



BOARD OF TRUSTEES JULY 2023

**July 25, 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 Regular Meeting

I. CALL TO ORDER, ROLL CALL

Mayor Babich called the regular meeting to order at 5:00 p.m.

Roll Call

PRESENT

Mayor Toby Babich

Trustee Joel Dixon

Trustee Kelly Finley

Trustee Mark Fossett

Trustee Ted Pilling

Trustee Ted Slaughter

Excused

Trustee Noah Hopkins

Also present: Town Manager Michelle Eddy; Town Attorney Bob Widner

II. EXECUTIVE SESSION

A. Executive Session 5:00 p.m.

Motion made by Trustee Finley, Seconded by Trustee Fossett to enter into executive session for the following reasons at 5:06 p.m. Pursuant to **CRS 24-6-402(4)(b) and (e)** to receive legal advice and to instruct negotiators concerning a potential land acquisition; pursuant to **CRS 24-6-402(4)(b)** for the purpose of receiving legal advice concerning the laws governing the ownership, control, and use of real property for right-of-way; pursuant to **CRS 24-6-402(4)(b)** to receive legal advice on the processing of a House Bill 1041 Application received by the Town from the Colorado Department of Transportation. Voting Yea: Mayor Babich, Trustee Dixon, Trustee Finley, Trustee Fossett, Trustee Pilling, Trustee Slaughter

Fossett moved and Pilling seconded to adjourn the executive sessions with no action taken at 6:58p.m.

III. APPROVAL OF CONSENT AGENDA

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

B. Minutes for June 20, 2023

C. Approval of Bills-\$179,521.45

IV. COMMUNICATIONS TO TRUSTEES

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

Manager Eddy noted communications received via email from Paul Semmer and Clint Siddons this morning in addition to communications received at 4:30 p.m. this afternoon.

Mayor Babich noted deadlines for written comments to be provided in the packet. Communications are due the second Tuesday of the month.

Eric Hann-Whispering Pines-asked about the status of the town and the dark skies discussion. It was noted this would be discussed later in the meeting.

V. NEW BUSINESS

D. 911 Communications Center IGA Approval for Mayor Signature.

Manager Eddy reviewed the recent changes with the 911 Communications Center. With these changes a new IGA has been developed over the last several months to reflect the new agreement among the jurisdictions, county and 911 Center. She noted the agreement has been approved today by the County and will be approved by the remaining entities by the end of the week. A resolution for approval is on the agenda.

E. Dark Skies Survey & Report-Citizen Advisory Committee

Manager Eddy reviewed the staff report from the Citizen Advisory. Members of Citizen Advisory were present to answer questions.

Communication was received from Martie Semmer on the recommendation in addition Committee Members provided additional comments.

Manager Eddy read communication from Steve Kucera.

Charlie Brittz Citizen Advisory Chair spoke on behalf of the committee and reason for recommendation. Jodie Wiley, Committee member echoed comments from the Committee.

Trustee Finley noted that the committee had conducted a thorough review and due diligence. She noted that the committee is not against dark skies and the concept but is not in favor of mandates and enforcement piece.

Mayor Babich noted the work conducted by the committee.

Trustee Finley suggested a question that should have been included would be "do you want this to be enforced." This may have had a different result.

Trustee Dixon asked about what the \$250 application fee involves. Manager Eddy explained the process and that it would mean the town is ready to become a dark sky community. There was discussion about the confusion around the application and process.

Trustee Pilling asked about the 62% stating to consider pursuing the designation versus what the committee is recommending. Discussion that the comments didn't reflect that sentiment and the enforcement question wasn't asked. Trustee Finley noted that the enforcement is required. Trustee Pilling noted Timber Creek Estates has in their covenants with penalties for dark skies in the subdivision. He stated the HOA did have an incentive program to encourage compliance.

It was noted that in addition to enforcement, there is a requirement of annual reporting, compliance and an additional committee to submit reports.

Mayor Babich remarked residents are in favor of wanting to have dark skies but not enforcement. He noted that the education and incentive programs to build compliance seems reasonable.

Trustee Slaughter noted in agreement with recommendations with maybe reviewing the current ordinance to see if it needs anything else.

Trustee Finley noted a desire by the committee to develop a meaningful incentive program.

It was recommended to have the committee review the current ordinance.

Motion made by Trustee Finley, Seconded by Trustee Dixon to approve the Citizen Advisory Committee recommendation and the development of an incentive program. Voting Yea: Mayor Babich, Trustee Dixon, Trustee Finley, Trustee Pilling, Trustee Slaughter. Motion passed unanimously.

F. Discussion of Trail Signage within the Town

Mayor Babich noted memo included in the packet. He noted reason for the signs being installed and emails circulating spurring the conversation. He stated there is a need to adopt a policy for signage either based on the advisory document or with additional input to guide staff in the future. He remarked on trails throughout the area there is various signage based on

location. The one in the plan is consistent within the Town of Breckenridge and the County. He noted the language for signs in the plan.

Discussion and clarification on the Open Space & Trails Plan is an advisory document to guide decisions around trails, signage, and open space for consideration by the Trustees.

Trustee Dixon stated a recommendation to follow the plan as outlined. He noted a need for a policy in place to be consistent. He feels the posts should be 6x6 versus the 8x8 installed and that the signs are too large. The goal is not advertisement but for local use. Trustee Finley agreed.

Trustee Slaughter noted he is against all signage for the trails while understanding the need for respecting private property. He questions need and has a concern for the committee and trails in town.

Trustee Dixon noted the committee is awaiting the digital plan so it can conduct an open house and promote to the public. He feels any signage now is premature. He would be in favor of a policy to have signage as it shows in the plan.

Mayor Babich remarked that a need to address resident concerns for signage are considered when obtaining an easement and a need for flexibility. He would support the consistent signage with a caveat for special circumstances. Special circumstances should be reviewed by the Town Attorney and Town Manager for recommendations.

Consensus that the sign in the plan would be the preferred type with exceptions. Mayor Babich directed the Town Attorney and Town Manager to develop a policy and resolution for the Trustees to consider.

G. Discussion of a road maintenance policy.

Mayor Babich reviewed current conversations around requests and demands from individual owners and the need to develop a policy.

The recommendation for process and policy was reviewed. It was recommended to add a form to the website for requests and follow up. Decision to formalize the process and develop a webpage to bring back to the Trustees for adoption.

VI. RESOLUTIONS

H. Resolution 2023-02 A RESOLUTION RATIFYING AUTHORIZED CHANGES TO THE BLUE RIVER LAND USE CODE AS APPROVED JUNE 20,2023

Motion made by Trustee Slaughter, Seconded by Trustee Pilling to approve Resolution 2023-02 A Resolution Ratifying Authorized Changes to the Blue River Land Use Code as Approved June 20, 2023. Voting Yea: Mayor Babich, Trustee Dixon, Trustee Finley, Trustee Pilling, Trustee Slaughter. Motion passed unanimously.

I. RESOLUTION 2023-03 A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT (IGA) REGARDING THE OPERATION, ADMINISTRATION, AND FINANCIAL SUPPORT OF THE SUMMIT COUNTY COMMUNICATIONS CENTER

Motion made by Trustee Finley, Seconded by Trustee Pilling to approve Resolution 2023-03 A Resolution Approving An Intergovernmental Agreement (IGA) Regarding the Operation, Administration, and Financial Support of the Summit County Communications. Voting Yea: Mayor Babich, Trustee Dixon, Trustee Finley, Trustee Pilling, Trustee Slaughter. Motion passed unanimously.

VII. REPORTS

J. Mayor

No report.

K. Trustees

- i. Citizen Advisory Committee -Trustee Finley
- ii. Open Space and Trails Committee - Trustee Dixon
- iii. Planning and Zoning - Trustee Hopkins
- iv. Transit Authority - Trustee Pilling
- v. Wildfire Council - Trustee Slaughter
- vi. CDOT - Trustee Fossett

Trustees

- i. **Citizen Advisory Committee** -Trustee Finley nothing additional.

ii. **Open Space and Trails Committee** - Trustee Dixon

Thanked for the discussion on the signage. The committee has not had a meeting since March awaiting the digital trail map. He noted there was a field trip with members and a few Trustees. Mayor asked to have a doodle to be sent out for a second Saturday/Sunday in August (12/13th or 19th/20th) for another tour.

iii. **Planning and Zoning** - Trustee Hopkins

Trustee Hopkins was not present. Manager Eddy noted they reviewed and approved one new construction, one addition and a change order project. The August meeting has been cancelled due to no applications.

iv. **Transit Authority** - Trustee Pilling

Trustee Pilling reported the annual retreat is tomorrow and one item of discussion will be micro transit study.

v. **Wildfire Council** - Trustee Slaughter

Trustee Slaughter reported the Blue River East project will be hand cut and piled and not removed. Manager Eddy noted there will be work done at the Spruce Creek Trail Head.

vi. **CDOT** - Trustee Fossett-no report.

L. Attorney

No report.

M. Staff Reports

VIII. ADJOURN

Motion made by Trustee Finley, Seconded by Trustee Dixon to adjourn the meeting at 8:50 p.m.

Voting Yea: Mayor Babich, Trustee Dixon, Trustee Finley, Trustee Pilling, Trustee

Slaughter. Motion passed unanimously.

Next Meeting- August 15, 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.