



REGULAR MEETING OF THE BOARD OF TRUSTEES

November 28, 2023 at 5:00 PM
0110 Whispering Pines Circle, Blue River, CO

MINUTES

The public is welcome to attend the meeting either in person or via Zoom.

The Zoom link is available on the Town website:

<https://townofblueriver.colorado.gov/board-of-trustees>

Please note that seating at Town Hall is limited.

5:00 PM WORK SESSION:

2024 Goals & Priorities

Mayor Babich called the work session at 5:05 p.m.

The Trustees reviewed the potential goals and priorities discussed at the October meeting. Discussion on the various goals reviewed.

Trustee Hopkins noted roads and trails have been historically and last month identified as priorities.

Trustee Pilling agreed with roads as a priority but felt that safety should be the top priority. Discussion that plans exist and should be reviewed and discussed for improvements and education.

Discussion on the remain three of items: Tarn, Trails and Code what it is believed to the priority of the citizens. Discussion of what the Tarn improvements and use would be and what is proposed in the budget. Discussion of a need to develop a long-term agreement with the Theobald Family.

Discussion of ranking of the priorities. The following priorities were set for 2024.

-Roads (maintenance, rights and easements)

-Safety Enhancements and plans

-Code Enforcement

-Tarn management and use/Trails

Benchmarks:

-Roads: Create a maintenance plan that is communicated back to the Trustees. This should be brought back to the Trustees for review in a March work session.

-Safety Plans: Review of existing plans by May of 2024. Specifically roles and communication in cases of emergencies.

-Code Enforcement: Discussion to review what is on the books and work with the Police Department on what is enforceable and how it should be managed. Suggestion to include the Building Officials and Planning/Zoning at a May Planning/Zoning work session and the Trustees discussed in June.

-Tarn Management/Trails: It is noted that December 2023 will be discussion for Committee development and structure which could include a general discussion of the Tarn and trails. Discussion this could be established as an agreement with the Theobalds is set.

Discussion of the upcoming work sessions for 2024 and the current calendar.

December-Committees

January-Short-term rentals

February-Roads

March-Safety Plans

April-No work session

May-Home Rule Education

June-Code Enforcement Review

6:00 PM REGULAR MEETING:

Mayor Babich called the regular meeting to order at 6:00 p.m.

PRESENT

Mayor Toby Babich

Trustee Joel Dixon

Trustee Mark Fossett

Trustee Noah Hopkins

Trustee Ted Pilling

Trustee Ted Slaughter

EXCUSED

Trustee Kelly Finley

Also present: Town Manager Michelle Eddy; Town Attorney Bob Widner attended via Zoom.

I. CALL TO ORDER, ROLL CALL

II. APPROVAL OF CONSENT AGENDA

Motion made by Trustee Fossett, Seconded by Trustee Hopkins to approve the consent agenda. Voting Yea: Mayor Babich, Trustee Dixon, Trustee Fossett, Trustee Hopkins, Trustee Pilling, Trustee Slaughter. Motion passed unanimously.

A. Minutes for October 17, 2023

B. Approval of Bills-\$48,304.42

III. COMMUNICATIONS TO TRUSTEES

Citizen Comments (Non-Agenda Items Only- 3-minute limit please). Any written communications are included in the packet.

No written communications were received.

Paul Semmer-Blue Grouse Trail- Stated concerns of the dissolution of the Trails Committee. He noted concerns with the process and decision to dissolve the committee and the resolution proposed. He noted issues with the Town website and lack of Trail Committee information.

IV. PUBLIC HEARING

C. Public Hearing for the 2024 Town of Blue River Budget

Mayor Babich noted the official budget approval will take place in December after the Town received the final certifications from the county.

Mayor Babich opened the public hearing at 6:18 p.m.

-Paul Semmer-Blue Grouse Tr.-noted a disagreement with the Weed/Seed Program success statement in the budget report. He noted this budget should be increased. He stated the report should include additional information on the Tarn and the Ambassador program and how it

correlates to the Town Plans. He noted the reference to the Open Space and Trails Committee in the Conservation Trust Fund should be removed.

Mayor Babich closed the public hearing at 6:23 p.m.

Discussion with the Trustees of the proposed budget. Mayor Babich reviewed the process of developing the budget with the Town Manager and the Finance Committee. General discussion of budget items.

V. RESOLUTIONS

D. Resolution 2023-06 Dissolving the Open Space & Trails Advisory Committee

Discussion of the "whereas clause number 5" be amended to the Board of Trustees adopted a plan.

Trustee Dixon noted a disappointment in the decision to dissolve the committee. He noted under the current board and administration it is not able to be a functioning committee.

Mayor Babich noted the discussion of committees and how they will function and purpose will be discussed in December.

Trustee Pilling suggested postponing the decision until after the committee work session discussion. Mayor Babich noted a consensus had been reached and a plan of action established to move forward.

Trustee Fossett agreed with the Mayor on the consensus and moving forward.

Motion made by Trustee Fossett, Seconded by Trustee Hopkins to approve Resolution 2023-06 Dissolving the Open Space & Trails Advisory Committee as amended. Voting Yea: Mayor Babich, Trustee Fossett, Trustee Hopkins. Voting Nay: Trustee Dixon, Trustee Pilling. Voting Abstaining: Trustee Slaughter. Motion failed.

VI. ORDINANCE CONSIDERATION FOR APPROVAL

E. Ordinance 2023-04 Camping Prohibited

Mayor Babich noted this was discussed in October and developed from that discussion.

Discussion of the ordinance and Trustee Slaughter stated concerns of the restrictions imposed. Attorney Widner reviewed the discussion and reason for the ordinance and the balance being proposed.

Trustee Slaughter noted a desire to make the stay length more flexible.

Discussion to allow 14/7 allowable nights. It was noted that a permit process would need to be established. It could remain 2/8 with special conditions to allow outside of the ordinance.

Discussion of how the "permitting" would be communicated.

Discussion to amend the ordinance to allow for four consecutive nights and 10 nights in a calendar year to be allowed without a permit. It was noted the owner or permanent resident must apply for the permit.

Decision to go back and make the revisions and bring back in December.

Motion made by Trustee Slaughter, Seconded by Trustee Fossett to continue with discussed revisions to be brought back in December. Voting Yea: Mayor Babich, Trustee Dixon, Trustee Fossett, Trustee Hopkins, Trustee Pilling, Trustee Slaughter. Motion passed unanimously.

F. Ordinance 2023-05 An Ordinance of the Board of Trustees of the Town of Blue River, Colorado, Amending Section 18-1-10 of the Municipal Code Concerning Certificates of Occupancy

It was noted, this ordinance was developed from recommendations made in October and from Planning and Zoning. This is an introduction with public notice to be made and approval in December. The ordinance was reviewed and discussed. The limited temporary certificate of occupancy was discussed and how it would be used. It was noted this is common in the rest of the county.

VII. NEW BUSINESS

G. Discussion of 2024 Meeting Days & Public Notice Postings

Mayor Babich referred to the memo provided by the Town Manager.

Discussion of potential meeting days. Decision to move meetings to the second Thursday of the month. An ordinance will be brought forward in December.

Manager Eddy noted that if it is desired to move forward with a ballot question to post by title only, it would occur in at the April election and will be set by resolution in December. Manager Eddy also noted that if it is desired to request to waive the 5.5% tax limit and retain all of the 12.290 mills approved by voters, this would also need to be placed on the April election ballot. Manager Eddy explained the difference in revenue to the Town between voter approved mills and the 5.5% tax limit imposed on statutory towns.

Discussion of the publishing by title. Consensus to add this to the ballot.

Discussion of the 5.5% tax limit question. Consensus to add the question to the ballot.

VIII. CONTINUING BUSINESS

H. Review of Comments for Trail Signage by Paul Semmer

Mayor Babich noted email letter from Paul Semmer concerning trail signage. He noted a desire to bring it forward as it was discussed prior to the discussion on the committee.

Paul Semmer noted the language came directly from the Town of Breckenridge language.

Trustee Hopkins noted it had been discussed to distinguish Blue River from Breckenridge. Mr. Semmer the example provided is modeled after the County.

Discussion of what would better fit Blue River and the use of signs in the Town.

Trustee Dixon stated he is in favor of what is proposed.

Discussion that as easements are obtained, they may be tailored to accommodate the grantee's requests. Discussion to utilize the recommendation for the resolution. Discussion to include language that any sign installed must be approved by the land owner.

IX. REPORTS

I. Mayor

Mayor Babich did not have a report.

J. Trustees

i. Citizen Advisory Committee - Trustee Finley

ii. Open Space & Trails Advisory Committee-Trustee Dixon

iii. Planning and Zoning Commission- Trustee Hopkins

iv. Transit Authority - Trustee Pilling

v. Wildfire Council - Trustee Slaughter

vi. Roads-Trustee Fossett

Trustees

i. Citizen Advisory Committee - Trustee Finley will not meet until after the first of the year.

ii. Open Space & Trails Advisory Committee-Trustee Dixon- no report

iii. Planning and Zoning Commission- Trustee Hopkins- no report.

iv. Transit Authority - Trustee Pilling-no report for Blue River service.

v. Wildfire Council - Trustee Slaughter-met in November and discussion was surrounding updates and funding.

vi. Roads-Trustee Fossett-no report on roads. Trustee Fossett noted the Chief interviews for Red, White and Blue Fire and hiring process.

K. Attorney

No report.

L. Staff Reports

Manager Eddy noted and added that there may be some unexpected expenditures in the Police Department due to computer failures and car maintenance repairs.

X. EXECUTIVE SESSION

Motion made by Trustee Fossett, Seconded by Trustee Slaughter move to hold an executive session pursuant to CRS §24-6-402 (4) (b) for the purpose of receiving legal advice regarding statutory or other legal requirements pertaining to municipal boards and commissions at 8:01 p.m. Voting Yea: Mayor Babich, Trustee Dixon, Trustee Fossett, Trustee Hopkins, Trustee Pilling, Trustee Slaughter. Motion passed unanimously.

Slaughter moved and Fossett seconded to adjourn out of executive session at 9:10 p.m. to conduct a vote on Resolution 2023-06. Motion passed unanimously.

Slaughter moved and Fossett seconded to approve Resolution 2023-06 Resolution Dissolving Open Space and Trails Committee. Motion passed. Trustee Pilling opposed.

XI. ADJOURN

Motion made by Trustee Slaughter, Seconded by Trustee Fossett to adjourn the meeting at 9:15 p.m. Voting Yea: Mayor Babich, Trustee Dixon, Trustee Fossett, Trustee Hopkins, Trustee Pilling, Trustee Slaughter. Motion passed unanimously.

NEXT MEETING -

December 19, 2023

Reports from the Town Manager, Mayor and Trustees; Scheduled Meetings and other matters are topics listed on the Regular Trustees Agenda. If time permits at the work session, the Mayor and Trustees may discuss these items. The Board of Trustees may make a Final Decision on any item listed on the agenda, regardless of whether it is listed as an action item.