



**Agenda
Town of Blue River
Regular Meeting of the Board of Trustees
June 21, 2020
6:00 p.m.**

Conferencing Access Information: <https://global.gotomeeting.com/join/699622869> Join via phone at [1 866 899 4679](tel:8668994679) Access Code: 699-622-869

***The June Meeting will be open to the public via the GoToMeeting link only. All citizens wishing to attend are asked to log into the virtual meeting.** If you are wishing to provide Citizen Comments or participate in the public hearings, please email Michelle Eddy, Town Manager at michelle@townofblueriver.org by 4:00 p.m.*

Monday, June 15th to receive additional information. Please also refer to our website for information on participating in the virtual meeting <https://townofblueriver.colorado.gov/town-info/meetings/guidelines-for-public-participation-in-virtual-public-hearings>

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

II. CALL TO ORDER, ROLL CALL

- Mayor Babich called the Regular Meeting of the Board of Trustees to order at 6:00 p.m. The Trustees were present in person with public invited via recorded GoToMeeting.
 - Roll Call
 - Toby Babich, Mayor
 - Dan Cleary
 - Joel Dixon arrived at 6:12 p.m.
 - Kelly Finley
 - Mark Fossett
 - Ted Pilling arrived in person at 7:30 p.m.
 - Ken Robertson
 - Also present: Town Manager/Clerk, Michelle Eddy.; Town Attorney Robert Widner.

III. APPROVAL OF CONSENT AGENDA

- **MINUTES, June 16, 2020**
- **Approval of Bills-\$75,391.81**
 - Correction on minutes that Brian Lorsch was not present and discussion of reading of lighting ordinance and correction of July agenda.
 - Trustee Fossett moved and Trustee Finley seconded to approve the consent agenda as amended. Motion passed unanimously.

IV. COMMUNICATIONS TO TRUSTEES

This is an opportunity for Citizens to bring comments and questions to the Board of Trustees not being addressed in the Regular Meeting Agenda. Please limit comments to 3 minutes. Citizens are asked to approach the podium state their name and address for the record.

Please use the comments section on the meeting site to speak or ask a questions. You may also text your questions to (970) 406-2430.

- Citizen Comments (Non-Agenda Items Only)
 - Paul & Martie Semmer, Blue Grouse welcome good job and wash hands.
- Citizen Communications (letters & emails)
 - Emails and responses were included with a staff report in the Trustees packet.

V. NEW BUSINESS

- Presentation of 2019 Audit-Debbie Crady, Auditor
 - Debbie Crady with Crady, Puca Associates was present via GoToMeeting to present the 2019 Audit to the Board of Trustees. A draft was included in the Trustees Packet.
 - Discussion of audit points including funds/classes and recommendations.
- First Reading Ordinance 2020-09 Chapter 2 Planning & Zoning Reorganization Ordinance
 - Mayor Babich provided background and spoke on conversations with Planning and Zoning members. He noted frustrations from members of Planning and Zoning around timing and intent. Noted that there was a communications breakdown but will be working to improve that in the future.
 - Town Attorney Widner provided information as to reasons and need for the proposed changes including best practices. He noted that Planning and Zoning is statutory and he noted that Blue River is unique in the duties delegated to the Planning and Zoning Commission. He noted the new ordinance cleans up these duties and assigns the duties properly.
 - Trustee Robertson noted that in the past there was no interest from the public so terms have continued. He noted favor of term limits. He noted concern of the current Planning and Zoning Commission not continuing in whole or part. Recommended to encourage at least some of the current membership to continue to provide the necessary education to anyone appointed.
 - Trustee Finley recommended creating a matrix to develop a ranking for selection.
 - Discussion to allow the existing members to continue that have not yet served a full term.
 - There was agreement on term limits, and continuity.
 - Trustee Cleary recommended having four members serve a four year and three members a two year term.
 - Discussion to review existing appointments, create a matrix and open selection process under the matrix allowing for retaining membership. Discussion that there are three seats that would be open based on the current terms and to allow others to remain but be assigned a term to continue.
 - Recommend to allow members whose existing terms expire to reapply for a four year term along with opening it up to the public. Those whose terms are in process will be appointed to a two year term without reapplying. There will also be a seat that was formally filled by a Trustee for a four year term.
 - Additional changes include deleting the staffing language; and changing the period before reapplying to two years.

- It was noted to have it presented to Planning and Zoning in August.
- Trustee Fossett moved and Trustee Finley seconded to approve Ordinance No. 20-9 on First Reading with all changes and recommendations described in the Memorandum to the Board of Trustees dated June 23, 2020, and, in addition, to revise the language of section 2-6-40 (b) to reappoint the 3 current members of Planning & Zoning who will not have fully served their current terms as of December 31, 2020, and to have the Board of Trustee appoint the other 4 positions for 2021. Motion passed unanimously.
- Public Hearing, Second Reading Ordinance 2020-10 Regarding Garage Size Limitation
 - Mayor Babich opened the public hearing at 7:22 p.m.
 - No comment received.
 - Mayor Babich closed the public hearing at 7:24 p.m.
 - Trustee Cleary moved and Trustee Robertson seconded to approve Ordinance 2020-10 Regarding Garage Size Limitation. Motion passed unanimously.
- Public Hearing, Second Reading Ordinance 2020-11 Outdoor Lighting
 - Mayor Babich opened the public hearing at 7:25 p.m.
 - No comment received.
 - Mayor Babich closed the public hearing at 7:26 p.m.
 - Noted to change terms on educational information to natural night sky and not dark sky.
 - Trustee Fossett moved and Trustee Dixon seconded to approve Ordinance 2020-11 Outdoor Lighting. Motion passed unanimously.
- Public Hearing, Second Reading Ordinance 2020-12 Home Occupations
 - Mayor Babich opened the public hearing at 7:33 p.m.
 - No comments received.
 - Mayor Babich closed the public hearing at 7:34 p.m.
 - Trustee Pilling asked if there was a concern about outdoor activity.
 - Trustee Cleary expressed disagreement in item A as it is misleading. Discussion that it applies if business is being conducted in the Town of Blue River.
 - Trustee Fossett moved and Trustee Cleary seconded to approve Ordinance 2020-12 Home Occupations. Motion passed unanimously.
- Public Hearing, Second Reading Ordinance 2020-13 Public Records Policy
 - Mayor Babich opened the public hearing at 7:44 p.m.
 - No comments received.
 - Mayor Babich closed the public hearing at 7:45 p.m.
 - Trustee Fossett moved and Trustee Pilling seconded to approve Ordinance 2020-13 Public Records Policy. Motion passed unanimously.
- Resolution 2020-04 Three Mile Plan
 - It was noted this was reviewed at the June Trustees meeting.
 - Town Attorney Widner noted everything under section 8 shall be removed as part of the adoption for cleanup.

- Trustee Dixon moved and Trustee Fossett seconded to approve Resolution 2020-04 Three Mile Plan as amended. Motion passed unanimously.
- Resolution 2020-05 Adoption of the Summit County Hazard Mitigation Plan
 - Town Manager Eddy noted Blue River's participation in the updating of the Hazard Mitigation Plan. It is necessary for each jurisdiction to adopt the plan as part of the FEMA process.
 - Trustee Dixon moved and Trustee Cleary seconded to approve Resolution 2020-05 Adoption of the Summit Hazard Mitigation Plan. Motion passed unanimously.
- Appointment of the Comprehensive Plan Development Committee
 - Town Manager Eddy noted there were 12 applications received to sit on the Comprehensive Plan Development Committee. This will be an update to the current plan. She noted her staff report outlining recommendations. Voting sheets were provided to the Trustees. Votes are recorded below. There will be a total of eight to be selected.
 - Trustee Robertson reviewed previous process. He noted a desire to bring in an outside consultant versus conducting it internally and to place in the 2021 budget.
 - Recommend to bring the committee together and let the committee determine what can be done internally and what should be consulted out. Town Attorney recommended to train the committee and to develop what it is they are wanting in the plan. This would be brought back to the Trustees as a recommendation on how they wish to proceed.
 - Trustee Robertson moved and Trustee Finley seconded voted to appoint Mark Fossett, Dan Cleary, Tori Aidala, Sarah Thorsteinson, Brownell Bailey, Bevan Hardy, Jon Warnick. Motion passed unanimously.

| Name | Position | Vote |
|--------------------|------------------|------|
| Dan Cleary | Trustee | 7 |
| Mark Fossett | Trustee | 7 |
| Tori Aidala | Citizen Advisory | 7 |
| Tim West | Citizen Advisory | 7 |
| Mark Thomas | Member At Large | 1 |
| Nathan Anderson | Member At Large | 0 |
| Sarah Thorsteinson | Member At Large | 6 |
| Jon Warnick | Member At Large | 4 |
| Martie Semmer | Member At Large | 3 |
| Brownell Bailey | Member At Large | 5 |
| Douglas Smith | Member At Large | 2 |
| Bevan Hardy | Member At Large | 5 |

- Date for Board Retreat
 - Decision to send a new Doodle for first week or second week of September.

VI. REPORTS

- Mayor-no report
- Trustees
 - Trails Committee-Trustee Fossett
 - Trustee Fossett reported the July meeting was postponed. Work continues to obtain easements.
 - Transit Authority-Trustee Pilling
 - Trustee Pilling no new report.
 - Wildfire Council-Trustee Dixon
 - Trustee Dixon reported the Beetlekill Tree Guys will need to conduct site visits for more clarification of work.
 - Planning & Zoning-Trustee Robertson
 - Trustee Robertson had no report
 - Citizen Advisory Committee-Trustee Finley
 - Trustee Finley reported they meet next. She also reported that Martie Semmer resigned.

- Other Trustees Reports
 - Trustee Cleary asked about installing a gate to control access to just residents for the future due to the enforcement issues at the Tarn.
 - Mayor Babich recommended meeting again with the Theobald Family to determine future as we are patrolling and enforcing control of land not owned by the Town.
 - Recommendation to research solutions for the future.
- Department/Staff Reports-see attached.
- Attorney's Report-no report

VII. EXECUTIVE SESSION- Executive Session pursuant to C.R.S. 24-6-402 (4)(b) for the purpose of seeking legal advice pertaining to annexations.

- No executive session was called.

VIII. OTHER BUSINESS

Next Meeting, Tuesday, August 18, 2020

There being no further business before the Board, Trustee Finley made a motion to adjourn the meeting. Trustee Fossett seconded the motion. Mayor Babich adjourned the regular meeting 8:51 p.m.

Respectfully Submitted:

Michelle Eddy, Town Clerk