



**TOPS Working Committee Meeting  
Meeting Minutes  
Wednesday, November 2, 2022**

**Members Present:** Bob Falcone, Wendy Thomas, Blaze Panariso, Hank Scarangella, Paula Krantz, Jeff Davis, Bob Shafer, Ingrid Richter

**Members Absent:** Hank Scarangella

**Parks Board Liaisons Present:** Larry Bogue, Greg Thornton, Abby Simpson

**Parks Board Liaisons Absent:**

**Staff Present:** Britt Haley, Kim King, Eric Becker, Anna White, Melody Horbach, Emily Duncan, Scott Abbott, Sara Arfmann, Kellie Billingsley, Dan Allen, David Deitemeyer

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TOPS Working Committee Chair Bob Falcone brought the meeting to order at 7:33 A.M.

**Agenda Preview**

Committee Chair Bob Falcone announced the agenda for the meeting.

**Announcements**

Britt Haley, Parks, Recreation, and Cultural Services Director, announced the following to the TOPS Working Committee:

- The calendar release highlighting TOPS properties is on November 9, 2022, at Patty Jewett.

Bob Falcone, Committee Chair of the TOPS working Committee, provided the following announcement:

- The third Wednesday of every month should be reserved by those on the TOPS Working Committee for site visits.
- There will be a site tour on November 16, 2022.
- The January meeting will be scheduled for January 4, 2023.

Anna White, Staff Assistant, announced the following to the TOPS Working Committee:

- The TOPS 25<sup>th</sup> event was a great success.
- Ms. White presented the Stratton Open Space poster to the TOPS Working Committee.
  - It is \$20 per poster and can be purchased on the city's website.
  - This is a first of a series to highlight TOPS Properties.

**Approval of Minutes**

October 12, 2022

**Motion:** To approve the minutes of the October 12, 2022, TOPS Working Committee meeting with modifications requested.

1<sup>st</sup> – Wendy Thomas, 2<sup>nd</sup> – Blaze Panariso, Approved, with Hank Scarangella abstaining.

### **Citizen Discussion**

Susan Davies, Trails and Open Space Coalition Executive Director, announced two events coming up. The first event will be on November 3<sup>rd</sup> starting at 6PM at the Angler's Covey. This event is partnered with Pikes Peak Recreational Alliance and Rocky Mountain Field Institute. The second event will be on November 16 in Black Forest at their community center. This event will be partnered with Medicine Wheel Trail Advocates, TriLake Cares, and a couple other groups. This is a great opportunity to join and see what some of our non-profit organizations do for the community.

### **Presentation Items**

#### **Colorado Trails Symposium 2022 in Review** (Presented by Dan Allen)

Dan Allen, Trails Project Specialist, presented the Colorado Trails Symposium 2022 in Review to the TOPS Working Committee. This presentation included: Introduction Slide; Steering Committee Members; Special Thanks to; Generous Financial Support from Mountainsmith/GOCO; Panel Discussion and Presentations; Headwaters Trails Alliance Won the Golden McLeod Award; Break Out Sessions; Field Trips; and finally, a slide on CTS 2022 At A Glance.

Committee member Jeff Davis inquired if next year's Trail Symposium is already lined up. Dan Allen responded it is not, and he would prefer to wait a couple of years before hosting again. He is looking into Fraser for the next location.

Committee Chair Bob Falcone inquired on the takeaways during the conversation regarding the impact of signs and trails. Unfortunately, Dan Allen was unable to attend every presentation, but he knows it was a joint project with Boulder and Parks & Wildlife. Committee member Hank Scarangella added the National Association for Interpretation had a discussion on this topic and is more than happy to share that with Committee Chair Bob Falcone. This peaked Mr. Falcone's interest as there is a great deal of time spent on making signs.

Eric Becker, Acting Parks Maintenance and Operations Manager/ SIMD Administrator, congratulated Mr. Allen for his efforts on setting up a successful event. It took years in the making, and several staff members have participated in it. Mr. Allen spearheaded this and provided a great opportunity to showcase our park system. It was a successful event thanks to Mr. Allen's efforts.

Scott Abbott, Regional Parks Manager, provided his experience on the panel discussing the issue of rogue trails. The issue ranges in severity depending on the town and believes one of the funnier points in that panel discussion was on wildlife cameras. These cameras have been used to monitor rehabilitation areas, and Jefferson County has been utilizing a software to process the camera footage. Skynet is now involved to protect natural resources, and some of this AI footage has been used to identify perpetrators.

Committee member Blaze Panariso stated he remembers that Jefferson County tends to be punitive, and it is not abnormal to get a ticket there. He inquired if AI software has been utilized for punitive damages. Mr. Allen confirmed that it has.

[Link to PowerPoint](#)

### **Open Meetings Law** (Presented by Sara Arfmann)

Sara Arfmann, Corporate Division Attorney of the City Attorney's Office, presented the Open Meetings Law to the TOPS Working Committee. This presentation included: Open Meetings Law; Notice Requirement; Notice Requirement cont.; Minutes; Executive Session; Executive Session cont.; and lastly a slide on additional Open Meetings Law.

Committee member Mr. Panariso recommended TOPS Working Committee emails be blind copied to follow the Open Meetings Law in the future. Committee member Ingrid Richter asked for clarification as occasionally there will be emails outside of the organization who are lobbying an opinion. Ms. Arfmann responded in situations like this, a response of any kind would now be a meeting. It is best practice to not respond or state this cannot be discussed per the Open Meetings Law. Committee member Jeff Davis asked if it would be appropriate to have discussions if personal emails were to be used. Ms. Arfmann responded what matters is what is discussed. If it is remotely related to anything about being on the Working Committee, it is a meeting regardless of the email address. Committee member Mr. Scarangella added the last bullet in the presentation is oddly worded. He asked for clarification if committee members are unable to have conversations over beers. Ms. Arfmann added her advice to the members is to be safe and do not have conversations outside of these meetings. By agreeing to be on the committee, one is subject to follow the Open Meetings Law. However, it can get complicated as soon as there is transference of a third person due to the Open Meetings Law violation. Committee member Mr. Panariso asked if it is appropriate to have discussions outside of the meeting if the third person is a staff member. Ms. Arfmann replied it is specifically three members of the committee, so she would recommend steering clear of even doing that. There are constraints on what a person can and cannot do while being a part of any board.

[Link to PowerPoint](#)

### **Citizen Discussion**

There were no further comments at this time.

### **Executive Session**

*In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(a), (b) and (e), the TOPS Working Committee, in Open Session, is to determine whether it will hold a Closed Executive Session. The issue to be discussed involves consultation with the City Attorney, discussing strategy for negotiations and instructing*

*negotiators regarding a potential Parks real estate acquisition. The Chair shall poll the TOPS Working Committee members, and, upon consent of two-thirds of the members present, may conduct a Closed Executive Session. In the event any Committee member is participating electronically or telephonically in the Closed Executive Session, each Committee member participating in the Closed Executive Session shall affirmatively state for the record that no other member of the public not authorized to participate in the Closed Executive Session is present or able to hear the matters discussed as part of the Closed Executive Session. If consent to the Closed Executive Session is not given, the item may be discussed in Open Session or withdrawn from consideration.*

*Sara Arfmann, Corporate Division Attorney of the City Attorney's Office, stated that in accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(a)(b) and (e), TOPS Working Committee, in Open Session, is to determine whether it will hold an electronic Closed Executive Session. The issues to be discussed involve a potential Parks Department real estate acquisition.*

*Chairman Bob Falcone polled the TOPS Working Committee regarding the desire to proceed with an electronic Closed Executive Session. At least two-thirds of the TOPS Working Committee agreed to proceed in an electronic Closed Executive Session.*

**Motion to adjourn**

1<sup>st</sup> – Blaze Panariso, 2<sup>nd</sup> – Ingrid Richter, Approved, Unanimously at 8:59 AM.