor Headley opened the public hearing at 6:36 p.m. Town Planner, Fred Fox, informed the public that the public hearing was noticed by mail and in the newspaper. Mr. Fox discussed the Staff report. He stated for the record that he had a discussion on setbacks and landscaping with Trustee Frank and Mayor Headley. Mr. Fox informed the Board the traffic analysis had previously been approved and was already in the records. Mr. Fox reported the rear setback for the Rectory is 240 feet on the building plans and it needs to be 260 feet, so they will need to move the building 20 feet to the north, otherwise the applicant will have to apply for a variance. He stated it was stipulated in the Final Development Plan that the driveway should be 16 feet wide and they have designed it to be 25 feet wide, which has been approved by the fire department. Mr. Fox discussed the addendum to the Staff report, that was emailed to the Board members, regarding the issue that fill dirt may have been added to the site at the time the church was built changing the original grade resulting in the height of the rectory being two to four feet higher than is allowed. Town Engineer, Alan Leak, reported that the original Final Development Plan that was approved several years earlier included the Rectory and all engineering reports were included at that time. He informed the Board a new channel design was constructed to address drainage issues and they are currently waiting for Probationary Acceptance. Fred Fox stated one of the flag poles, near the Waco entrance, sits in the Town right-of-way and per conversations with the Town Attorney, Corey Hoffmann, the Town can issue a license to allow the flag pole to remain in the right-of-way. Fred Fox asked the Board to consider continuing the public hearing to another date so the height can be addressed and clean drawings can be presented. Monsignor Buelt introduced Chuck Widick,

the construction engineer for the project and the architect, David Wall. Mr. Widick stated the nearest house is 340 feet away. The church is 80 feet high and the Rectory is 38 feet high. If they put the house where the Convent is to be located it would be a foot higher than it is now. He informed the Board the drainage channel controls where the building will be built. He stated the roof of the Rectory is 3 feet higher than is allowed. Trustee Frank asked how, by changing to the Convent position, they will gain the extra feet needed to be within the height requirements. Mr. Widick replied that because the drainage channel isn't there they can dig down 3 feet. Trustee Jones asked what the width was of the roof that exceeds the height restriction. Mr. Wall stated 10 feet. She asked if changing the roof line would change the look of the house and the response was no. Trustee Jones asked what the square footage of the Rectory will be and Mr. Wall stated it is 4,783 square feet. Trustee Frank discussed the trees that were lost when the drainage channel was put in. He asked if there was any way to replace them with large trees. Monsignor Buelt stated they had planted numerous crab apple trees and they would replace the trees that were lost. Mayor Headley asked if there was space on the west side of the channel and Mr. Leak stated there was. Mayor Headley asked if the original landscaping for the church was ever completed. Trustee Frank stated most of it was done, but trees along Waco need to be installed. Monsignor Buelt stated they should be put in since they agreed to it in the original agreement. Mayor Headley informed the public that Trustee Easton expressed his concern about the flag pole in the right-of-way and that the trees will grow bigger and will eventually block the sight triangle. Alan Leak stated the flag poles are outside the sight triangle. Mayor Headley discussed that if the public hearing was continued it would have to be to June 5th. Monsignor Buelt stated they would meet all the Town's requests but asked that they give their approval to move forward tonight. Trustee Watson stated they would need a variance on the height which is only 2 feet over what is allowed on only a portion of the building. She stated she had no problems with the plans as they were presented as long as they meet the setback requirements. Mayor Headley opened the floor to comments from the public. Resident Dave Bovard stated he would like the Board not to rush in making their decision and that they respect the guidelines as it will directly impact the homes he is having built across the street. He stated 1 or 2 feet higher is a considerable amount. Resident Jack Porter informed

the Board that the Rectory was in direct line of his home and it will block his view. He stated he would like the Board to maintain the Town's regulations. Trustee Current commented that the Convent will be the same height as the Rectory when it is built. Mr. Bovard stated the Board would be setting a precedent and who knows how many years it will be before the Convent is built. Trustee Jones asked the residents if they would accept changing the pitch from 6/12 to 5/12. They both stated they were fine with the pitch change. Fred Fox informed the Board they would need to have a complete set of drawings to be recorded prior to a building permit being issued. The pitch would have to be changed from 6/12 to 5/12, the Rectory would be moved 20 feet to the north, a license would be issued for the flag pole in the right-of-way, and the trees that were destroyed on the west side of the channel and Waco will be replaced according to Phase 1, Amendment 3. Dave Bovard stated property owners across the street from the Church agreed to release the deed restrictions fourteen years ago and in return they recently asked for the Church to remove the deed restrictions. The Church stated they would only do so for a considerable amount of money. Monsignor Buelt objected to the statements being made by Mr. Bovard stating they had no relation to the outcome of this public hearing. Mayor Headley agreed and closed the public hearing at 7:46 p.m. He then opened the floor to comments from the Board. There were no further comments from the Board.

A **motion** was made by Mayor Headley to approve the request for a 4th Amendment of the Our Lady of Loreto Development Plan with the conditions that the roofline of the Rectory be changed from a 6/12 to a 5/12 pitch and set the roofline in such a way so that the height limit of 35 feet is deviated by no more than one foot from the lowest grade elevation, move the structure 20 feet to the north, note on the cover sheet to license the flag pole in the right-of-way, replace the trees as recorded in the Phase 1, Amendment 3, and a complete set of drawings will be provided to the Town.

Discussion: Fred Fox suggested adding that any minor technical corrections noted by the Staff need to be corrected prior to the plans being recorded.

Mayor Headley added that line to his motion.

For: Unanimous approval.

Sheriff Report – 7:50 p.m.

PUBLIC HEARING – Amending the Comprehensive

Plan

Mayor Headley opened the public hearing at 7:57 p.m. He stated the Board re-opened this public hearing to receive more public comment on this issue. Mayor Headley discussed the three alternatives. Fred Fox gave a summary of the proposed plan. Alan Leak summarized the utility issues. He provided the Board with a handout with aerial pictures showing the three alternatives. Fred Fox discussed the memorandum he sent out informing the Board they need to determine what properties should be included in the amendment. Mayor Headley opened the floor to public comment. Resident, Barbara Mimmack, asked why they weren't including the strip of land along Arapahoe Road from Foxfield Village Center to the east. Mayor Headley replied that per the last survey residents were more in favor of having commercial development along Parker Road. He stated the discussion on amending the Comprehensive Plan began in January because residents expressed their concern that the Jehovah's Witness traffic would be coming thru Town once Costilla was closed. Resident, Nick Buccola, stated he just got word of the Board's addressing the Comprehensive Plan a month ago. Mr. Buccola informed the Board that he discussed this issue over with two realtors who stated his property would be devalued by twenty to thirty percent if commercial is put in on Parker Road. He expressed his concern that the new access will push more traffic onto Buckley. Mr. Buccola concluded that he was not in favor of amending the Comprehensive Plan. Resident, Bill Stratton, stated he agreed the initial purpose was to address traffic concerns, but more and more properties are being included in the area to be rezoned. He suggested waiting to see what the impact the Jehovah's Witness traffic would have on the Town. Mr. Stratton discussed the traffic light. Alan Leak stated the light will be put up at Parker Road and E. Easter, but it won't be connected at this time. Mr. Stratton read from the proposed plan regarding the traffic light as an access to Town. Mayor Headley informed him the traffic light will be for entrance and exit to the Cornerstar property only at this point in time. Mr. Stratton read the land use policy which states the amending of the Comprehensive Plan will benefit the residents and he stated he didn't see a benefit. Resident, Connie Stratton, stated she was against Trustee Easton's plan on the flyer he previously provided and she feels strongly that the feelings of the residents that are the most affected should be given the greatest weight when making this decision and the Board needs to reach out to all residents before making their decision. She stated the Board's focus was on maintaining the rural and unique way of life. Trustee Current informed Ms. Stratton that Trustee Easton included additional properties in his plan

because the property owners approached him and asked him to do so. Mayor Headley stated the Town has discussed this issue many times in the newsletter and mailed information to every resident. No other municipality would do that. He informed the public that the Town is trying to establish control on what happens to these properties and there are significant obstacles that have to be addressed before commercial development can be put in. The largest obstacle is the restrictive covenants. Ms. Stratton asked if traffic studies were done on the impact of the Jehovah's Witness traffic. Mayor Headley replied the Town has done extensive research and the Church is increasing the number of congregations it has and they will continue to grow. Trustee Frank commented that the properties along Parker Road would be difficult to sell as residential due to the noise impact which will increase when another lane is added to Parker Road. Resident, Fred Mimmack, asked why the Board wasn't concerned with the noise issues along Arapahoe Road. He stated that resident Carasel Yarian suggested waiting to see what happens with the traffic in Town. He said the deed restrictions guaranteed there wouldn't be any commercial development along Parker Road, other than the corner and Worsham properties. Ms. Stratton stated when commercial development goes in it will immediately negatively impact the entire community. Mayor Headley discussed a meeting that was held several months ago in which the main concern of the residents in attendance was taxes, followed by traffic. Mr. Stratton asked if this plan will reduce the resident's taxes. Trustee Jones stated that by allowing commercial development it will give the Town more control over what is built on those properties. Fred Fox informed the Board that with a Planned Unit Development the Town can control the uses allowed and design of the development. Ms. Stratton stated are the controls the same if the commercial development is sold to another developer. Mr. Buccola stated that by amending the Comprehensive Plan they are encroaching into the Town and eventually there won't be a Foxfield anymore. He stated resident Marie MacKenzie promoted Foxfield as horse property, but the Town is losing its uniqueness. Resident, Aimee Svenneby, suggested applying for open space grants to purchase the properties as open space. Trustee Current stated every grant has to have matching funds from the Town. Resident, Bob Crooks, asked when the traffic light would be put in. Alan Leak stated it is being currently being constructed. Mr. Crook stated when the light begins functioning more traffic will cut through Town, especially when Costilla is closed. He stated he would like to wait to see the impact of the traffic on the Town before the Board makes a decision to amend the Comprehensive Plan. Mayor Headley stated that this amendment doesn't

allow commercial development to be built, as property owners will still need to go through the rezoning process. Trustee Jones stated the Board is considering this amendment to be pro-active for the Town's future. Resident, Jack Porter, commented that he lives next to the Our Lady of Loreto church and the traffic in front of his house is unbelievable. Mayor Headley closed the public hearing at 9:09 p.m. and opened the floor to comments from the Board. Trustee Lenane asked for a break and Mayor Headley called for a break at 9:12 p.m. The meeting resumed at 9:24 p.m. Trustee Frank commented that if the Board only includes a portion of the properties along Parker Road, the other property owners will ask why their properties weren't included. Trustee Jones stated some issues were brought up in the public hearing that she hadn't considered, such as what happens if the properties are sold to a second developer. Trustee Watson stated the Board has considered getting a grant to help pay the expenses associated with amending the Zoning Regulations. She commented the Board needs to make sure they have the funds available now to pay for working on the Zoning Regulations versus waiting for a grant. Fred Fox suggested revising the Design Guidelines and transferring them to Standards at a later time. He stated the Guidelines can be referenced in the Zoning Regulations. Trustee Current stated she had a problem approving the amendment as she feels the residents don't want it, but on the other hand she expressed her concern that a multitude of churches could be built along Parker Road because the taxes are too expensive for the property owners. Trustee Frank discussed the severe impact Parker Road is currently having on the Andersons. He also added that taxes will go down, berms and landscaping will be used to mitigate noise and property values will go up. The Board discussed the benefits and concerns with amending the Comprehensive Plan.

A **motion** was made by Trustee Frank to approve a resolution amending the Town of Foxfield Comprehensive Plan.

Discussion: Fred Fox asked if the area would include properties from Costilla south to the Metro Church property. He also stated, per the memorandum, the trail map needs to be changed, the Guidelines need to be changed and eventually shifted to be Standards, the staff needs to finalize the document and make corrections as necessary, itemize additional changes the Board would like to make, and reprint the final document. Trustee Current asked the Board if they were comfortable including the two lots east of the Jehovah's Witness property as she felt it was encroaching into the Town too much. Trustee Watson stated

she would like to consider a moratorium on development for 6 months. Mr. Fox suggested doing that separately after consulting with Town Attorney, Corey Hoffmann.

For: Trustees Frank, Lenane, Jones, Watson, and Mayor Headley

Against: Trustee Current

Passed

Public Initiated Business – none

Minutes of the 5-1-08 and Approval – 10:03 p.m.

A **motion** was made by Trustee Watson to approve the 5-1-08 minutes as amended.

For: unanimous approval.

TREASURER'S REPORT – 10:05 p.m.

The Accounts Payable was reported as follows:

One Handy Guy- 4/23 to 4/29/08 Landscaping Inv #404635 = \$200.00

Judge Sidel – May Payment = \$40.00

Comcast – 4/24 to 5/23/08 Internet = \$60.03

WRC Engineering – C/b Inv #2020/96 = \$4,654.71

The Villager Lgls – Legal Publishing Inv #1349 = \$11.44

Hayes, Phillips, Hoffmann – April Lgal Fees = \$4,293.47

ACWWA – Water RR 3/31 – 4/30/08 = \$978.44

The Villager Lgls – Legal Publishing Inv #1374 = \$10.56

Foxfire – C/b Inv #0508-2 Town = \$1114.70 = \$3,287.10

CASI – Crack fill Inv #0023621 = \$828.00

WRC Engineering – Inv #2061/86 = \$4,275.56

Total Accounts Payable = \$ 18,639.31

Ttl Funds Available after inv are pd = \$226,273.04

A **motion** was made by Trustee Lenane to approve the Treasury Report and pay the accounts payable less the invoice from ACWWA.

For: Unanimous approval.

COMMITTEE REPORTS - 10:08 p.m.

Trustee Lenane discussed the following:

Trustee Lenane informed the Board she had attended the CML workshop which was very informative and beneficial.

Trustee Lenane stated there was a Parker Road meeting on May 22nd and asked if any Board members would be attending the meeting. Mayor

Headley stated he would be at the meeting.

Trustee Lenane informed the Board that the new DRCOG representatives would now be Trustee Jones and Mayor Headley.

Trustee Jones discussed the following:

Trustee Jones stated she had nothing new to report.

The Town Clerk asked about the status of the Waterway sign permit. Trustee Frank stated he had approved the application.

Trustee Frank discussed the following:

Trustee Frank informed the Board the Cherry Creek School District will be laying fiber optic cable and he will be meeting with representatives of the district to discuss their plan.

Trustee Frank stated he had approved two new permits. One for a new house on Easter and Yampa, and one for a scrape and new house at Hinsdale and Richfield.

Trustee Frank informed the Board he has received no further communication from resident Vince Beer.

Trustee Frank informed the Board he had discussions with Corey Hoffmann on how to bill Corey's costs on ordinance violations back to the violators. Mr. Hoffmann stated it is difficult to recoup his expenses so it's best to find a way to not engage his services in this area. Trustee Frank suggested that if IB and Associates is used for ordinance violations, in the letter to the property owners it states that all expenses incurred in resolving this issue will be billed back to them.

Trustee Watson discussed the following:

Trustee Watson provided the Board with a cost estimate to purchase three new bulletin boards. She stated it would cost \$2,806 for three boards, posts, literature boxes, and shipping. Without the literature racks it would cost \$2,506. The Board approved the expense without the literature boxes.

Trustee Watson informed the Board she had attended the Board of Adjustment class with Trustee Current. She stated the class was very

informative and the Board needs to look at the hardship on the property owner as well as the impact on other residents when determining whether or not to grant a variance.

Trustee Current discussed the following:

Trustee Current informed the Board the Garage Sale would be held on May 16th and 17th. Trustee Current informed the Board she had all the volunteers she needed for the Town Clean Up Days which will be held on June 6th and June 7th. She stated the disposal fees went up \$14 so the costs will be a little higher this year. Trustee Current informed the Board she will contact the fire station to let them know of the event.

Trustee Current informed the Board she looked into getting goats for eating down the weeds versus using weed spray.

The Board discussed canceling the first meeting in July as it falls on the day before the July 4th parade and picnic.

A motion was made by Trustee Current to cancel the first meeting in July
For: Unanimous approval.

Unfinished Business- 10:38 p.m.

The Town Clerk informed the Board that the Town no longer had a contract with Waste Management for trash removal. The Board suggested she contact Corey Hoffmann to address this issue.

The Board discussed Ms. Harper's response to the Board's request to move her landscaping and mailbox out of the Town right-of-way.

Mayor's Report – 10:40 p.m.

Mayor Headley informed the Board he has been trying to contact Steve Sullivan to discuss the easements to the McDanal property. He also spoke with the property owner who would grant the easement and he would like an appraisal of the land included in the easement and to consult his attorney before making any commitments to the Town.

Correspondence

Mayor Headley discussed correspondence received from Corey Hoffmann regarding Amendment 41 and Quasi Judicial proceedings.

Adjournment

The meeting was adjourned by Mayor Headley at 10:44

DRAFT Minutes BOT Regular Meeting - June 5 , 2008

Call to Order/Roll Call

The meeting was called to order at 6:40 p.m. at Parker Fire Protection District Station No. 2, Foxfield, CO, 80016.

The following Trustees were present:

Bob Easton, Judy Lenane, Con Frank, Lisa Jones and Mayor Doug Headley.

A quorum was present.

The Pledge of Allegiance was recited.

Public Initiated Business – none

Minutes of the 5-15-08 and Approval – 6:41 p.m.

A **motion** was made by Trustee Frank to approve the 5-15-08 minutes as amended.

For: unanimous approval.

TREASURER'S REPORT – 6:45 p.m.

The Accounts Payable was reported as follows:

B. Catterall – Salary 5/15 – 5/31/08 = \$1,007.60
B. Catterall – June Rent/Car Allowance = \$230.87
Paul Goedecke – Acctg Fees = \$907.50
Earl McFarland – Treasurer Bond = \$100.00
Qwest – Telephone 4/24 – 5/14/08 = \$63.94
Comcast – Internet 5/24/08 – 6/23/08 = \$60.03
IREA – Electricity for RR 4/15 – 5/14/08 = \$10.00
One Handy Guy – Landscape inv#404635 & 404640 = \$3,832.50
One Handy Guy – Norfolk Inv# 404643 = \$120.00
Great Lakes Specialty Products – 3 Bulletin Boards = \$2,505.70
Total Accounts Payable = \$ 8,838.14
Total Funds Available after invoice are paid =
\$265,368.32

Mayor Headley discussed the \$15,000 ServiceStar gave to the Town of Foxfield for public improvements to the McDanal property in lieu of installing an access road. He stated this money will be used to purchase an access easement to the property.

Mayor Headley discussed April's ACWWA bill for

over \$900. He stated the amount was exorbitant due to an undiscovered leak. He informed the Board the Town paid ACCWA \$1,000 for the invoice and the rest will be applied to May's invoice which will probably be considerably more than April's.

A **motion** was made by Trustee Lenane to approve the Treasury Report and pay the accounts payable less the invoice from ACWWA.

For: Unanimous approval.

Trustee Lenane provided the Board with a draft of the monthly cash flow reports from the beginning of the year. She discussed the revenues collected so far and identified areas of concern in the expenditures. Trustee Lenane stated she wanted to discuss some issues with the Town Clerk before she provides the Board with a final document.

COMMITTEE REPORTS - 7:01 p.m.

Mayor Headley read Trustee Watson's email discussing the following:

Trustee Watson stated she has received the new posting boards and she would like to get them installed before the July 4th event.

Trustee Watson is continuing to work on the directory. She has updated the address portion and is working on the text. Aimee Svenneby has given all the ads to the printer.

Trustee Watson contacted the resident on Costilla regarding his grading plan. She informed him he needed to give WRC a drawing to show he is following the Town's regulations. Trustee Watson stated she informed the resident the Board has discussed contacting Corey Hoffmann regarding his not applying for a permit. Mayor Headley asked Trustee Frank to contact Corey Hoffmann and ask him to send a letter to the resident.

Mayor Headley gave Trustee Current's report and discussed the following:

Trustee Current stated she had been contacted by a resident regarding the fact that the location for the dumpsters on Clean Up Days is too muddy and the Town should consider moving them to another location. She stated she will now put the dumpsters in the right-of-way on Easter Way or

Easter Ct. Mayor Headley suggested that she contact the residents nearest to the dumpsters to let them know they will be there.

Trustee Easton discussed the following:

Trustee Easton informed the Board that it was too late to get a color guard for the July 4th parade. He stated he is looking into getting a Boy Scout troop to, but if he cannot he asked Mayor Headley to carry the flag.

Trustee Lenane discussed the following:

Trustee Lenane informed the Board she had been working on getting familiar with the Town's finances and preparing the cash flow summary report. She informed the Board she is addressing the chargeback process. The Board discussed current chargeback repayment issues.

Trustee Jones discussed the following:

Trustee Jones informed the Board she visited Water Way to check out the Temporary Certificate of Occupancy. She stated everything looks great, but there is a problem with the transformer which they will resolve by putting plants around it. Mayor Headley stated there is a problem with the HVAC units on the roof. Per the Development Plan they should not be visible at all. He said he sent an email to ServiceStar and they asked to discuss architectural issues. The Board discussed traffic concerns for the car wash area.

Trustee Jones stated she had been given a list of ordinance violations to work on. She stated she would like to create guidelines and procedures to handle these situations. She emphasized the need to document all correspondence relating to these issues. Trustee Jones stated she will be working with Trustee Frank to address the violations. Trustee Easton volunteered to help as well. Mayor Sullivan stated he would help Trustee Jones get in contact with IB Associates to get there guidance. Mayor Headley suggested holding a workshop with Corey Hoffmann to discuss handling ordinance violations. Mayor Headley will work on setting up a workshop in July.

Trustee Frank discussed the following:

Trustee Frank informed the Board he received a letter from the resident on Arapahoe Road

requesting the Certificate of Occupancy for his new home. Trustee Frank stated he has responded to the resident yet as the work wasn't done to the standards established by the Town and he has failed to pay his chargeback expenses.

Trustee Frank reported that WRC is being consistent on requiring permits. He listed several areas in Town where permits have been required. Trustee Frank asked Ron Sprawls of WRC to include the required fees in their letters to the residents.

Mayor's Report – 7:42 p.m.

Mayor Headley attended the Parker Road Corridor Study with Trustee Frank. Mayor Headley informed the Board he has replaced Mayor Sullivan on the executive committee. He stated the changes that will take place at the Jamison/Broncos Parkway intersection will most affect the Town of Foxfield. Mayor Headley reported that the Chenango residents are requesting that the light there be only a three-way light and they would like to either gate the entrance or make it a right-in/right-out.

Mayor Headley reported that A1 Landscaping replaced the shrubs in the Ring Road area. He stated he is working on reducing the water invoice for the leak in that area. Mayor Headley stated the soil in that area is clay and therefore water stands in the soil and is too wet for the shrubs. He has asked CDOT to use more xeriscape on the rest of the Ring Road.

Mayor Headley discussed the status of the access easement for the McDanal Open Space property. He informed the Board they are working on determining a value for the land. Mayor Headley stated he would like to use the \$15,000 from ServiceStar for the easement.

Mayor Headley reported that he attended the Metro Mayor's Caucus. He discussed that the main issues Mayor Higgenlooper is working on is removing ballot initiatives that affect employers and labor in Colorado and raising funds for the Democrat National Convention.

Mayor Headley stated several locust trees have been affected by last years weed control application and he is working on finding a remedy.

Unfinished Business- none.

Correspondence - none

Resolutions - none

Ordinances for Introduction and Reading – 7:58 p.m.

“A Bill for an Ordinance Adopting by Reference the Following Codes: the International Building Code, 2006 Edition; the International Residential Code, 2006 Edition; the International Plumbing Code, 2006 Edition; the International Mechanical Code, 2006 Edition; the International Fuel Gas Code, 2006 Edition; the International Energy Conservation Code, 2006 Edition; the National Electrical Code, 2008 Edition; the 1997 Uniform Code for Abatement of Dangerous Buildings; the ANSI Manual A117.1, 2003 Edition; and the ASME A17.1 Elevator/ Escalator Code, 2004 Edition”

Trustee Jones asked why we need to pass this ordinance if we already default to Arapahoe County's regulations. Trustee Frank stated we need this in place in case there is a time we don't have an IGA with Arapahoe County to provide our building and zoning services. Resident Marty Mitchell discussed changes to the 2006 codes. He stated the biggest changes are in the energy code. He stated the new code will make it twenty-five percent more expensive for the builders to build new homes. He stated many municipalities have an exceptions list attached to their ordinances to make it more “builder friendly”. Trustee Frank informed Mr. Mitchell that according to state law the Town has to approve the energy code by July 1st. Mr. Mitchell discussed the conflicts in the various codes and stated they are incompatible and requested the Board not act on this ordinance at this time. Trustee Frank stated the Board doesn't have the option to ignore this requirement. Mr. Mitchell asked if the Board could add the same exceptions that are included in Arapahoe County's ordinance. The Board stated the public hearing on this issue will be during the June 19th Board meeting.

Ordinances for Voting - none

Adjournment

The meeting was adjourned by Mayor Headley at 8:28 p.m.

The *Communiqué* is available for advertisements. All ads accepted are subject to review. Rights reserved to decline or re-work. Ads and articles preferred on a floppy disk or CD.

Advertising Costs and Deadlines

Please contact the editor for monthly deadlines.

FULL SHEET AD: \$65

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Articles and Letters

Public Interest stories and related Town interest articles are encouraged. If you have interesting tidbits, snippets and happenings that you would like to share we welcome your input. Letters to the Editor are also welcome and need to be to the Editor by 2nd Wednesday of the month. All articles published must have the authors name and address. They may be edited for publication due to space limitations.

Becky Catterall, Editor
303-680-1544

BOARD OF TRUSTEES

Town of Foxfield established 1994

Mayor: Doug Headley 303-400-8584

Town Clerk:

Becky Catterall 303-680-1544

Town Fax: 720-214-3632

Trustees

Ward 1:Bob Easton 303-400-3167

Ward 2:Susan Current 303-680-1986

Ward 3:Lisa Jones 303-690-5035

At Large:Melissa Watson 303-766-8899

Judy Lenane 303-699-3229

Con Frank 303-680-0876

Communiqué Editor:

Becky Catterall 303-680-1544

Arapahoe County Water and Wastewater Authority:

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