

Monument Board of Trustees, Aug. 2 and 9

Town attorney put on leave amid ethical questions



Above: Hundreds of Monument residents showed up to the Aug. 2 Board of Trustees meeting to express their concerns over the Conexus project. The board was to hear a request for the development's associated service plan, but it was continued to the Aug. 16 meeting by Mayor Don Wilson. *Photo by Allison Robenstein.*

By Allison Robenstein

During the Aug. 2 meeting of the Monument Board of Trustees, Trustee Jaime Unruh resigned her seat. During a special meeting Aug. 9, the board voted to put Town Attorney Andrew Richey on administrative leave.

Trustee Laurie Clark was noted absent for the Aug. 2 meeting by Town Clerk Laura Hogan.

Trustee Unruh resigns

Unruh resigned from the board, saying her family is moving to Germany. Mayor Don Wilson thanked her for her service and directed staff to draft a resolution declaring the vacancy.

Attorney put on paid leave

During a special meeting Aug. 9, Richey was put on administrative leave after the board decided charges against him warrant a hearing. Richey is charged with not following town government rules. Richey acts as town prosecutor and has been charged with not obeying court rules. Specifically, he is responsible for meeting with defendants in a room separate from the courtroom. On one occasion, he met with defendants outside this room, allowing those nearby to hear the discussion. Richey is also charged with leaving court documents unattended. The FBI's Criminal Justice Information Services rules require that all paperwork be always in the custody of the prosecutor.

Trustee Laurie Clark thought the charges "weak." When she moved to dismiss the charge, no one seconded the motion, and the meeting continued.

Joseph Rivera of Murray Dahl Beery & Renaud represented the town during the meeting. Marni Kloster of CIRSA represented the prosecution, and the defendant, Richey, represented himself. The board acted as judge and jury as detailed in C.R.S. § 31-4-307.

Rivera announced that attempts to negotiate a separation agreement with Richey had been unsuccessful.

The six trustees voted unanimously to put Richey on paid administrative leave. Rivera was named interim town attorney. No hearing date has been announced.

Consent agenda: design of new public works facility

The board approved two items on the consent agenda. The first is a change order to the existing contract for the Public Works building expansion. D2C Architects is contracted to provide design and engineering for the new building. After purchasing a building at 259 Beacon Lite Road, Public Works realized the new space will need to be reworked. It asked for \$75,000 extra so that D2C Architects could redesign the new space as well.

The board also consented to an exchange for a small piece of land adjacent to the well redrill along Beacon Lite Road. Well 3 had to be redrilled, and by state statute the new well must be within 200 feet of the original. "This created an issue for the town as all the land they own has buried utility lines," according to the board packet. An easement was created with Porchlight Properties, the owner of the property that sits adjacent to the original well.

The owner wishes to have roadway access, but their parcel is landlocked. The well has been completely out-fitted. The next step is to install the new pump and motor. The in-kind exchange means no town funds were

used for the purchase.

The request was unanimously approved.

Conexus service plan decision continued

The board's agenda for Aug. 2 included a resolution for the approval of the service plan for Conexus Commercial Metropolitan District. Town Hall was at capacity with residents crowding in to speak during public comments regarding this resolution. Many others had to stand outside with Monument police helping them connect remotely to the meeting so they could watch on their phones.

Mayor Don Wilson said because so many people were not able to come into the room and speak publicly that the plan would be continued to the Aug. 16 meeting despite many residents' fear that the board would make decisions outside of public guidance. After the announcement, most of the people in attendance left rather than listen to the town government's ongoing debates and decisions.

As the meeting was coming to an end, Trustee Ron Stephens wondered aloud if the 18-month rezoning and land use development plan that the town just finished should be reworked. "I understand we did a massive review, but these people didn't take part," he said. The expectations of the community appear to be different than what has been approved by the board, although they had very little public input. If residents don't make their opinions known, the board cannot guess, he said. Planning Director Meggan Herrington said the land use consultant and her staff put in a lot of work toward the new zoning and couldn't imagine what a new project might look like.

Monument Junction Metropolitan District 1 and 2 service plan approved

The board heard a request for approval of the Monument Junction service plan that covers what was previously called the Village, an 83.98-acre development that will span the east and west sides of Jackson Creek directly south of Highway 105. The land was rezoned Planned Unit Development in June 2020 and will be a mix of residential and commercial uses.

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Herrington reminded the board the service plan is separate from any land use decisions. Wilson said this

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