



**Agenda**  
**Town of Blue River**  
**Regular Meeting of the Board of Trustees**  
**January 18, 2022**  
**5:00 p.m.**

**Michelle Eddy is inviting you to a scheduled Zoom meeting.**

**Topic: January Board of Trustees**  
**Time: Jan 18, 2022 05:00 PM Mountain Time (US and Canada)**

**Join Zoom Meeting**

<https://us06web.zoom.us/j/87320823424?pwd=RzI5MXZEVVA4bFpNSlJ3aVUrMlVwQT09>

**Meeting ID: 873 2082 3424**

**Passcode: 652828**

Dial by your location

- +1 669 900 6833 US (San Jose)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 929 436 2866 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 312 626 6799 US (Chicago)

**5:00 p.m. REGULAR MEETING OF THE BOARD OF TRUSTEES**

**I. CALL TO ORDER, ROLL CALL**

**II. APPROVAL OF CONSENT AGENDA**

- Minutes, December 21, 2021
- Approval of Bills

**III. COMMUNICATIONS TO TRUSTEES**

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

**IV. NEW BUSINESS**

- Resolution 2022-01 A Resolution Designating the Official Posting Location for Notices of All Public Meetings Pursuant to C. R. S. 24-6-402(2)(C)(I)
- Planning & Zoning Vacancy
- Land Use Code First Draft-Attorney Widner
  - During this agenda item, Bob Widner and Michelle Eddy will walk the Board of Trustees through a screen share of the first draft of a proposed Land Use Code. They will explain the draft Code's contents, its language and purpose, and discuss the best process for the BOT members to review and provide comments on the draft. Following the presentation, the Board will be provided a full electronic version of the draft Code to review over the next month so the Board can begin providing feedback.

**V. REPORTS**

- Mayor
  - Committees-Attendance and conflicts of interest
- Trustees
  - Citizen Advisory Committee-Trustee Finley
  - Open Space & Trails Committee-Trustee Dixon
  - Planning & Zoning-Trustee Robertson
  - Transit Authority-Trustee Pilling
  - Wildfire Council-Trustee Dixon
  - CDOT-Trustee Fossett
  - Upper Blue Planning Commission-Trustee Cleary
- Attorney's Report

## **VI. OTHER BUSINESS**

### **Next Meeting, Tuesday, February 15, 2022**

*Reports from the Town Administrator, 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.*



**Minutes  
Town of Blue River  
Regular Meeting of the Board of Trustees  
December 21, 2021  
6:00 p.m.**

*The meeting was held via Zoom.*

**6:00 p.m. REGULAR MEETING OF THE BOARD OF TRUSTEES**

**III. CALL TO ORDER, ROLL CALL**

- a. Mayor Babich called the regular meeting of the Board of Trustees to order at 6:00 p.m.
- b. Roll Call
  - i. Mayor Toby Babich
  - ii. Dan Cleary
  - iii. Joel Dixon
  - iv. Kelly Finley
  - v. Ted Pilling
  - vi. Ken Robertson
  - vii. Fossett was excused. Also, present Town Manager Michelle Eddy; Town Attorney Bob Widner.

**IV. APPROVAL OF CONSENT AGENDA**

- Minutes, November 30, 2021
- Approval of Bills-\$50,693.40
  - Trustee Pilling moved and Trustee Dixon seconded to approve the consent agenda. Motion passed unanimously.

**III. COMMUNICATIONS TO TRUSTEES**

- Citizen Comments (Non-Agenda Items Only- **3-minute limit please**). Any written communications are included in the packet.
  - Martie Semmer-Blue Grouse Trail. Remarked on work session minutes for citizen complaints on short-term rentals. She recommended a complaint hotline and asked for a temporary short-term tax on short-term.
    - Manager Eddy provided a response to the concern on a complaint hotline request.
  - Trustee Finley noted a need to address complaints without dispatch and recommended a wording and messaging solution. Manager Eddy noted procedures in place and will work on messaging. Chief Susic noted most issues are police response issue.
  - Trustee Pilling noted a need for enforcement as guest are arriving in the area for speeding.

**IV. NEW BUSINESS**

- Resolution 2021-19 A Resolution of the Board of Trustees Authorizing A Mail Ballot Election April 5, 2022 And Setting Forth Other Details Relating Thereto
  - Trustee Finley moved and Trustee Cleary seconded to approve Resolution 2021-19 A Resolution of the Board of Trustees Authorizing A Mail Ballot

Election April 5, 2022 And Setting Forth Other Details Relating Thereto.  
Motion passed unanimously.

- Resolution 2021-20 A Resolution Approving a Town Funding Match to the 457(B) Deferred Compensation Retirement Plans of Eligible Town Employees.
  - Trustee Robertson moved and Trustee Finley seconded to approve A Resolution Approving a Town Funding Match to the 457(B) Deferred Compensation Retirement Plans of Eligible Town Employees. Motion passed unanimously.
- Ordinance 2021-12 AN ORDINANCE AMENDING SECTION 18-7-30 OF THE BLUE RIVER MUNICIPAL CODE REGARDING AUTOMATIC SPRINKLER SYSTEMS IN RESIDENTIAL BUILDINGS AND AMENDING THE 2018 INTERNATIONAL RESIDENTIAL CODE
  - Town Manager Eddy noted memo from the Town Attorney's Office.
  - Trustee Pilling moved and Trustee Cleary seconded to approve Ordinance 2021-12 AN ORDINANCE AMENDING SECTION 18-7-30 OF THE BLUE RIVER MUNICIPAL CODE REGARDING AUTOMATIC SPRINKLER SYSTEMS IN RESIDENTIAL BUILDINGS AND AMENDING THE 2018 INTERNATIONAL RESIDENTIAL CODE. Motion passed unanimously.
- Road & Building Department Discussion
  - Manager Eddy reviewed staff report and provided information.
  - Trustee Robertson discussed building process and his challenges with the submittals and to work on a complete submittal process. He noted a need to step up with the reviews and sticking to the deadlines. He suggested to possibly requiring an architect submit applications as the remaining lots are challenging
  - Discussion of process and how things can be improved.
  - Discussion of a more detailed check list and pre-evaluation process.
  - Noted a need to push education to on the process.
  - Trustee Robertson asked to have Charles Abbott decide whether packets are completed and note staff.
  - Trustee Cleary stated a desire to have a person on staff to handle these issues in the future.
- Set Back Draft Ordinance
  - Attorney Widner provided background and information. He noted it is a intended to be a stop gap while the new Chapter 16 is being drafted and approved. He noted this is very basic and the new Chapter 16 will be more comprehensive.
  - Discussion to have Planning and Zoning review and provide the necessary feedback as well to consider community character in the future.

## **W. REPORTS**

- Mayor
- Trustees
  - Citizen Advisory Committee-Trustee Finley
    - Trustee Finley discussed the changes with chairs. Manager Eddy noted Tim West has been recommended by the Committee to serve as Chair and Noah Hopkins as Vice Chair.
    - Manager Eddy has sent out to the committee work on the short term rental questions for the survey on short-term rentals.

- Trustee Finley moved and Trustee Robertson seconded to approve Tim West as Chair and Noah Hopkins as Vice Chair. Motion passed unanimously.
- Open Space & Trails Committee-Trustee Dixon
  - Trustee Dixon reviewed email communication received and request from the Committee.
    - a. The requests were reviewed. The intent of the communications piece was clarified to ensure that members were not stepping outside their roles in discussion with residents and to centralize the communication and to avoid speaking on behalf of the town binding the town to what was said. Committee member shouldn't commit to items nor to speak on behalf of the town unless it been authorized to do so. The intent is to set parameters as to what can be said/done. It was asked to have that language changed to state the above. It was noted that this has always been stated.
    - b. Discussion of how communications can work. Attorney Widner noted the committee should present to the Trustees the type of communication authorization they would like to seek.
    - c. Discussion of a need to clarify the committee's role and how all committees need to work.
    - d. Decision to leave the language as is but to clarify to the committee how it works. If a committee member is approached, they are advised to refer to town staff. Noting that there isn't a limiting of someone's ability to talk but limits how it happens.
    - e. Mayor asked for the Town Manager to provide direction and clarification.
    - f. The second request was to allow Mr. Semmer to serve on both Summit County and Blue River Open Space and Trails Committees. Discussion as to why the provision was included in the bylaws. Attorney Widner provided background and information as to why this was included and the potential of conflicting interest.
    - g. Noted that it needs to be reviewed by the Trustees. Attorney Widner noted the member would be trained on conflicts of interest by state law. Noted to bring it forward in January.
  - Trustee Dixon noted that the Committee reviewed the trail route and potential open space parcels.
- Planning & Zoning-Trustee Robertson
  - Trustee Robertson provided a review of the December approvals.
  - Manager Eddy noted Dan Farber has resigned leaving a position open. His position will be advertised.
  - It was noted that Tim Johnson was selected to serve as chair and Travis Beck as Vice Chair.
  - Trustee Cleary moved and Trustee Dixon seconded to approve Tim Johnson as Chair and Travis Beck as Vice Chair. Motion passed.
- Transit Authority-Trustee Pilling
  - Trustee Pilling reported there is no new report.
- Wildfire Council-Trustee Dixon
  - Trustee Dixon reported no new report.
- CDOT-Trustee Fossett

- There was no report.
- Other Trustee Reports
  - Trustee Cleary asked about the change for records request for recordings and feels it should be available.
  - Discussion on common practice.
- Attorney's Report
  - Attorney Widner noted information pertaining to the new Chapter 16, 16A, 16B will be sent out to the Trustees for review.

## **VI. OTHER BUSINESS**

**Next Meeting, Tuesday, January 18, 2021**

There being no further business before the Board of Trustees, Trustee Finley moved, and Trustee Robertson seconded to adjourn the meeting at 8:35 p.m.

Respectfully Submitted:

---

Michelle Eddy, Town Clerk

*Reports from the Town Administrator, 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.*

**TOWN OF BLUE RIVER, COLORADO  
RESOLUTION NO. 2022-01**

**A RESOLUTION DESIGNATING THE OFFICIAL POSTING  
LOCATION FOR NOTICES OF ALL PUBLIC MEETINGS PURSUANT  
TO C.R.S. § 24-6-402 (2)(C)(I).**

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BLUE RIVER AS FOLLOWS:**

Section 1. Pursuant to C.R.S. § 24-6-402(2)(I), the Town of Blue River designates the following as the public posting place for all notices of Town public meetings as defined by the Colorado Open Meetings Law:

Blue River Town Website at <https://townofblueriver.colorado.gov>

Section 2. Pursuant to C.R.S. § 24-6-402(2)(III), the Town of Blue River designates the following as the public posting place in the event that the Town is unable to post notice of a public meeting at the Town's Website in exigent or emergency circumstances such as power outage or the interruption of internet service that prevents the public from accessing the notice online:

Blue River Town Hall at 0110 Whispering Pines Circle, Blue River, Colorado.

Section 3. Nothing in this Resolution shall preclude the Town from posting notice at additional locations as a courtesy to the public.

Section 4. The Town Clerk is hereby directed to provide to the Department of Local Affairs the address of the Town's website as required by to C.R.S. §24-6-402(2)(c)(III) and C.R.S. §24-32-116.

ADOPTED the 18<sup>th</sup> day of January, 2022.

BOARD OF TRUSTEES

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Town Clerk



# Town of Blue River

---

## Planning & Zoning Commission Application

Name: Bevan Hardy  
Blue River Address 809 Blue River Road Breckenridge 80424  
Phone Number 9703906626  
Email Bevan@mymountainhome.net

**How long have you lived in Blue River?** 21 years

**Why are you interested in participating on this Committee?**

After my positive experience on the Comprehensive Planning Committee update last year. I would like to add a view to planning and zoning aligned with Blue River Comp Plan. I believe the last year of meetings and input from fellow residents will enable me to be a steward for their vision for Blue River.

**What skill do you bring to the Committee?**

A Real Estate background, communication and listening skills. An up to date knowledge of market conditions and our residents vision for Blue River going forward.

**If appointed are you able to attend month meetings for the full term?**

Yes I will be available either in person or via zoom

P.O. Box 1784, Breckenridge, CO 80424

970-547-0545, <https://townofblueriver.colorado.gov>





**Blue River Staff Report**  
January 2022

Town of Blue River

970-547-0545

0110 Whispering Pines Circle

[michelle@townofblueriver.org](mailto:michelle@townofblueriver.org)



### **Communications & Happenings**

- **Short Term Rental Renewals**
  - There have been 164 renewals. Two licenses were voided and cancelled due to lack of paperwork and payment. Twelve licenses have been issued since January 1<sup>st</sup>. Total there are 174 current licenses.
  - The Citizen Advisory Committee has developed a survey that will be distributed Friday, January 17, 2022, and will run until February 18, 2022. Postcards will be sent to those homeowners with no email address. The survey is restricted to homeowners/residents.
- **2022 Election**
  - The Town of Blue River will hold a mail ballot election April 5, 2022. There are three Trustee seats up for election: Dan Cleary; Ken Robertson and Ted Pilling. Petitions may be picked up at Town Hall by appointment beginning January 4, 2022. All petitions are due back to Town Hall by 5:00 p.m. January 24, 2022. Information is posted online.

▪

## **Town Statistics**

Facebook Page Likes

Town-1,296

Police Department-910

Instagram-1008 followers

**Business Licenses-250**

**Lodging Registrations-174**

## **Building Statistics**

**December**

**Permits Issued: 14**

**YTD: 235**

**Inspections: 7**

**New Construction 2021: 9**

**Certificates of Occupancy: 7**

## **Municipal Court**

**December 2021/January 2022**

Total tickets written for December Court:  
17

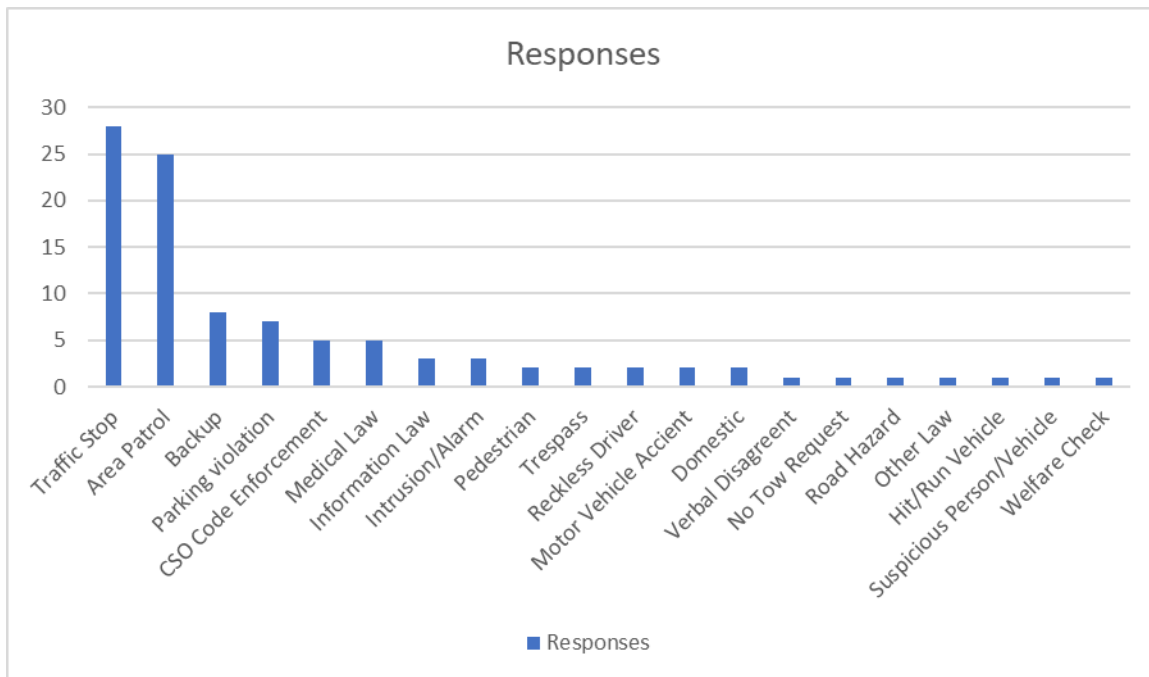
Total on the January Docket: 9

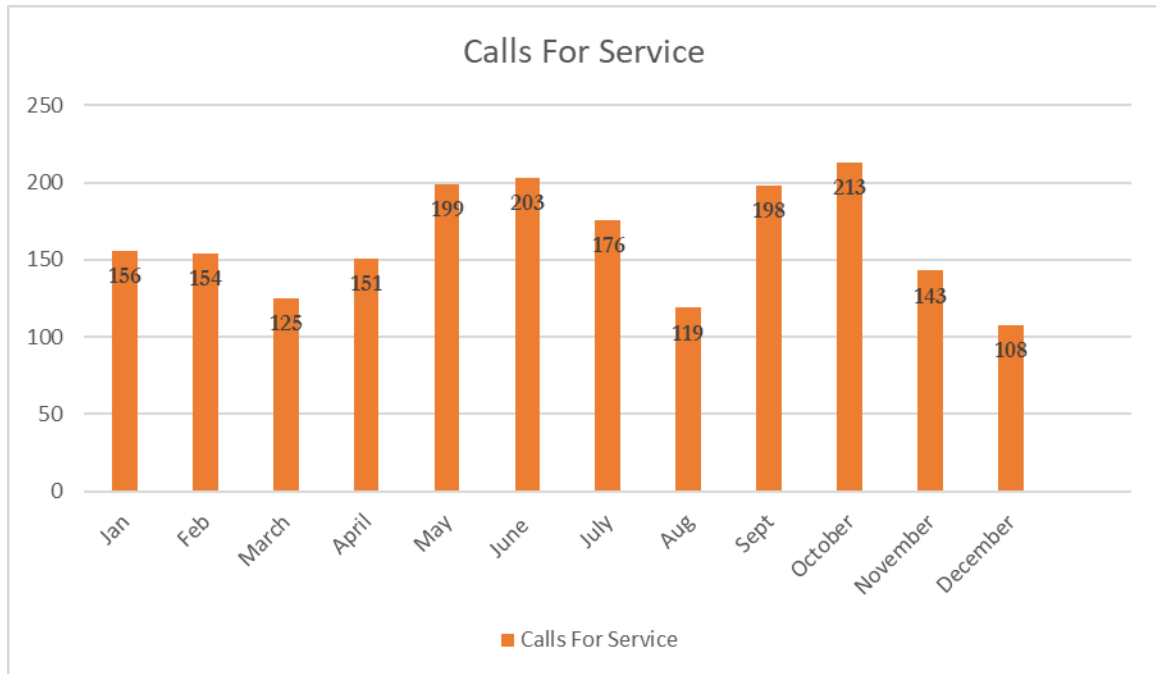
Total January Failure to appear(s): 0

Total January OJW(s): 0



For the month of December 2021:





For the month of December, the Blue River Police Department recorded 108 incidents. We have seen an increase in back up calls, especially south of Blue River (Hoosier Pass). All departments within the County are experiencing manpower shortages due to the increased numbers in COVID cases. All law enforcement agencies are working together to compensate for these shortages. We had two confirmed cases of COVID 19 among our staff. Both officers are well and are returning to full duty.

#### **Training**

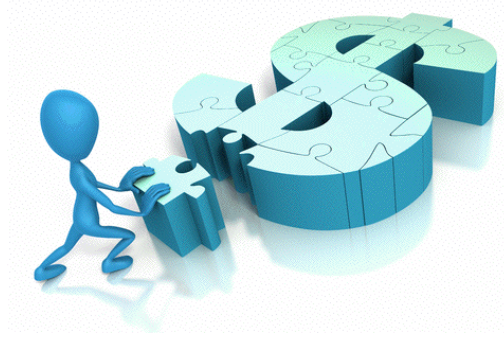
All officers completed their mandatory yearly training requirements and are following the State mandate.

#### **Critical Statistics Incident numbers**

1. Presentation of Weapons – 0
2. Uses of Force – 0
3. Vehicle Pursuits – 0

#### **Public Safety**

With the new surge in COVID cases, I issued a new administrative order, limiting numbers of traffic stops as well as limiting personal contact with community. As of right now, are department office is accessible only to the members of the Blue River Police Department. The biggest issue we are facing as of right now is staffing at the 911 center. They are down to four dispatcher and have requested help from other 911 centers within the State. All Chiefs and Sheriff are meeting on January 15, 2022 to address this shortage issues. I am anticipating all law enforcement agencies limiting numbers of traffic stops as well as huge increase in MDC (mobile dispatch center) usage. Detox and Jail also changed their standard operational procedures. Detox is accepting only two clients instead of five. Jail is accepting only mandatory arrests (DV, violation of restraining order, warrant outside our judicial district, etc.). We have already experienced issues with these new administrative changes within Jail. Our officer responded to a dui crash, and after completing the investigation Officer learned that Jail and Detox would not accept this person. All hotels within County were booked in and there was no one to pick up this intoxicated person. Since this crash happened at night during a storm, officer brought back this person to the Blue River Police Department and had to watch over her until she sobered up. This is only one instance of the issues associated with recent COVID surge.



## Financial Summary Report

Prepared by: Michelle Eddy, Town Manager  
December 31, 2021

### Revenues:

Sales Taxes, Lodging Taxes and Building fees are well ahead of budget. Overall revenues finished 48.03% ahead of budget.

### Expenses

Expenses reflect the purchase of the Blue River Condo for employee housing. Expenses for Technology are due to replacement of equipment from a lightning strike. Wildfire grant expenses are also ahead of budget due to more participants. Increases in Public Safety are due to turnover and training within the Police Department. Overall expenses are above budget by 50.63%.

Net revenues are ahead of budget by 38.68%.

### Reserve Accounts\*As of 12/31/2021

#### Unrestricted

|                               |                       |
|-------------------------------|-----------------------|
| Reserve accounts Alpine Bank: | \$1,340,106.86        |
| Reserve account First Bank:   | \$100,001.00          |
| CD's Citiwide Bank:           | \$211,251.72          |
| Colorado Trust:               | \$535,367.50          |
| CSAFE:                        | \$100.00              |
| Petty Cash                    | \$1,148.16            |
| Illiquid Trust Funds:         | \$1,187.42            |
| <b>Total Unrestricted</b>     | <b>\$2,189,162.66</b> |

#### Restricted

|                                  |                     |
|----------------------------------|---------------------|
| American Rescue Plan Funds:      | \$115,750.84        |
| Conservation Trust:              | \$113,945.70        |
| <b>Total Reserves Restricted</b> | <b>\$229,696.54</b> |