

CHERRY HILLS VILLAGE
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MASTER PLAN ADOPTED

After holding a public hearing at their September 2nd meeting, the Cherry Hills Village City Council approved the 2008 Cherry Hills Village Master Plan. This followed the adoption of the Master Plan by the Planning and Zoning Commission on August 26th.

Colorado municipalities with 2,000 or more residents are required by state law to adopt a master plan outlining the desired physical development of the city. The Cherry Hills Village Master Plan includes goals and strategies for land use, parks, trails and open space, transportation, utilities and infrastructure, community services, and village center development. The Master Plan also includes the following Vision for the Village:

The Village – a safe, low-density, residential community.

It is the desire of the citizens of Cherry Hills Village to maintain the established character of the community through the implementation of the Village's planning goals and strategies, regulations and decisions.

This Vision for Cherry Hills Village is defined by:

*Semi-rural character, views and open feel of the Village;
while*

Strategically addressing issues and pursuing Village policy in a fiscally sound manner.

(cont'd p. 4)



Jeff Welborn, a former CHV Mayor, Kevin Iverson, P & Z, Christy Schloss, P & Z, Kerry Sullivan, P & Z Chair, and Debbie Welles are several Villagers who spent many hours over the past year and a half working out the details of the new Master Plan..

VOTE ON OR BEFORE NOVEMBER 4TH

The City of Cherry Hills Village is NOT a polling place location this year, but Villagers may drop off mail-in ballots at the Village Center ballot box during regular business hours between 7:30am and 4pm, and on Election Day from 7am to 7pm. To verify your voter registration status, find out where your polling place and/or early voting locations are, or for more information, please feel free to contact City Clerk, Melissa Formby at **303-783-2732** or mformby@cherryhillsvillage.com.

Save time on Election Day by requesting a mail-in ballot. This year, voters in Arapahoe County will have to wade through a two card ballot. If you go to the polls and are not prepared, it could take you a lot of time to vote; there are 18 state initiatives on the November 4th ballot; numerous candidate races, many judge retention questions, and various local issues. For more information see p. 12.



KERRY SULLIVAN, OUTGOING P & Z CHAIR, REVIEWS THE MASTER PLAN PROCESS

The City's Master Plan has been completed, submitted and approved. That statement may evoke a yawn from some in our City, but for those who have been working on that document for the past 18 months, it is an achievement. In early 2007 our City Council approached our Planning and Zoning Commission with the news that Federal laws required Cherry Hills Village to produce a new and statutorily compliant Master Plan. It would have to be an all inclusive document addressing the Plan for the future of Cherry Hills Village. It would have to contain a set of guides to be utilized by City Councils now and in the future for how the City would direct the Village's growth and development in the years to come. Possibly the most difficult task was keeping the concept simple and supple. This Plan needed to be a guide, not a set of rules; general intentions, not mandates.

Our Planning and Zoning Commissioners knew that in order to come up with a "vision" for our Village as well as a set of identified goals and strategies, it might benefit from more than its seven members. Our City Council knew that too, so it appointed an Advisory Committee of citizen volunteers to assist the Planning and Zoning Commission with the wealth of their ideas and experience.

The first acknowledgement was that the citizenry would have to be consulted and tapped for ideas. The Planning and Zoning Commission decided early on that this Master Plan was not going to be an "out of the box" product. It would be custom suited to the interests of Cherry Hills Village. Therefore, an invitation to the public was issued for a chance to give input on what interested people felt should be the direction and inclusions in the Plan: traffic concerns in the Village as a whole and in its various neighborhoods; anticipation of growth; development of our parks and recreation interests; a new Village Center; open space; and of course, how to pay for the grand ideas. These were the topics of interest to the majority of attendees.

What we learned from our inquiries of our neighbors within the Village was that the great majority of us like our City just as it is now, and although we know growth is inevitable, we want to preserve the character of our Village. The concept of village character dominated our thinking from that time forth.

Over the course of the past year and a half the Master Plan was drafted and crafted so that each category of development was assigned a set of goals and then a list of strategies to achieve the stated goal.

Ultimately, surveys were sent out to a cross section

of our residents so that the Planning and Zoning Commission and Advisory Committee could fine tune the goals and strategies to the stated interests of our villagers. After dozens of meetings, numerous arguments, disagreements, re-workings, discarded suggestions, and wordsmithing, the final product was ready for submission to the City Council for approval in early September.

Our City had hired a fine consultant firm to propose ideas and provide the requisite topics for inclusion, and the City Manager, Planning Director and City Attorney gave invaluable direction and advice. The rest was up to the volunteer Planning and Zoning Commission and its Advisory Committee who worked week after week to bring it to fruition.

Kerry Sullivan, Chairman
Planning and Zoning Commission

BOARD & COMMISSION APPOINTMENTS & RETIREMENTS

Many thanks to recently appointed Village Volunteers and to those whose terms are over.

Board of Adjustment and Appeals

Jamie Seitz-new at August 19th City Council meeting
Suzy Love-re-appointed at August 5th City Council meeting
James Tarpey outgoing member of BOA

Planning & Zoning Commission

Stephanie Bluher-new at August 19th City Council meeting
Laura Christman-new at August 19th City Council meeting
Jacque McIntyre-new at August 19th City Council meeting
Kerry Sullivan, Kristy Schloss and Roy Watts outgoing members of P & Z

Parks, Trails & Recreation Commission

Jim Fairbairn-new at August 19th City Council meeting
Nancy McGrath-new at August 19th City Council meeting
Theresa Gilpatrick-re-appointed at August 19th City Council meeting
Phyllis Hayutin outgoing member of PTR

COUNCILMEMBER FREW RESIGNS

City Council member Marcia Frew formally tendered her resignation from the City Council effective September 15, 2008. Mayor Michael Wozniak announced Frew's resignation at the September 16th City Council meeting, where he stated, "We wish Councilor Frew and her family the best in the future. We are so sorry to see her go. In her short time on Council, Marcia distinguished herself with her keen intellect and her hard work. We want to thank Marcia for her dedicated service to the City of Cherry Hills Village and its residents." Councilor Frew represented District 3 and was sworn in after the April 2008 election. The City Charter specifies that a vacancy shall be filled by a majority vote of the Council within 30 days after such vacancy occurs for the full then unexpired term of the office which has become vacant; Council will make an appointment to the vacant seat by October 15, 2008.

POLICE HONOR TWO EMPLOYEES

At an awards ceremony held on September 17, 2008 at the Village Center, Cherry Hills Village Police Chief **John Patterson** presented two awards to department members.

Senior Office **John DeFelice** has been with the Cherry Hills Village Police Department for the past 24 years. He has been directly involved in the training of almost every Cherry Hills police officer. Chief Patterson



shared his thoughts with the department, "Training newly hired officers and familiarizing them to the police culture within a community is one of the most difficult and critical tasks in policing. The customer service skills and professionalism within this agency are a tribute to the work Officer DeFelice has done in training our newly hired police officers." For his outstanding work performance, Senior Police Officer John DeFelice was presented the Distinguished Service Award.

In honoring Police Clerk **Sarah Henderson**, Chief Patterson noted that Sarah was very involved in designing and customizing the new records management system installed last spring. According to Patterson, "Ms. Henderson is the designated system trainer and throughout the transition period from the previous system to the New World records management system, Sarah has been extremely helpful in assisting personnel to adapt to and cope with the new technology." For her outstanding performance, Sarah Henderson was presented the Police Commendation Award.

RECREATION REIMBURSEMENT

Several residents have donated their 2008 recreation reimbursement to the Land Donation Fund.

The city would like to thank: **Michelle Hanley, Karen Kafadar, and Martha Welborn.**

All donations from recreation reimbursement applications are placed in the City's Land Donation Fund for future acquisitions of open space and/or trails. To donate your reimbursement - or a portion of it - submit your original recreation receipts with a completed recreation reimbursement application. On the application, check the donation box and indicate how much of your reimbursement you would like to donate.

The deadline for 2008 recreation reimbursement is January 31, 2009. Questions concerning the reimbursement program? Please call Pam Broyles at **303-783-2744.**

RDS COMMITTEE APPOINTED

At their September 16th meeting, the Cherry Hills Village City Council appointed five Village residents to the City's **Residential Development Standards Committee (RDSC)**. The five RDSC committee members are: **Linda Behr, Tracy James, Andrew Nielson, Peter Savoie, and Steve Szymanski.** Two City Council members, **Klasina VanderWerf** and **Scott Roswell**, will serve as advisors to the RDSC.

The formation of the RDSC was approved by the City Council earlier this year. The RDSC will be asked to review and make recommendations on development standards related to building setbacks, building height, floor area, open space coverage, and accessory structures. The Committee will also be asked to evaluate development standards as they relate to the natural surroundings and to evaluate construction standards and practices in the Village. The RDSC will ultimately be asked to make a report to the City Council outlining recommendations on these issues.

Information on the RDSC will soon be available on the Villages website, www.cherryhillsvillage.com. For more information on the RDSC, please call the Community Development Department at 303-783-2721.

RED LIGHT SYSTEM OPERATIONAL

In August of 2008, Cherry Hills Village installed a photo red light camera system at the intersection of E. Belleview Ave. and So. University Blvd. in an effort to increase traffic safety at the intersection. Cameras monitor the traffic signal on westbound E. Belleview Ave. 24-hours a day and capture images of every vehicle running a red-light at the intersection. A thirty day warning period began on August 15th resulting in over 350 warning letters issued for red light violations. On September 15th, red light citations began to be issued which include a \$75 fine with no points assessed against the violator's driver's license. Those receiving a notice of violation can view a video clip of the infraction and pay all fines online at www.violationinfo.com. For more information on the Cherry Hills Village Photo Red Light Program please visit www.cherryhillspolice.com.

NEW TRAFFIC SIGNAL

The City has been working with the Cherry Hills Country Club and the Colorado Department of Transportation (CDOT) to install a new traffic signal at the entrance to the Country Club and Cherry Hills Park Drive on University Boulevard. Cherry Hills Country Club contracted with Felsburg Holt and Ullevig for the engineering and design of the signal. CDOT has approved the preliminary application and design of the signal. There are a few minor easement issues that must be addressed prior to beginning construction, but the new light should be up and running in early 2009. Neither the City or CDOT are sharing in the cost for this project, it will be paid for entirely with private funds.

MASTER PLAN ADOPTED (cont'd from page 1)

The Master Plan was developed by the Village's Planning and Zoning Commission with the assistance of a Citizen's Master Plan Advisory Committee, appointed by the City Council. The Planning and Zoning Commission members adopting the plan were **Kerry Sullivan** (Chairman), **Christy Schloss** (Vice-Chair), **Kevin Iverson**, **Ira Plotkin**, **Roy Watts**, **Joe Poche** and **Ann Kerr**. The Citizen's Master Plan Advisory Committee members included **David Cooper**, **Lynn Hornbrook**, **John Love**, **Jacques Machol**, **Jeff Welborn**, and **Debbie Welles**.

The planning process officially began with a kick-off meeting on May 8, 2007. From that time, numerous public meetings, public hearings and open houses were held to gather input for the Master Plan. In addition to the public meetings, a random sample survey was conducted to analyze specific issues faced by the Village.

The Master Plan is available on the Village's website, www.cherryhillsvillage.com, or copies can be obtained from the Village Center, 2450 E. Quincy Avenue. For more information on the Master Plan, please call the Community Development Department at **303-783-2721**.

STREET IMPROVEMENT PROGRAM

Each year City Council allocates funds for street improvements throughout the City. Staff has put together a long term plan for the repair, maintenance and replacement of all streets, curbs and gutters within the City. The plan remains flexible as budgets vary and unexpected pavement failures take precedence over the long range plan. A street can fail with no prior visible problems or warning signs. Staff is constantly evaluating the City's streets and updating the long term plan as needed.

In 2008, City Council budgeted \$930,000.00 for the street improvement program. The plan consists of four elements; crack sealing, chip sealing, asphalt overlays and concrete replacement.

Crack seal is a polymer modified asphalt product that when heated becomes a liquid asphalt sealer to seal cracks in existing asphalt and concrete pavements. This product is normally used to seal cracks from 1/8" to 1" in width that exist in the pavement.

Hot pour crack seals are normally used to stop the intrusion of water into the underlying sub-base which can cause damage to the existing asphalt pavement. The crack seal process is also used to keep reflective cracking to a minimum once a surface treatment has been done over the existing asphalt pavement.

A **chipseal** is a surface application used to maintain, protect, and prolong the life of an existing street or road. It will improve the skid resistance to allow for a safer driving surface, improve the overall appearance, provide a weatherproof membrane to repel moisture from damaging the base and extends the useful life of the existing pavement by 8 to 12 years.

An **asphalt overlay** is the application of a new 2" layer of asphalt over an existing road surface. This process is very costly and the City will try to treat all roads with a chipseal when possible.

The majority of City streets do not have a concrete curb or gutter, but in the areas that do, the City must replace this concrete as it cracks and no longer drains water.

The concrete portion of this project is the final phase of the 2008 street improvement program. The City will post the proposed project area that is scheduled for improvements on its website early in 2009. Again, these areas are subject to change as the cost for materials rise the City must reduce the amount of work it can do to keep the projects on budget.

SNOW REMOVAL PLAN

Winter is on its way and with winter comes snow. The City of Cherry Hills Village Public Works Department is ready with a snow removal plan to keep the streets safe and accessible during periods of snow. The streets will be plowed and sanded according to established priorities. Priorities are set based on traffic volume, public safety, and access to emergency facilities and schools. The goal and intent of the City is to provide timely, efficient, and cost effective winter maintenance and snow removal on all City maintained streets.

The City of Cherry Hills Village policy is to have crews begin snow removal on the "mains" once accumulation begins. Streets defined as mains include; Clarkson Street, Franklin Street, Quincy Avenue, Colorado Boulevard, Mansfield Avenue, Holly Street, Oxford Avenue, and Happy Canyon Road. If the snowfall starts after normal business hours, it is at the discretion of the police officers on duty to contact the on call plow drivers to begin snow removal operations. If a storm is imminent and conditions allow, the Public Works Department will pre-treat all known troubled areas with Magnesium Chloride prior to any accumulation of snow. Once snow begins to accumulate and temperatures drop, the City will begin applying a salt and sand mixture to the roads if necessary. All other streets will be plowed only if more than 3 inches of accumulation has occurred during a single storm event.

Public Works strives to have snowfall greater than 3 inches cleared from all City streets within 24 hours of the end of a storm event. Please remember that the more it snows, the longer it will take crews to plow the entire City. All City plow drivers strive to keep as much snow as possible out of driveways and away from mailboxes. Please be aware that it is the resident's responsibility to clear the snow from in front of their driveway and mailbox to ensure mail delivery.

There are several ways that residents can help with the snow removal effort. First, be aware of the snowplows working in your area and where you are driving. Be careful not to follow too closely or to block their path. If possible, let the plow pass before you reach the intersection. Second, as you shovel your walks and driveways do not place any of the snow in the street. This can cause problems with snow removal operations and can be a hazard for other drivers. Third, when it is snowing or a snowstorm has been forecast, please remove your vehicles from the street. If vehicles are left in the street the plows must plow around them. This slows the snow removal operation, increases the chance of accidents, and will increase the amount of snow that you need to shovel in order to move your vehicle.

FREQUENTLY ASKED QUESTIONS (FAQs) CONCERNING THE CITY OF CHERRY HILLS VILLAGE'S EXCLUSION FROM SOUTH SUBURBAN PARK AND RECREATION DISTRICT

August 25, 2008

What has been the process for Cherry Hills Village's withdrawal from South Suburban Park and Recreation District?

This is a timeline of the significant events in the withdrawal of the Village from the South Suburban Park and Recreation District:

August 8, 2001 – The Village hosted a public forum to discuss the pros and cons of withdrawing from South Suburban. A study prepared by BBC Research & Consulting was presented at the public forum that evaluated the likely consequences of withdrawal from South Suburban.

July 2002 – Council approved a resolution setting a special election to ask Cherry Hills Village voters whether the Village should withdraw from South Suburban.

November 2002 – Village residents voted 1668 in favor of withdrawal from South Suburban and 1437 voted in opposition. As a result of the election the Village began the process of withdrawing from South Suburban.

February 2003 to December 2003 – The Village filed a Petition for Exclusion as required by state statutes, and began negotiating with South Suburban to develop an agreed upon plan with South Suburban for terms of withdrawal from the District. South Suburban took the position that, despite the vote, the Village should not be permitted to withdraw from the District at any time and on any terms because the Village does not and cannot provide “the same” recreational services to its residents.

December 2003 – The Village filed a court proceeding required by Colorado state statutes (CRS 32-1-501 to 503) to determine the terms and conditions of the Plan by which the Village will withdraw from South Suburban.

November 2004 – The District Court ordered that the Village may withdraw from the District and that the exclusion would be effective on January 1, 2005 and, in addition, ordered the Village to pay South Suburban the fair market value of the parks and improvements to be transferred to the Village (totaling \$9,660,838). The parks that were transferred to Village ownership were Blackmer Common, Dahlia Hollow, John Meade, and Three Pond.

February 2005 – The Village appealed the District Court's order that it must pay the fair market value of parks and improvements transferred to the Village to the Colorado Court of Appeals.

March 2007 – The Colorado Court of Appeals concluded that the trial court erred in its ruling that the state statute requires that the Village pay South Suburban “fair market value” for parks in the Village. The Court of Appeals reversed the portion of the trial court order concerning the payment of fair market value and sent the case back to the trial court for further proceedings. The trial court was directed to consider whether any other statutory factors require payment to South Suburban and to enter findings and explanations in support of any award.

May 2008 – The trial court issued a second opinion, again ordering the Village to pay South Suburban the sum of \$9,660,838, precisely the amount that the Court of Appeals had reversed one year earlier. The second opinion contains virtually no explanation of how the trial court arrived at the precise figure it had previously determined was the fair market value of the parks in the Village, and makes no specific findings on the other factors that the Court of Appeals directed the trial court to consider.

June 2008 – The Village filed an appeal with the Colorado Court of Appeals.

Why Did Residents Vote to Withdraw from South Suburban?

Village residents voted to withdraw from South Suburban for many reasons, but the most important was that the Village received poor service for parks and trail maintenance. The Village's parks and trail system is different than that of the rest of the South Suburban and, despite repeated efforts by the Village, South Suburban would not modify its practices in order to deliver the quality of services that the Village required. For whatever reason, South Suburban was unwilling or unable to allocate more resources and make park and trail maintenance a priority. This substandard service was especially problematic given that Village residents paid a disproportionate amount of taxes to South Suburban. In the last year that the Village was a part of the South Suburban, Village residents paid approximately \$1,500,000 in taxes to South Suburban — substantially more money than South Suburban ever spent for park maintenance in the Village.

In the first year following the exclusion, the Village spent approximately \$500,000 on park maintenance. There is no question that the condition of the parks and trails has improved vastly since the Village assumed maintenance responsibilities. The quality, responsiveness, and range of park and recreational services provided to Village residents has improved markedly, and will continue to improve.

The net financial benefit to the Village from the vote to withdraw is roughly \$1,000,000 per year, from which the Village pays approximately \$170,000 annually to its residents for recreational reimbursement. The issue in the litigation with South Suburban is whether the taxes paid by Village residents will, in the next decade, be paid to South Suburban's general fund or be used by the Village to improve services and address local priorities.

What amount did the trial court conclude that the Village should to pay in order to withdraw from the District?

The trial court first ordered the Village to pay \$9,660,838 to South Suburban, which the trial court concluded was the "fair market value" of the parks in the Village. The Court of Appeals ruled that the trial court erred in concluding that the Colorado statute required the Village to pay fair market value for the parks, ordered the judgment against the Village be vacated, and sent the case back to the trial court with instructions that the any judgment against the Village must be supported by adequate findings. After several months, the trial court issued essentially the same findings as it had previously, and ordered the Village, again, to pay \$9,660,838 to South Suburban.

How is the Village paying the \$9,660,838 judgment that the trial court ordered paid to South Suburban?

The judgment will be paid in installments through 2019 from existing property taxes. The taxes that Village residents previously paid to South Suburban are now paid to the Village. That tax revenue has been used both for parks and recreation services and as payments on the judgment.

The Village has made three payments to South Suburban toward the \$9,660,838 judgment: in 2005, the Village paid \$256,862, in 2006 the Village paid \$943,185, and in 2008 the Village paid \$994,135; for a total of \$2,194,182. Each of these payments was made from Fund 30, which is the Village's parks, trails and recreation fund in the Village's annual budget. The 2007 payment was made in 2008 pursuant to a stipulation between the Village and the District which provides that there will be no additional payments during the time the appeal is pending at the Court of Appeals. If the Village succeeds in the appeal, the Village may recover some or all of these payments.

Will the Village be required to pay interest on the \$9,660,838, and if so, from what date?

The judgment entered by the trial court directs the Village to make principal and interest payments of approximately equal amounts, modified periodically to reflect changes in the interest rate, beginning December 1, 2005 and ending no later than December 1, 2019. The amount of interest is calculated for each payment based on the interest rate of the two-year U.S. Treasury Note.

What revenues does the Village receive as a result of the exclusion?

As a result of the Village's decision to withdraw from the South Suburban, in 2006 the Village received \$1,591,210 in property taxes, \$140,825 in specific ownership tax, and \$5,629 in interest – for a total revenue of \$1,737,664. In 2007, the Village received \$1,621,713 in property taxes, \$141,232 in specific ownership taxes, and \$150,476 in interest – for a total revenue of \$1,913,421. Had the residents of the Village voted to remain in South Suburban, these and similar future payments would have been made by Village residents to South Suburban.

The Village has used these revenues to pay the judgment entered by the trial court, fund the Village's Parks and Trails department, and fund the recreational reimbursement program.

Are there any additional amounts that Village residents must pay South Suburban?

Yes. Under the statute, Village residents must continue to pay their proportionate share of debt incurred by South Suburban before the exclusion. That amount, about \$6.6 million, was incurred by South Suburban as bonded indebtedness before 2002, and is being retired in the ordinary course from taxes on property in the Village as well as the current South Suburban district. Under Colorado law, Village residents are responsible for their pro rata share of the indebtedness incurred by South Suburban while the Village was part of the district, regardless of the outcome of the 2002 vote.

Has the judgment increased my taxes?

No. The Village has been paying the judgment with tax revenues that had been previously paid to South Suburban. The Village can continue to do so while still meeting its obligation to maintain parks and trails and provide recreational alternatives.

What's the reason for the appeal?

Details of the Village's legal position are contained in the several briefs posted on the Village website. As new briefs are filed, they will also be made available on the website. The appeal raises complicated and novel issues regarding the proper interpretation of the Colorado statute. Among other things, and without attempting to be an exhaustive list of issues, the latest trial court ruling is unusual because it entered a judgment for precisely the dollar amount that was reversed a year earlier by the Court of Appeals. The Court of Appeals ruled that the statute does not require the Village to pay South Suburban fair market value for the parks, but the trial court's 2008 order directs the Village to do exactly that. The trial court's 2008 order also suggests that the judgment is compensation for loss of 10 years of revenue to South Suburban from 2004 to 2014. The order essentially imposes a tax on Village residents to pay for the future operation of a district in which we are not members, have no voice, and enjoy no benefits.

What is the best case scenario from the appeal?

The best case would be that the entire judgment for \$9,660,838 is reversed, and for South Suburban to repay the Village the \$2,194,182 that has already paid, with interest. The Village would then have additional funds to pay for maintenance of our parks and trails, with substantial funds remaining to be used for other priorities identified by residents in the Master Plan.

What is the worst case scenario for the Village?

The worst case scenario would place the Village in essentially the same financial position as if Village residents had voted to remain in South Suburban. If the Court of Appeals affirms the \$9,660,838 judgment of the trial court, the Village will continue to make payments on the judgment from existing tax revenues and will continue to maintain the Village's parks and trails from existing tax revenues. Paying the full amount of the judgment, with interest over approximately ten years will limit the ability of the Village to pay for those priorities identified in the Master Plan. When the judgment is satisfied (estimated by 2019), the Village will have substantial additional property tax revenues.

How much was paid in attorney's fees and other consulting fees up through the recent court decision?

The Village paid \$64,000 in consulting and legal fees before the 2002 vote. South Suburban opposed the result of the vote, which necessitated a court action. \$243,000 was paid to former city attorneys to commence the legal exclusion proceeding as required by Colorado law and represent the Village in the ensuing litigation. Approximately \$80,000 was paid to Davis Graham & Stubbs to argue the first appeal.

Why hasn't the Village spoken to SSPRD about resolving these issues without the need for litigation?

Discussions between the Village and South Suburban about park maintenance and policy priorities began many years before the vote in 2002 and have continued to the present, including after the latest trial court ruling. The City Council is open to continuing discussions with South Suburban.

How could the Village rejoin SSPRD?

The trial court's order in 2006 rejected the arguments of South Suburban that the exclusion should not be allowed on any terms. South Suburban appealed that part of the trial court's ruling to the Court of Appeals, and lost. That part of the litigation is now final. In order for the Village to rejoin South Suburban, the Village would probably need to schedule an election, the terms and conditions of rejoining would need to be negotiated with the District, and a majority of the citizens of the Village would have to vote to rejoin. The Cost to Village taxpayers to hold such an election would be approximately \$25,000 to \$30,000.

Why doesn't the Village stop the litigation?

If the Village ended the litigation by not pursuing the appeal, the Village would forfeit any possibility of using the disputed \$9.6 million amount to improve services for Village residents.

POLITICAL SIGNS - CODE REMINDER

With the upcoming November elections just around the corner, campaign and political signs are popping up across the Village. Criteria for posting campaign and political signs are provided in the Village's Zoning Code. The following are some of the criteria to be aware of if you will be posting signs on your property:

- Campaign and political signs must be placed on private property with the consent of the property owner or occupant, and may not be placed in the public right-of-way.
- Campaign and political signs may not be placed in a manner that obstructs visibility at an intersection.
- An individual sign face may not exceed six square feet in area and the total area of all signs on a single property is limited to twelve square feet.
- Campaign and political signs may not be illuminated.
- Campaign and political signs may be posted for up to 90 days, at which time the sign must be removed or replaced with a new sign.
- Campaign and political signs may not advertise or promote a commercial enterprise not located on the same lot.

For more information on the Village sign criteria, please call the Community Development Department at **303-783-2721**.



FROM ANIMAL CONTROL

Cherry Hills Village is one of the most beautiful places in the Fall! Along with the Fall come more-than-normal complaints about coyotes and other wildlife activity. This is probably occurring because young coyotes are dispersing during this time of year and trying to figure life out on their own. Also, most wild animals are preparing for winter, so they are more active and therefore observed more often during daylight hours.

Please note: this year Colorado has had several reported cases of rabies found in skunks. A press release in July 2008 stated that there had been eleven skunks that tested positive for rabies in Colorado since the first of the year. One raccoon and one cat have also been reported with rabies. This was the first rabid raccoon in Colorado since 1963, and the first rabid cat reported since 1985. All of these reports have come from the eastern counties of Colorado. Rabid bats have been found in every county of the State.

Pet owners need to take precautions, and the simplest and most effective way to protect our pets is to make sure they are current on their vaccinations. I have also been told that it would be wise for horse owners to vaccinate their horses against rabies as well. Horses are such curious creatures that it is easy for them to get bitten on the nose by a sick or injured animal.

Additional precautions to prevent exposure to rabies:

- ✓ Do not feed wild animals – this brings them closer to your family
- ✓ Teach children to stay away from wild or dead animals
- ✓ Do not allow pets to roam freely
- ✓ Keep your pet's rabies vaccination current
- ✓ Contact your veterinarian if your dog or cat is bitten or scratched by a wild animal

The Colorado State Health Department states that signs of rabies include abnormal behavior such as animals approaching humans or other animals, difficulty with walking or movement and unusual animal sounds, and some animals may be very aggressive while others may appear almost catatonic.

Healthy wild animals usually hide from humans. If you notice a wild animal with any of the above symptoms, please contact me, the police department or the local health department immediately.

Please call me, Michelle Edwardson, **303-783-2739** with any questions regarding domestic or wild animals, and don't forget that the City has a web site where you can access all the City's municipal codes. Just a quick reminder: **all dogs residing within the City limits are required to be vaccinated for rabies and to have a City dog license.**



JOHN MEADE HORSE ARENA REBUILD

The City of Cherry Hills Village is proud to announce the rebuild of the John Meade horse arena. The City was awarded a grant this summer by Arapahoe County Open Space to assist in the restoration and complete rebuild of the horse arena. The City will contract with SUREFOOT, an expert company at rebuilding horse arenas. A new sub grade will be added as well as high quality sand that is used in horse arenas. When complete, visitors to the arena will be able to enjoy the modern improvements that have become a standard in the horse arena riding industry. The City would like to give special thanks to all the residents who offered their support throughout this process.

The horse arena will be closed from October 1, 2008 through November 1, 2008 for the restoration project. Please contact Ryan Berninzoni at **(303) 783-2733** with any questions or concerns.



CODE ENFORCEMENT

REMINDER ABOUT TREE TRIMMING

Early this summer, approximately 20 to 25 notices went out to residents about dead or dying trees. Many residents have complied and removed the dead trees from their property. Your fellow Villagers are most appreciative. Residents have improved our community and limited their liability by removing these trees. There is a strong trend across the country toward making tree owners legally responsible for damage caused by unsound trees.

In Cherry Hills Village, our City Code section 7-4-30 (a) states "Trees, Shrubs and other vegetation which are dead, broken, diseased or infested by insects so as to endanger the well being of these trees, shrubs or vegetation or constitute a potential threat or hazard to people or property with-in the City are hereby declared a nuisance."

Most of the notices on large trees (50' or more) were sent out after our City Arborist had examined the tree to determine its health. With winter coming, heavy snow and high winds can cause large dead trees and/or branches to come down. For your safety and the safety of others, please comply with your dead or dying tree notices.

Chuck Friend, Code Enforcement Officer



ADVERTISEMENTS

CRIER advertisements will be provided for a small fee to Village residents and advertisers living outside the Village. Ads should be limited to 40 words and may be purchased for the entire year.

Publication does not imply endorsement. The Crier reserves the right to reject ads. To inquire about placing an ad call Martha Welborn, editor, at 303-773-6115 (fax 303-267-0863), or mail the ad to The Crier, 2450 East Quincy Ave., Cherry Hills Village, CO 80113.

FOR RENT

PERFECT FAMILY HOME IN CHV - 5 bedrooms, 4 baths - 4900 sq. ft. Rent can start October 1st and run thru June 2009 or longer. Furnished or unfurnished. Located in heart of CHV at 4203 S. Bellaire Circle. Monthly rent of \$4,750. Please call Jeff at 720-427-4908.

FOR SALE

AIR HOCKEY TABLE - Full sized. Nearly New. Lots of Bells & Whistles. \$225. Call Robin. 303-761-6666

SERVICES

A & A STAIR COMPANY - HARDWOOD STAIRS

Change your carpeted stairs to professional quality ELEGANT hardwood. Also available are curved stairs, railings, and stair replacement. 20 years in business. Call for a FREE estimate! Visa, MC, Discover. 303-696-9655.

A DEPENDABLE TREE SERVICE - Colorado

TreeScapes is a full service tree care firm serving Colorado since 1998. We are fully licensed and insured.

We staff certified arborists. Please call 303-770-4155.

A HUSBAND AND WIFE PAINTING COMPANY

No crews, subs, middle man or supervisors. We do all the work from proposal to completion of the job. Specializing in INTERIOR painting. Insured. CHV and other references available. Free estimate. Call CR Painting 720-331-8081.

ADDITIONS, REMODEL, BUILD NEW - Sutton

Builders...building CHV for 15 years. Check out your neighbor, 11 Cherry Lane Drive. Our award winning carpentry will not disappoint! Small contractor means savings for you. Free estimate. Cathy 303-885-3242.

ADVANTAGE PAINTING - Specializing in quality interior/exterior residential painting. Venetian plaster/faux finish; Prompt, professional, and very meticulous; Perfect paint lines. Free estimates. Color consultation with designer. Fully insured. References available. Member of the BBB. Call Larry at 303-564-1306.

AFFORDABLE BUSINESS AND RESIDENTIAL

COMPUTER SERVICES - Call A+ certified technician Bill Smyth at 303-908-5120. Tune-ups, virus removal, disaster recovery, and tutoring services. Please browse www.anywhere-pc.com for the ten "dos and dont's" of computer maintenance. CHV references available.

ALBUMS BY BARBARA - The history of your life is contained in those boxes of photos & memorabilia. I do a beautiful job of organizing and filing them for you. Albums & poster boards for all occasions. Call Barbara at 303-788-0858.

ANDY'S CUSTOM PAINTING - Quality workmanship and lower prices on maintaining the look of your CHV home inside/outside. 30 years experience. Free consult including design color match. Cathy 303-885-3242.

BALES CUSTOM GARDENING SERVICES -

Specializing in Spring & Fall Clean-ups. Plantings, Container Gardening, Scheduled Maintenance. Certified Colorado Gardener. Insured. BBB & ALCC Member. Call for a free consultation; Amy & Clint Bales 303-507-2586. **BED & BREAKFAST FOR YOUR PETS** in my home. Your animal will be part of our family and will receive emotional stimulation and normal physical activity. No young children to bother your animal. No kennel stress. 25 years of volunteer work with animals. 303-290-8555 or 720-300-0555.

BOOKKEEPING - Fox Bookkeeping Services, LLC for small businesses and families with multigenerational needs can provide day to day financial services so you have time for building your business, or to be with your family.

Contact 303-669-5667, rebecca@foxbk.com or www.foxbk.com.

BRING YOUR MEMORIES BACK TO LIFE

Preserve all your family 8mm film, videotapes and photos to DVD. Complimentary pickup and delivery from your home or office. References available. Call us today for a free quote at 303-525-3832.

CAMBRIDGE CONSTRUCTION - Four of our clients' homes won 1st place in the Colorado Awards for Remodeling Excellence in 2006 & 2007. Let 2008 be the year you update! Visit www.cambridgecolorado.com. Licensed & insured. Excellent refs. For free estimate 303-919-9499.

CASTLE REMODELERS - High-end remodeling. We do basements, entertainment centers, home theaters, custom bookshelves, built-in cabinets, offices, computer stations, home gyms, bedrooms, closets, garages, woodworking, interior doors and more. For a free estimate call Stephen Eckert at 303-794-8436.

PROFESSIONAL CLEANING SERVICE - Accepting new clients. Reliable and thorough w competitive rates. Excellent references. Call Susan at 303-794-6805.

DENVER'S RESIDENTIAL PAINT SPECIALISTS - Interior/Exterior. 11 years in business!! Superior surface prep; neat conscientious craftsmanship; color consultation; polite, respectful, and fully licensed/bonded/insured crew (same crew for 3 years). Impeccable local references. Call John with PREMIER PAINT WORKS at 303-864-9247.

DIGITAL HELP FOR SENIORS (50+)

Computer (Mac or PC), digital camera, high speed Internet. Help buying a computer (hint: Apple). Individual tutoring on your home computer: email, web-browsing, other applications. Photos: camera downloads, sharing, album making. Judy at 303-757-8097 or judyarms@aol.com

DOG WASHING - THE POOCH MOBILE - Your Pooch will look and feel fantastic after being washed and cared for at your home. Your Pooch will enjoy a brush, hydrobath, nail clipping, eye and ear cleaning, aroma - therapy, blow drying, deodorizing, and doggy treats. Guaranteed. Robert at 720-480-1560.

DOMESTIC HOUSEHOLD MANAGER POSITION WANTED - I am a fun, positive individual with a great attitude and youthful spirit looking to provide quality service/care for that special family. I am reliable, honest, and dependable with strong character references. Contact Cynthia at 303-562-8768.

DRAPERIES & HUNTER DOUGLAS WINDOW

COVERINGS - Allustra Collection Fully moveable Blinds for Specialty Shaped Windows. Motorized Products.

\$125.00 off any order over \$1,000. FREE in-home consultation. **Blind Corners&Curves**. Call Kay (cell) **303-523-6522** or office **303-755-5000**. Gold Mbr BBB.

EDWARDS ELECTRIC - Serving Denver for 28 years. All types of electrical wiring. Interior lighting. Exterior security lighting. Prompt, professional 24 hour repair service. Licensed and Insured. Don't take chances with a handyman. Free estimates. Call Brad at **303-946-3509**.

ELECTRICIAN - Friendly, Reliable Electrical Service. Licensed and fully insured with over 20 years experience. Remodels, Additions, Landscape, Ceiling Fans, New Circuits. Troubleshooting, etc. Anything electrical in your home or office. Excellent references. Dave Lagesse, Noble Electric, LLC **303-803-8211**.

EXCITING WINDOWS BY VENTANAS - Shop at home custom window fashions. Blinds, draperies, shadings, and shutters. HunterDouglas dealer. \$150 off any order of \$1,000 or more. Let's take great ideas and turn them into beautiful windows. Call **303-761-3459**, or visit www.excitingwindows.com/ventanas.

EXCLUSIVE WEALTH PRESERVATION SEMINAR & WORKSHOP - Discover Highly Effective Ways to preserve your Wealth using creative methods. Learn the secrets your stockbroker does not want you to know.

Control your investments and **safely** make them grow. For reservations call Lori Pace at **303-317-3293**.

EXPERIENCED HOUSEKEEPER - Looking for 1 or 2 days/week position. I'm very responsible, honest and reliable. Excellent references. Minimum 5 hours per day. Please call Alma **720-488-6861**

FAIRBAIRN TREE & LANDSCAPE SPECIALISTS Designing, building and maintaining landscapes since 1993. Please call **303-722-5043**.

GREENWOOD ATHLETIC and TENNIS CLUB - Save up to \$500 per year when you join. Greenwood is one of the entities eligible to participate in the Cherry Hills Village Recreational Reimbursement Programs. Call the membership dept. for more information **303-770-2582**.

HOSTESS REFLECTIONS - GREAT IDEA! Relax and enjoy your own party - one person to full staff. We will open the door, tend to the kitchen, bar, serve, plus full clean-up. Experienced. References. Cindy at **303-757-7542**.

HOUSEWORKS HANDYMAN SERVICES - An experienced, local, neighborhood handyman offering repair installation and odd job services. Work is professional and precise. Free estimates & refs available; bonded and insured. Call John House at **720-373-1184** or **303-377-4916**.

INSURANCE: The Village Agency 720-529-9770
www.myvillageagency.com The "right solution" for your insurance needs. Jan Crewes-Jones, CLU, ChFC

MAPLE LEAF LANDSCAPING, INC - Fall is the perfect time for planting trees, shrubs, bulbs & pansies. We also provide leaf cleanup, mulching services, irrigation repair and winterization. **Serving CHV for over 10 years!** **BBB Member**. Contact Darwin Wasend at **720-290-8292**.

MKD BUILDERS INC - CUSTOM HOME BUILDERS & RENOVATION EXPERTS Over 35 years experience in all phases of construction from custom home building, kitchen and bathroom renovations, to whole house upgrades or room additions, Visit www.mkdbuilders.net for samples of our work. Call Roger at **303-917-5693**, roger@mkdbuilders.net. Local references available.

MOVING? MOVE WITH A NEIGHBOR - Jim Johnson, Johnson Storage & Moving Co, a United Van Lines agent. Specializing in Local, Interstate, and International Moving & Storage since 1900. Jim at **303-785-4343**.

PLANTED EARTH LANDSCAPE Offering professional landscape maintenance services. Specializing in custom perennial and container planting. Local references available. Contact Colleen Lucci at **303-547-6956**.
www.plantedearth.info

PROFESSIONAL ORGANIZER - Turn chaos into order. I am a natural born organizer who can help you "de-clutter" your home office, closets, garage, child's playroom, or kitchen. Let Ms. Efficiency give you more time to enjoy the important things in life. Free initial consultation. Amy J. Fisher, **303-250-8539**; ms_efficiency@hotmail.com

PRUDENTIAL COLORADO REAL ESTATE. Put the Global Power of "Rock Solid" Prudential behind your next move. Extensive world wide luxury marketing plan at no extra cost to you. **Diane Sorensen**, Prudential Colorado Real Estate **720-291-1484** and on-line at:

Diane@DianeColoradoHomes.com or
www.DianeColoradoHomes.com

QUALITY REPAIRS & HOME MAINTENANCE - Let S.A.Hogan, Inc., handle repairs involving carpentry, dry wall, plumbing, electrical and minor painting at your residence. We are experienced, local, and specialize in creative solutions to your problems. Please call Scott Hogan at **303-985-1074**.

REMODEL - FALCON DESIGN & DEVELOPMENT specializes in bathroom and kitchen granite, tile work, hardwood flooring, cabinetry, room additions, concrete, paint interior and exterior, all construction to your home and business. Licensed insured, BBB member, local refs. Call Kent **303-522-6512**.

RODGER THE WINDOW WASHER - You won't find anyone better. Someone your friends and neighbors trust. Policy information for liability, medical, disability and auto insurance supplied with all bids. Call Rodger with any questions or just to say "Hello!" **303-474-4494**.

SELECT HOME CARE - Why not age in Place? We are a Full Service Agency employing insured, bonded, and licensed staff to assist Seniors with bathing, dressing, transportation, companionship, cooking and cleaning. Call **303-757-2300**. Caring for older adults since 1990.

TAYLORED GARDENS - Container gardening. Perennial beds. Weekly maintenance available. Call Cindy at **303-757-7542**.

THE WINDOW WORKS INC - We do interior/exterior/entryway doors and windows. In business 20 years. Hundreds of excellent referrals. Our products are of the highest quality, including Andersen and Pella. Call Stephen Eckert at **303-794-8436** for a free estimate.

WINDOW CLEANING - "Let the light shine in!" Fast efficient quality work. Friendly, professional, insured. Local references. Call Mike at **720-351-7777**

FRONT RANGE FLU SHOTS, LLC WILL BE PROVIDING FLU AND PNEUMOCOCCAL IMMUNIZATIONS AT THE VILLAGE CENTER

Date: October 18, 2008

Time: 9:00 a.m. - 12:00 p.m.

Location: City of Cherry Hills Village Municipal Bldg
2450 E. Quincy Avenue

Flu Shot: \$25.00

FluMist Nasal Spray: \$30.00 (Upon Availability)

Pneumococcal Shot: \$42.00

For other questions please contact the City Clerk's
Office at **303-783-2732**.

**Please be advised: This is a WALK IN ONLY clinic.
Front Range Flu Shots does not take telephone
reservations.**

IMPORTANT VOTING DATES:

Monday, October 6th, 2008 – Last day to register to vote.

Monday, October 6th, 2008 - Mail-in ballots begin to get
mailed and people who have already applied can expect to
receive a ballot some time during that week.

Monday, October 20th, 2008 - Early voting begins at the
early voters' polling place for the general election.

Tuesday, October 28th, 2008 - Last day to apply for a mail-
in ballot for the general election (if being submitted by
mail).

Friday, October 31st, 2008 - Last day to apply for a mail-in
ballot for the general election (if being submitted in person
at the Arapahoe County Clerk and Records Office).

Friday, October 31st, 2008 - Last day for early voting at the
early voter's polling place for the general election.

Tuesday, November 4th, 2008 - GENERAL ELECTION
(Polls open 7:00 a.m. to 7:00 p.m.)

For more information about the election please visit
www.arapahoevotes.com

PASSINGS

Joseph (Joe) Dolan, 86, passed on September 3, 2008.
He was preceded in death by his wife Marty (Martha), sons Peter
and Tom.

Gus Gladis passed away in mid September. He is
survived by his wife, Elaine and sons Tom, Andrew, John, and
daughter Mary Lynn, and several grandchildren.

The Village sends its condolences to the families and
friends of these recently deceased Villagers.

CHERRY HILLS VILLAGE BABYSITTERS

*The Crier offers the following list as an information service only.
The Crier does NOT review babysitter qualifications; Villagers
must screen babysitters themselves.*

**Indicates Pet and Plant care*

Kelly Allen	4502 SouthVine Way	303-761-5815
Claire Bailey*	5840 Southmoor Lane	303-733-2025
Blaine Barsch	3777 S. Albion St.	303-621-4147
Meghan Beans	#5 Viking Drive	303-789-1999
Molly Beans	#5 Viking Drive	303-789-1999
Amy Bowles*	3920 So Dexter St.	303-757-6837
Nicole Campbell	4740 E. Oxford Ave.	303-300-2544
Morgan Griffin*	3236 Cherryridge Rd.	303-788-0505
Alexis Gutierrez *	4 Parkway Drive	303-759-8550
Taylor Bolton Haney	4245 S. Eudora St.	303-639-5111
Hayley Kal	4255 So Bellaire	303-692-1112
Samantha Kal*	4255 So. Bellaire	303-692-1112
Elycia Kazemian	24 Martin Lane*	303-783-1333
Edwin LaMair*	16 Cherry Lane Drive	303-584-0601
Haley McCloud*	4910 So. Franklin St.	303-788-1472
Megan Messina*	45 Sunset Drive	303-781-6753
Lila Pilcher*	3981 So. Birch St.	303-756-6304
Samira Rajabi	5801 E. Piedmont Dr	303-547-0043
Gray Riedinger*	5964 E. Princeton Cir	303-639-5152
Paige Riedinger*	5964 E. Princeton Cir	303-639-5152
Ruby Rosenthal	4081 So Clermont St.	303-758-3380
Danielle Sellers*	2115 E. Grand Ave.	303-781-8822
Daniel Summerhill*	6200 Plateau Dr.	303-290-0429
Aaron Surrey	43 Charlou Circle	303-740-7004
Becky Surrey	43 Charlou Circle	303-740-7004
Emma Sveen	2115 E. Grand Ave.	303-761-7757
Gunnar Sveen	2115 E. Grand Ave.	303-761-7757
Dylan Tallian*	11 Lynn Road	303-761-4162
Erika Tiemeier*	3855 So Dahlia	303-757-1142
Christina Trinen*	66 Charlou Circle	303-843-0576

*Please help us by updating your son's, daughter's or neighbors'
information when they go off to college or move away. Contact
Martha Welborn at 303-773-6115, fax 303-267-0863, or email
mwelborn@ecentral.com.*

The volunteer Crier committee members are Councilmember
Klasina VanderWerf and former Councilmember Viola Lahana.
Villager Martha Welborn is the Crier editor and City staffers
provide support and some articles.

PLEASE DONATE TO THE CRIER IN 2008!!

Donations are tax deductible as contributions to a government
entity. Make checks out to *The Crier* and mail (or drop off at the
Village Center) to The Crier, 2450 East Quincy Ave., Cherry Hills
Village, CO 80113.

NEXT CRIER DEADLINE NOVEMBER 14TH

BARBRA BRAUCHT BENCH DONATION

On September 16, 2008, City Council approved a
bench dedication from Mrs. Barbra Braucht in memory of
her late husband Jean I. Braucht, who was the City of
Cherry Hills Village Building Inspector from 1955-1989.
The stone bench will be placed in Three Pond Park to be
enjoyed by everyone. The City of Cherry Hills Village
would like to thank the Braucht family for their generous
dedication.