

SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS
Tuesday, June 14, 2016, 1:30 p.m.
SUMMARY MINUTES

I. CALL TO ORDER

The Meeting of the Board of County Commissioners on Tuesday, June 14, 2016 was called to order by Chair, Thomas C. Davidson, at 1:30 p.m. in the County Commissioners' Meeting Room, Summit County Courthouse, 208 Lincoln Avenue, Breckenridge, Colorado.

II. ROLL CALL

Board Members present and answered to the roll call were:

Thomas C. Davidson, Chair
Karn Stiegelmeier, Commissioner

Staff Present were as follows: Gary Martinez, County Manager; Jeff Huntley, County Attorney; Keely Ambrose, Assistant County Attorney; Thad Noll, Assistant County Manager; Don Reimer, Planning Director; Sid Rivers, Planner II; Jim Curnutte, Community Development Director; Robert Jacobs, County Engineer; Paul Geiger, Engineer I; Julie Sutor, Public Affairs Coordinator; and Eva Henson, Deputy Clerk.

Additional Attendees: Kevin Fixler, Danny Teodoru, Kelly Flenniken, Gil McNeish, Gordon Wiles, Jayne Wells, Evelyn Cavins, Mike Emmerling, Tim DesJarlais, Daniel Moroz, Darrell Walsh, Tom Begley, Bill Payne and George Resseguie.

III. APPROVAL OF AGENDA

The Agenda was approved, as presented.

IV. CITIZEN COMMENT

V. CONSENT AGENDA

- A. Warrant List of 5-16-2016 to 5-31-2016 (Finance). Approved as presented by the Finance Department; and**
- B. Approval of Minutes from the 5-9-16 Special Meeting, 5-24-16 Regular Meeting and 5-27-16 Special Meeting. Approved as presented; and**
- C. Liquor License Modification, Transfer of Ownership for The Pour House Dillon, LLC, dba THE POUR HOUSE DILLON; Linda Schmehl; Tavern License; located at 40 Cove Blvd, Units B3 and B4, Dillon, CO (Clerk). The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**
- D. Approval of the Cost of Living Adjustment (COLA) and Increased Duration Applications (Head Start). Approved as presented; and**

- E. Issuance of a TDR Certificate for 1.35 development rights from the Joint Upper Blue TDR Bank for a 1,349-square-foot commercial addition to the Breckenridge Distillery; Lot 1BC, Block 9, Breckenridge Airport Subdivision Amended (within the Town of Breckenridge) (PLN16-046/Daniel Teodoru) Upper Blue Basin (Planning). **Approved Resolution 2016-40; and**
- F. Resolution Approving Grant Submittal to Great Outdoors Colorado (GOCO) for Fremont Recreation Path Planning Activities (Open Space & Trails). **Approved Resolution 2016-41; and**
- G. Approval of an amendment to the Resolution authorizing the County Manager, Sheriff, or the Director of Emergency Management to order emergency response resources in the event of a wildfire disaster emergency without prior approval by the Board of County Commissioners (Emergency Management). **Approved Resolution 2016-42; and**
- H. Approval of amendment to Exchange Agreement (Attorney). **Approved as presented; and**

MOTION: a motion was made by Commissioner Stiegelmeier and seconded by Commissioner Davidson to approve the Consent Agenda, items A-H including Resolution 2016-40, Issuance of a TDR Certificate for 1.35 development rights from the Joint Upper Blue TDR Bank for a 1,349-square-foot commercial addition to the Breckenridge Distillery; Lot 1BC, Block 9, Breckenridge Airport Subdivision Amended (within the Town of Breckenridge) (PLN16-046/Daniel Teodoru) Upper Blue Basin (Planning), Resolution 2016-41, Approving Grant Submittal to Great Outdoors Colorado (GOCO) for Fremont Recreation Path Planning Activities (Open Space & Trails), and Resolution 2016-42, Approval of an amendment to the Resolution authorizing the County Manager, Sheriff, or the Director of Emergency Management to order emergency response resources in the event of a wildfire disaster emergency without prior approval by the Board of County Commissioners (Emergency Management).

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VI. NEW BUSINESS

- A. A request for a Class 6 Parcel Assemblage to transfer the structure-size-square-footage allowance from five Backcountry-zoned parcels, to the Tailor Lode, another Backcountry-zoned parcel. This request will increase the permitted structure size on the Tailor Lode from 1,166.5 square feet to 2,268 square feet. All parcels are located in the Upper Blue Basin. The affected parcels are as follows: Tailor Lode MS#19959, 10.33 acres, Qtr. 1, Sec. 34, Township 6 S, Range 78 W; Josephine Lode MS#4420, 4.66 acres, Qtr. 4, Sec. 27, Township 7 South, Range 77 W; Gulch Lode MS#11889, 4.6 acres, Qtr. 2, Sec. 22, Township 6 S, Range 77 W; Gem of the Sand Rock Lode MS#4419, 5.16 acres; Lookout Lode MS#11933, 4.242 acres; Empire Lode MS#3543, 3.368 acres, Qtr. 4, Sec. 27, Township 7 S, Range 77 W. (PLN16-035/Mary Hart) Upper Blue Basin (Planning) **Continued from the May 24, 2016 Regular Meeting.**

Don Reimer gave an overview of the staff report and recommended approval of the proposed Resolution including the 8 findings and 3 conditions.

Danny Teodoru, attorney for applicant, provided further background information and also recommended approval.

Commissioner Stiegelmeier and Commissioner Davidson discussed in detail and decided to revert back to the original proposed Resolution with 2 conditions from the May 24, 2016 Regular Meeting.

MOTION: A motion was made by Commissioner Stiegelmeier and seconded by Commissioner Davidson to approve Resolution 2016-43, a request for a Class 6 Parcel Assemblage to transfer the structure-size-square-footage allowance from five Backcountry-zoned parcels, to the Tailor Lode, another Backcountry-zoned parcel. This request will increase the permitted structure size on the Tailor Lode from 1,166.5 square feet to 2,268 square feet. All parcels are located in the Upper Blue Basin. The affected parcels are as follows: Tailor Lode MS#19959, 10.33 acres, Qtr. 1, Sec. 34, Township 6 S, Range 78 W; Josephine Lode MS#4420, 4.66 acres, Qtr. 4, Sec. 27, Township 7 South, Range 77 W; Gulch Lode MS#11889, 4.6 acres, Qtr. 2, Sec. 22, Township 6 S, Range 77 W; Gem of the Sand Rock Lode MS#4419, 5.16 acres; Lookout Lode MS#11933, 4.242 acres; Empire Lode MS#3543, 3.368 acres, Qtr. 4, Sec. 27, Township 7 S, Range 77 W. (PLN16-035/Mary Hart) Upper Blue Basin (Planning), including the 8 findings and 2 conditions.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VII. PUBLIC HEARING

A. Minor PUD amendment to the Keystone PUD to modify certain definitions and number of credits associated with the annual employee housing report in Section 6 of the Keystone PUD to facilitate the allowance of additional beds in the existing Tenderfoot Employee Housing buildings; Lots 1-3, Tenderfoot Subdivision #4, three parcels comprising 5.5 acres, zoned Keystone Resort PUD (PLN16-029/Kara Bowyer) Snake River Basin (Planning). Continued from the May 24, 2016 Regular Meeting.

Commissioner Davidson noted that the applicant requested continuing this item to the June 28, 2016 Regular Meeting.

Commissioner Davidson opened and closed the hearing with no public comment.

MOTION: A motion was made by Commissioner Stiegelmeier and seconded by Commissioner Davidson to continue Public Hearing A, a Minor PUD amendment to the Keystone PUD to modify certain definitions and number of credits associated with the annual employee housing report in Section 6 of the Keystone PUD to facilitate the allowance of additional beds in the existing Tenderfoot Employee Housing buildings; Lots 1-3, Tenderfoot Subdivision #4, three parcels comprising 5.5 acres, zoned Keystone Resort PUD (PLN16-029/Kara Bowyer) Snake River Basin (Planning), to the Regular Meeting on June 28, 2016.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

- B.** New Liquor License for On the Rockies, LLC, dba ON THE ROCKIES; Darrell Walsh; Hotel & Restaurant; located at 260 Ten Mile Circle, Copper Mountain, CO (Clerk).

Tina Woodman gave a brief overview and recommended approval of the proposed Resolution, based on the investigation results, including the 7 findings listed in the staff report.

Darrell Walsh, owner, noted that he has received positive feedback from the Copper Mountain community.

Commissioner Davidson opened the hearing for public comment.

Daniel Moroz, Copper Mountain Fire Marshal, spoke in support of the business and new liquor license.

Commissioner Davidson closed the hearing for public comment.

MOTION: A motion was made by Commissioner Stiegelmeier and seconded by Commissioner Davidson to approve Resolution 2016-44, New Liquor License for On the Rockies, LLC, dba ON THE ROCKIES; Darrell Walsh; Hotel & Restaurant; located at 260 Ten Mile Circle, Copper Mountain, CO (Clerk) including the 7 findings.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

- C.** Rivers Edge Subdivision; Preliminary Plat for 13 lots (12 duplex lots & and 1 SFR lot, for a total of 25 units), and 3 open space tracts; Parcel A, Rivers Edge PUD, zoned Rivers Edge PUD (PLN16-004/Tom Begley) Upper Blue Basin (Planning).

Sid Rivers reviewed the staff report and presented a digital presentation regarding the subject property. She stated that the subject 11.49 acre parcel is the only parcel remaining in the River's Edge Planned Unit Development (PUD). The River's Edge PUD has not been amended since its formation in 1986. The development of this subdivision necessitates that the PUD be updated and amended to reflect this subdivision legal description, density and layout.

Staff recommended approval of the proposed Resolution including the 7 findings and 3 conditions.

Tom Begley, applicant, thanked County staff for their time and gave a brief overview of the project.

Commissioner Stiegelmeier and Commissioner Davidson requested information concerning:

- Blue River Flood Plain
- HOA Management
- Covenants, Conditions & Restrictions
- Road Access

Mr. Begley addressed the concerns and provided further clarification.

Commissioner Davidson opened the hearing for public comment.

Bill Payne, resident, spoke in support of the project.

Commissioner Davidson closed the hearing for public comment.

MOTION: A motion was made by Commissioner Stiegelmeier and seconded by Commissioner Davidson to approve Resolution 2016-45, Rivers Edge Subdivision; Preliminary Plat for 13 lots (12 duplex lots & and 1 SFR lot, for a total of 25 units), and 3 open space tracts; Parcel A, Rivers Edge PUD, zoned Rivers Edge PUD. (PLN16-004/Tom Begley) Upper Blue Basin (Planning), including the 7 findings and 3 conditions.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

- D. Appeal of the Lower Blue Planning Commission's May 5, 2016 approval of a Class 4 Conditional Use Permit (CUP) for an 80-foot high non-commercial monopole communication tower with a 25-foot high whip antenna on top, up to three (3) 6-foot diameter microwave dishes mounted below the top of the monopole, additional whip antennae mounted below the microwave dishes, and a 30-foot by 30-foot security fenced area with a 10-foot by 10-foot by 10-foot equipment shelter at the PSCo's Ptarmigan Substation on a 35-acre parcel zoned A-1; 573 Angler Mountain Ranch Road (PLN15-105/Tony & Dulci Jensen) Lower Blue Basin (Planning).

Alan Hanson reviewed the staff report and gave a brief overview of the appeal with a digital presentation.

Staff recommended denial of the appeal, upholding the decision of the Lower Blue Planning Commission and approval of the CUP including the proposed Resolution including the 4 findings and 3 conditions.

Tony Jensen, appellant, spoke in opposition of the CUP and presented several reasons for approving the appeal.

Commissioner Davidson opened the hearing for public comment.

Mr. Moroz, Ptarmigan HOA Board Member, also spoke in opposition of the CUP.

George Resseguie, Lower Blue Planning Commission Board Member, gave further information regarding the Lower Blue Planning Commissions' decision to approve the CUP.

Larry Claxton, Public Service Company, spoke in approval of the CUP including a digital

presentation.

Gordon Wiles, Public Service Company, also spoke in approval of the CUP.

Robert Jacobs, County Engineer, commented and provided further details and clarification.

Commissioner Davidson closed the hearing for public comment.

The Commissioners discussed at length and addressed concerns and comments.

MOTION: A motion was made by Commissioner Stiegelmeier and seconded by Commissioner Davidson to approve Resolution 2016-46, approval of a Class 4 Conditional Use Permit (CUP) for an 80-foot high non-commercial monopole communication tower with a 25-foot high whip antenna on top, up to three (3) 6-foot diameter microwave dishes mounted below the top of the monopole, additional whip antennae mounted below the microwave dishes, and a 30-foot by 30-foot security fenced area with a 10-foot by 10-foot by 10-foot equipment shelter at the PSCo's Ptarmigan Substation on a 35-acre parcel zoned A-1; 573 Angler Mountain Ranch Road (PLN15-105/Tony & Dulci Jensen) Lower Blue Basin (Planning), including the 4 findings and 3 conditions.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VIII. ADJOURNMENT

The meeting was adjourned at 3:32 p.m.

Respectfully submitted,



Eva Henson, Deputy Clerk



Approved by:



Thomas C. Davidson, Chair

NOTE: These minutes are a summary of the proceedings and motions of the June 14, 2016 Board of County Commissioners' Regular Meeting. The complete digital recording is available in the Office of the Clerk & Recorder, Summit County Courthouse, 2nd Floor, 208 Lincoln Avenue, Breckenridge, Colorado 80424.