



TOWN BOARD REGULAR MEETING AGENDA

Location: Hybrid
South Metro Fire Protection District Station #42
7320 South Parker Road

Or

[Meetings | Town of Foxfield \(colorado.gov\)](https://www.colorado.gov/townoffoxfield/meetings)

Thursday, February 6, 2025: 6:30 p.m.

Call to Order

1. Pledge of Allegiance
2. Roll Call of Board Members
3. Audience Participation Period (limit 4 minutes per speaker)
4. Consent Agenda
 - a. Approval of Minutes – January 16th, 2025
5. For Possible Action
 - a. Approval of SEH 2025 Contract Addendum Proposal
6. For Discussion
 - a. 2025 Event Calendar
 - b. Possible Amendment to Ordinance 2024-02 A Bill for an Ordinance amending Article 4 of Chapter 16 of The Town of Foxfield Municipal Code by the addition thereto of a new section 16-4-80 entitled "Natural Medicine Businesses"

7. Reports
 - a. Members of Town Board
 - b. Staff

8. Future Agenda Items
 - a. Tunnel and sidewalk repairs
 - b. MHFD public outreach
 - c. Culvert Clean-up
 - d. Land Use Code Final Draft
 - e. Speed Mitigation
 - f. Wards Discussion
 - g. Home Rule
 - h. Cherry Creek Tributaries Study
 - i. Ward 2 Vacancy

9. Adjournment

STUDY SESSION: LUC Section 4 and 5



BOARD OF TRUSTEES MEETING MINUTES

January 16, 2025

Call to Order

The meeting was called to order at 6:30 p.m. via Microsoft Teams.

1. Pledge of Allegiance

2. Roll Call

The following Trustees were present in person: Mayor Jones, Trustee Thompson, Trustee Schultz.

Trustee Pakanati and Trustee Cockrell were present via Teams.

A quorum was present.

3. Audience Participation

None

4. Consent Agenda

a. Mayor Jones moved to approve the Consent Agenda, with a second from Trustee Thompson. The motion passed unanimously.

5. For Possible Action

a. Resolution 2025-01 Posting of Meeting Notices

Mayor Jones moved to approve Resolution 2025-01 Designating Public Places for the Posting of Meeting Notices as Required by the Colorado Open Meetings Law, seconded by Trustee Thompson. The motion passed unanimously.

6. Reports

a. Members of Town Board

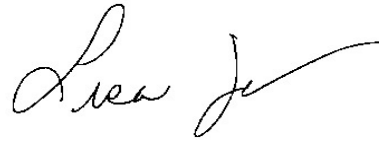
i. Mayor Jones noted that with the fires that have happened we need to review our allowable heights on fields. Trustee Cockrell suggested working with the Fire Department on this.

ii. Trustee Thompson asked for updates regarding the possible commercial farming property, calendar events, attendance procedures, and the LUC. She informed the board on gate repair training that happened and suggested adding small lights around the gates to get better pictures to be able to read license plates.

- iii. Trustee Schultz updated the board about the last MHFD meeting. A fact sheet will be put together in the near future.
 - iv. Trustee Pakanati asked about the policy for snow plowing conditions. He mentioned seeing the scooters that have been breaking the gates heading into Chapparral neighborhood. Trustee Pakanati informed the board that the traffic on Waco and Arapahoe Road has become hazardous and turns into a single file line that backs up traffic for 45min. Staff will reach out to Arapahoe County to inform them of this.
 - v. Trustee Cockrell updated the board on the quarterly Dove Valley working group. She mentioned that the Foxfield Fire Station will be receiving audio visual improvements and informed the board on trail improvements in the area. Trustee Cockrell mentioned to staff that there are holidays where the gates are in operation and should be reconsidered to be off. She provided a DRCOG update.
- b. Staff.
 - i. Town Administrator Proctor
 - 1. Ms. Proctor mentioned to the board that there will be a study session on the Land Use Code Review on Feb 6th.
7. Future Agenda Items
- a. Tunnel, sidewalk repairs
 - b. MHFD public outreach
 - c. Culvert Clean-up
 - d. Land Use Code Final Draft
 - e. Speed Mitigation
 - f. Ward discussion
 - g. Event Calendar
 - h . Fire mitigation
8. Executive Meeting
- Mayor Jones moved to go into an executive session, seconded by Trustee Thompson. Passed Unanimously.
9. Adjournment
- The regular meeting was adjourned at 7:08 pm. Mayor Jones moved to adjourn the executive meeting at 8:07 pm, seconded by Trustee Thompson.



Monica Torres, Town Clerk

A handwritten signature in black ink, appearing to read "Lisa Jones". The signature is fluid and cursive, with a long horizontal stroke extending to the right from the end of the name.

Lisa Jones, Town Mayor



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Karen Proctor, Town Administrator

DATE: February 6, 2025

RE: 2025 Addendum to SEH Contract

DISCUSSION:

Attached is SEH's proposed 2025 rates and draft contract addendum. The rate increases reflect 2025 annual salary adjustments with an average of approximately 8%. A chart of increases from SEH over the past six years is as follows:

Year	Increase	Avg Rate	# Roles
2020	N/A	\$130.79	14
2021	3%	\$134.79	14
2022	8%	\$144.92	13
2023	6%	\$153.63	16
2024	8%	\$166.63	16
2025	8%	\$180.39	18

Mr. Scott Jardine, SEH Principal, provided the following explanation for the increase.

"Unfortunately, there has been some rapid changes to salaries in the in the last few years causing us to do higher annual, or even semi-annual, salary bumps to be able to find and retain quality employees. We are hopeful things will calm down going forward, but we are crossing our fingers that future rate increases might be more like 5%. We just don't seem to be heading back down to the 3% range in the near future with cost of goods and services inflation and interest rates where they are anticipated to be. I can also confirm that we are aware of the rate sensitivity Foxfield has, and we do our best to keep Foxfield's rates as low as we can. As you know, we try to minimize higher rate roles

where feasible and utilize less experienced staff with the appropriate oversight. These on-call rates are lower than our typical rates for other municipalities in the Metro area.”

The Board is asked to acknowledge that the original signed contract and general conditions will remain, and the Town of Foxfield is approving the rate increases through the end of 2025.

SUGGESTED MOTION:

“I move to approve the 2025 Addendum to the SEH Contract.”

ATTACHMENT:

Exhibit A – SEH 2025 Contract Addendum and Rates Letter Proposal



Building a Better World
for All of Us™

January 28, 2025

RE: Town of Foxfield 2025 On-Call
Engineering Services Contract

Ms. Karen Proctor
Town Administrator
Town of Foxfield
P.O. Box 461450
Foxfield, CO 80046

Dear Karen:

Please find attached SEH's proposed 2025 rates and draft contract addendum. Similar to past updates, the rate increases reflect annual salary adjustments.

After review of the statement below, if all looks acceptable, please sign and return a copy for my files acknowledging the originally signed contract and general conditions remains in force, and that the Town of Foxfield finds our rates to be acceptable through the end of 2025.

"The agreement entered into between Short Elliott Hendrickson Incorporated and the Town of Foxfield, signed and dated, December 14, 2014, is hereby extended through December 31, 2025, and SEH's attached 2025 Rate Schedule is hereby accepted".

Sincerely,

Short Elliott Hendrickson Inc.

Scott Jardine, PE (CO), LEED AP
Project Manager

Accepted for Town of Foxfield

By: _____

Title: _____

Date: _____

Attachments: 2025 Foxfield Contract Addendum, SEH 2025 Rate Schedule
Cc: Erica Olsen, PE, RPCL – Short Elliott Hendrickson, Inc.

ADDENDUM TO PROFESSIONAL SERVICES AGREEMENT

THIS ADDENDUM TO PROFESSIONAL SERVICES AGREEMENT is made and entered into this ___ day of 2025, by and between the Town of Foxfield, Colorado (hereinafter referred to as the "Town") and Short Elliott Hendrickson, Inc. (hereinafter referred to as "Consultant").

RECITALS:

- A. Effective January 1, 2015, the Town and Consultant entered into a Professional Services Agreement (the "Agreement").
- B. The parties desire to extend the Agreement with this Addendum for one additional year.

AGREEMENT

NOW, THEREFORE, it is hereby agreed that for the consideration hereinafter set forth, Consultant shall provide to the Town, the additional work as needed in the manner provided in this Addendum.

- 1. The contract term for the Agreement is hereby extended by this Addendum for one additional year, from January 1, 2025, through and including December 31, 2025.
- 2. Consultant shall perform all work as set forth in the Agreement in accordance with Consultant's rate schedule attached hereto as **Exhibit A**, and incorporated by this reference.
- 3. The original Agreement is in full force and effect and is hereby ratified by the Town and the Consultant. The original Agreement and this Addendum constitute all of the agreements between the Town and the Consultant.

IN WITNESS WHEREOF, the parties hereto each herewith subscribe the same in duplicate.

TOWN OF FOXFIELD, COLORADO

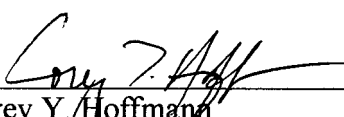
By:

Lisa Jones, Mayor

ATTEST:

Monica Torres, Town Clerk/Treasurer

APPROVED AS TO FORM:



Corey Y. Hoffmann
Town Attorney

Exhibit B
Rate Sheet
Through December 31, 2025

Name	Title	Hourly Rate
Rob Ekstrom, Mike Perez, Steve Kaye, Monte Sudbeck	Principal / Group Manager	\$270.00
Scott Jardine, Tom Wrona, Erica Olsen	Senior Project Manager/Snr. Technical Lead	\$250.00
Gabrielle Renner, Paul O'Neil	Project Manager/Technical Lead	\$243.00
Tim Nuetzel, David Hoesly	Senior Project Engineer II	\$230.00
Scott Klinker	Survey Field Manager	\$218.00
Steve Halewski, Parsa Kolahi	Senior Project Engineer I	\$210.00
Craig Burgess, Mitch Wagner	Project Engineer II	\$200.00
Jordan Townsend	Professional Engineer II	\$185.00
Todd Haidaczuk	Snr. Survey Crew Chief	\$176.00
Blayne Risk, Katie Holloway	Professional Engineer I	\$167.00
Ryan Christi	Survey Crew Chief	\$160.00
Jaime Hepner, Kyle Boldt, Abril Gonzalez-Torres	Staff Engineer II	\$150.00
Sam Fanion, Brianna Clark	Staff Engineer I	\$145.00
TBD	Land Surveyor Technician II	\$140.00
TBD	Designer	\$130.00
Suzie O'Connor	Accounting	\$145.00
Kari Young	Administration	\$118.00
TBD	Engineer Intern	\$110.00
Expenses		
Drone - Level 2		\$135.00/Hr
Survey Equipment		\$45.00/Hr
Subconsultants (pre-approved)		Cost + 5%
Vehicle Mileage		Current IRS Federal mileage rate
Field Vehicle		\$7.50/Hr + mileage
All other expenses		At cost



MEMORANDUM

TO: Mayor Jones and Members of the Board
FROM: Monica Torres, Town Clerk
DATE: February 6th, 2024
RE: Community Events Calendar

The Town of Foxfield holds these community events each year:

- Spring Clean-Up Day
- Independence Day Parade and Picnic
- Fall Clean-Up
- Large Item Curbside Pick Up
- Community Garage Sale

These events should be scheduled so that arrangements can be made with all outside parties and residents/volunteers can plan their calendars. The attached calendar includes some possible additional events to be considered by the board as well.

ATTACHMENT:

Exhibit A: Foxfield Event Calendar 2025 DRAFT

FOXFIELD EVENT SCHEDULE 20255

EVENT	DATE	TIME	LOCATION	ADDITIONAL DETAILS
MEET AND GREET	Varies 3X per Year	varies	Fire House or Residence	Informal Gathering Voluntary for Board members to attend
FOXFIELD FOOD TRUCK NIGHT	Summertime	5-7 PM	Open Space Norfolk Entrance	Community event to showcase playground equipment. Possibly “dessert” Food Truck
FOXFIELD CLEAN UP DAY	Late May or early June	8AM - 1PM	Field behind Fire Station	Sign-up for drop-off, wood-chipping or metal collection
JULY 4 TH PICNIC AND PARADE	July 4 th	9:30AM-1:00PM	Location - 1 st right of refusal granted to Frank Con - Easter Ave.	Main Course and water provided by Town. Parade Committee = Fire Station / Police / Mounted Patro; etc.
COMMUNITY GARAGE SALE	June, July or August	8AM-12PM	Curbside	Sponsored by Jim Rauh - realtor Advertising / Community map?
LEMONPALOOZA		10AM-12PM	Curbside	Kids to run a lemonade stand during Garage Sale
LARGE ITEM CURBSIDE PICKUP	September after Labor Day	7AM	Curbside	Details to be provided in a flyer
FOXFIELD FARMERS MARKET		9AM-10:30AM	Open Space	Sign-up will be available
FOXFIELD CHILI FEST			TBD	Sign-up will be available
TRICK OR TREAT HAYWAGON				Encourage community participation and neighborly activities
RUN / WALK / BIKE RACE				Barricades for course and cheering from ROW. Fun run
COMMUNITY SPRUCE UP DAY				Garbage Bags to clean up ROW areas throughout Foxfield. Reward Unique Finds in Foxfield
COMMUNITY “TREASURE” HUNT				Teams search and document artifacts found throughout the Town. Example: find a giraffe in Foxfield



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Monica Torres, Town Clerk

DATE: February 6th, 2024

RE: Possible Amendment to Ordinance 2024-02 A Bill for an Ordinance amending Article 4 of Chapter 16 of The Town of Foxfield Municipal Code by the addition thereto of a new section 16-4-80 entitled "Natural Medicine Businesses" – Discussion

DISCUSSION:

The attached recent CML newsletter has information regarding "How are municipalities regulating natural medicine?". In the last paragraph, it mentions the following information: **"Municipalities have adopted additional criteria to limit the placement of natural medicine facilities in their communities. Several municipalities require all natural medicine facilities to be at least 1,000 feet from residential dwellings. Other municipalities require natural medicine facilities to be a certain distance from each other."**

This is being presented to the Board of Trustees for discussion only to decide if The Town of Foxfield should amend Ordinance 2024-02 based on this information. Should the decision be made to amend the Ordinance, a public hearing will need to be scheduled for a future meeting.

ATTACHMENT:

Exhibit A: CML Newsletter – How are municipalities regulating natural medicine?

Exhibit B: Ordinance 2024-02

How are municipalities regulating natural medicine?

By Taylor McGaughey, CML law clerk

Since the passage of Proposition 122 in 2022, municipalities throughout Colorado have been considering how best to regulate natural medicine within their communities. The finalized rules for licensure and regulation of natural medicine businesses, which include healing centers, cultivations, manufacturers, and testing facilities, went into effect Dec. 15, 2024 (available at tinyurl.com/yck55tuj), and the state began accepting license applications on Dec. 31. With this implementation, many municipalities have now adopted local ordinances addressing natural medicine in their communities.

MUNICIPALITIES' ABILITY TO REGULATE

The state rules confirm that any application for a Natural Medicine Business License must comply with local jurisdiction requirements (see Rule 2110.E).

The primary way municipalities can regulate natural medicine facilities is through zoning (see Rule 2125(A)(2)(b)). These zoning requirements can regulate the time, place, and manner in which a natural medicine facility operates (see Rule 2150.B.2). Additionally, municipalities can inspect natural medicine facilities for several reasons, including compliance with fire codes and municipal ordinances (see Rule 3130.B).

A growing number of municipalities have adopted ordinances to regulate the time, place, and manner of natural medicine facilities in their communities. These municipalities have differing views on how accessible natural medicine facilities should be in their communities and have chosen to regulate accordingly.

TIME

Municipalities have shown a moderate amount of variation in regulating operational hours for natural medicine facilities. Some municipalities allow operation for 12 hours ranging from 7 a.m.-7 p.m. or 8 a.m.-8 p.m., Monday through Sunday. Other municipalities only allow eight to nine

hours of operations ranging from 8 a.m. or 9 a.m. until 5 p.m., Monday to Friday.

PLACE

Natural medicine facilities are divided into two distinct categories in most municipal codes. First, there are "natural medicine businesses," which are where natural medicine is cultivated, manufactured, and tested. Second, there are "natural medicine healing centers," which are facilities where people are supervised while taking natural medicine.

Natural medicine businesses are typically zoned for industrial or light industrial, with some communities allowing for placement in commercial areas. Natural medicine healing centers are typically permitted in commercial and business districts; however, some municipalities also restrict natural medicine healing centers to industrial zoning.

Another factor affecting the placement of natural medicine facilities is the distance from schools. State law requires natural medicine facilities to be at least 1,000 feet from any school, unless local law allows for a shorter distance (C.R.S. 44-50-302(1)(d)(I)). Most municipalities have implemented this 1,000-foot restriction. However, one municipality has reduced the distance to 500 feet and another community has eliminated this restriction.

Municipalities have adopted additional criteria to limit the placement of natural medicine facilities in their communities. Several municipalities require all natural medicine facilities to be at least 1,000 feet from residential dwellings. Other municipalities require natural medicine facilities to be a certain distance from each other.

MANNER

Municipalities have adopted a variety of regulations on the manner in which natural medicine facilities operate. These regulations primarily concern the security of the facilities, safe storage of natural medicine, and potential nuisances.

State regulations provide security requirements for natural medicine facilities, but local governments may expand upon them

(See Rule 3110). A majority of the ordinances include provisions on the security of natural medicine facilities. Doorways, windows, and other openings must be covered or screened in such a manner to prevent seeing into the facility from any exterior public or semipublic area. Additionally, several codes require all primary entrances, parking lots, and exterior walkways be clearly illuminated to provide visibility.

With the storage of natural medicine, state regulations require many precautions and that all natural medicine waste disposal be in accordance with local ordinances (see Rules 3110.G.1. and 3120.A). Generally, the ordinances require facilities to be located within a permanent building and may not be located within a trailer, tent, or motor vehicle. When facilities dispose of natural medicine, local codes typically require the natural medicine not be placed within the facility's exterior refuse container.

Several municipalities have included provisions concerning potential nuisances associated with natural medicine facilities. For example, many municipalities require that natural medicine businesses use an air filtration and ventilation system designed to reduce odors emitted from the facility. Several communities have also regulated how natural medicine businesses process natural medicine, prohibiting the use of combustible materials in the process.

SHAPE THE FUTURE OF NATURAL MEDICINE IN YOUR COMMUNITY

There is a chance that someone will want to set up a natural medicine facility in your community. Municipalities cannot completely prohibit these facilities, however, state law and regulations give local governments discretion in how to shape the placement and operation of these facilities in their communities. If you are interested in reviewing other municipalities' ordinances, please reach out to CML for samples.

This column is not intended and should not be taken as legal advice. Municipal officials are always encouraged to consult with their own attorneys.

Trustee Bill No. 2024-02
Series of 2024
Town of Foxfield

Introduced by Trustee

A BILL FOR AN ORDINANCE AMENDING ARTICLE 4 OF CHAPTER 16 OF THE TOWN OF FOXFIELD MUNICIPAL CODE BY THE ADDITION THERETO OF A NEW SECTION 16-4-80 ENTITLED "NATURAL MEDICINE BUSINESSES"

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF FOXFIELD, COLORADO:

Section 1. The Town of Foxfield Municipal Code is amended by the addition thereto of a new Section 16-4-80 to read as follows:

16-4-80 – Natural Medicine Businesses

(a) Authority and Purpose. The Colorado Natural Medicine Code, C.R.S. § 44-50-101, *et seq.* (the "CNMC") specifically authorizes the Town to regulate the time, place and manner of the operation of licenses issued pursuant to the Natural Medicine Code. The purpose of this Section is to regulate the time, place and manner where natural medicine and natural medicine healing centers are provided.

(b) Definitions. For purposes of this Section, the following terms shall have the following meanings:

Natural medicine means psilocybin or psilocyn and other substances described in the CNMC as natural medicine.

Natural medicine business means any of the following entities licensed under the CNMC: a natural medicine healing center, a natural medicine cultivation facility, a natural medicine products manufacturer, or a natural medicine testing facility, or another licensed entity created by the state licensing authority.

Natural medicine healing center means a facility where an entity is licensed by the state licensing authority that permits a facilitator, as defined by the CNMC, to provide and supervise natural medicine services for a participant, as defined by the CNMC, which includes a participant consuming and experiencing the effects of regulated natural medicine or a regulated natural medicine product under the supervision of a facilitator.

Natural medicine product means a product infused with natural medicine that is intended for consumption, as provided by the CNMC.

Natural medicine services mean a preparation session, administrative session, and integration session, as provided by the CNMC.

Participant means an individual who is twenty-one (21) years of age or older who receives natural medicine services prescribed by and under the supervision of a facilitator, as provided by the CNMC.

Regulated natural medicine means natural medicine that is cultivated, manufactured, tested, stored, distributed, transported, or dispensed, as provided by the CNMC.

Regulated natural medicine product means a natural medicine product that is cultivated, manufactured, tested, stored, distributed, transported, or dispensed, as provided by the CNMC.

State licensing authority means the authority created under the CNMC for the purpose of regulating and controlling the licensing of the cultivation, manufacturing, testing, storing, distribution, transfer, and dispensation of regulated natural medicine and regulated natural medicine product, as provided by the CNMC.

(c) Operation.

(1) *Hours*: Natural medicine businesses shall only operate between the hours of 9:00 a.m. to 5:00 p.m., Monday through Friday.

(2) *Public view*: All doorways, windows and other openings of a natural medicine business shall be located, covered, or screened in such a manner to prevent a view into the interior from any exterior public or semipublic area. All activities shall occur indoors.

(3) *Location*.

a. No natural medicine business that provides natural medicine services shall operate out of a home or accessory structure of a home within the Town.

b. No natural medicine business that provides natural medicine services shall operate within 500 feet of a park.

(4) *Lighting*: Primary entrances, parking lots and exterior walkways of a natural medicine business shall be clearly illuminated with downward facing security lights to provide after-dark visibility for facilitators, participants, and employees.

(5) *Storage*: All storage of natural medicine shall be located within a permanent building, and not a trailer, tent, or motor vehicle.

(6) *Odor*: Natural medicine businesses shall use an air filtration and ventilation system designed to ensure that the odors from natural medicine, natural medicine products, natural medicine healing, and natural medicine healing products are confined to the premises and are not detectable beyond the property boundaries on which the business is located.

(7) *Disposal*: Natural medicine businesses shall provide secure disposal of natural medicine and natural medicine product remnants or by-products. Natural medicine and natural medicine product remnants or by-products shall not be placed in an exterior refuse container.

(8) *Processing*:

a. The processing of natural medicine that includes the use of hazardous materials, including without limitation flammable and combustible liquids, carbon dioxide, and liquified petroleum gases, such as butane, is prohibited.

b. Nonhazardous materials used to process natural medicine shall be stored in a manner so as to mitigate and ensure odors are not detectable beyond the property boundaries on which the processing facility is located, or the exterior walls of the processing facility associated with the processing of natural medicine or natural medicine healing products.

c. The processing of natural medicine shall meet the requirements of all adopted Town building codes and other applicable law.

(d) **Violation and Penalty.** It is unlawful to violate this Section. Violations of this Section shall be subject to the civil penalties set forth in Section 1-4-20 of this Code. Each day of violation shall constitute a separate offense.

Section 2. The Town Board of Trustees hereby finds, determines, and declares that this Ordinance is promulgated under the general police powers of the Town of Foxfield, 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.

Section 3. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This ordinance shall become effective thirty (30) days after final publication.

Adopted as Ordinance No. 2024-02 Series of 2024, by the Board of Trustees of Foxfield, Colorado, and signed and approved by its Mayor or presiding officers this ___ day of _____, 2024.

Lisa Jones, Mayor

ATTEST:

Monica Torres, Town Clerk

Town Seal

Corey Y. Hoffmann, Town Attorney
(Approved as to Form)