



**SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS**

**Tuesday, October 9, 2018, 3:00 p.m.**

**SUMMARY MINUTES**

**I. CALL TO ORDER**

The Meeting of the Board of County Commissioners on Tuesday, October 9, 2018 was called to order by Chair, Dan Gibbs, at 3:00 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:

Dan Gibbs, Chair

Thomas C. Davidson, Commissioner

Karn Stiegelmeier, Commissioner

Staff Present were as follows: Scott Vargo, County Manager; Jeff Huntley, County Attorney; Sarah Vaine, Assistant County Manager; Bentley Henderson, Assistant County Attorney; Marty Ferris, Finance Director; Julie Sutor, Director of Communications; Don Reimer, Planning Director; Lindsay Hirsh, Senior Planner; Dan Osborn, Senior Planner; Eva Henson, Administrative Manager, and Sarah Wilkinson, Deputy Clerk.

Additional Attendees: Deepan Dutta, Elena Scott, Graeme Bilenduke, Christine Armitage, Steve Carr, Laura Fox, David Koch, and Christie Leidal.

**III. APPROVAL OF AGENDA**

The agenda was approved, as presented.

**IV. CITIZEN COMMENT**

Steve Carr spoke regarding a meeting later in the afternoon regarding paving Peak 7 and stated his anticipation of having Commissioner Gibbs attend the meeting and the County's involvement in the project.

**V. PROCLAMATIONS & ANNOUNCEMENTS**

**A.** Resolution in support of Summit County Referred Measure 1A, a proposed ballot measure to provide wildfire prevention, mental health and suicide prevention services, recycling and waste diversion services, repairs and improvements to public buildings and community facilities, and affordable early childhood care and learning.

Commissioner Gibbs introduced the resolution in support of Summit county Referred Measure 1A.

Christine Armitage inquired how the funds currently in the County budget are being used, specifically for early childhood care and learning, in comparison to the additional funding requested through Summit County Referred Measure 1A.

Commissioner Davidson explained that money currently in the budget is designated for existing programs, such as licensed care for ages 0-5, whereas the funding from the question being put to the voters is for a new program to provide high quality preschool for every 4 year old in Summit County. He stated the funding required for the new program is significantly more than the current budget could support.

Sarah Vaine added that she could answer more questions and provide specific details as requested.

**MOTION: A motion was made by Commissioner Davidson and seconded by Commissioner Stiegelmeier to approve Resolution 2018-65, a Resolution in support of Summit County Referred Measure 1A, a proposed ballot measure to provide wildfire prevention, mental health and suicide prevention services, recycling and waste diversion services, repairs and improvements to public buildings and community facilities, and affordable early childhood care and learning.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

**B. Resolution in support of "Let's Go Colorado", a state citizen initiative designated as Initiative #153.**

Commissioner Stiegelmeier stated that she supported "Let's Go, Colorado" because it provides actual funding specifically for roads instead of borrowing from other funding sources and that additionally, a significant portion of the funding would support much needed multi-modal transportation solutions.

Commissioner Gibbs stated that while the state component would fund over 100 critical projects, the initiative also includes a county and municipal share-back of the state sales tax, which could result in about \$800,000 that would benefit the Road & Bridge department to assist with local road maintenance, repairs, and projects.

**MOTION: A motion was made by Commissioner Stiegelmeier and seconded by Commissioner Davidson to approve Resolution 2018-66, a Resolution in support of "Let's Go Colorado", a state citizen initiative designated as Initiative #153.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

**C. Resolution opposing "Fix Our Damn Roads", a state citizen initiative designated as Initiative #167.**

Commissioner Davidson stated his strong opposition to the initiative since it would not only not provide adequate funding to fix the roads, it would also divert funding away from public education, higher education, and health care.

**MOTION: A motion was made by Commissioner Davidson and seconded by Commissioner Stiegelmeier to approve Resolution 2018-67, a Resolution opposing "Fix Our Damn Roads", a state citizen initiative designated as Initiative #167.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

- D. Resolution opposing Amendment 74, an attempt to amend the Colorado Constitution to drastically limit state and local government services at a high cost to taxpayers.

Commissioner Stiegelmeier stated her opposition to Amendment 74 as it would create litigation and constrain governments from doing anything positive for their citizenry.

Commissioner Davidson agreed and stated that when Oregon approved a similar amendment, it cost state and local governments billions of dollars before residents repealed the amendment three years after its passage, and we should learn from their example.

**MOTION: A motion was made by Commissioner Stiegelmeier and seconded by Commissioner Davidson to approve Resolution 2018-68, a Resolution opposing Amendment 74, an attempt to amend the Colorado Constitution to drastically limit state and local government services at a high cost to taxpayers.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

**VI. CONSENT AGENDA**

- A. Approval of Minutes from the 9-20-18 Special Meeting and the 9-25-18 Regular Meeting. **Approved as presented; and**
- B. Warrant Lists of 9-16-18 to 9-30-18 (Finance). **Approved as presented by the Finance Department; and**
- C. Liquor License Renewal for Wolf Rocky Keystone LLC dba ZUMA ROADHOUSE; Hotel & Restaurant; Dan Shipp; located at 91 River Run Road Unit C6, Keystone 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. Liquor License Modification for Keystone Food & Beverage Co. dba DERCUM SQUARE ICE RINK; Hotel & Restaurant w/ Optional Premise; Manager Registration; Stephen Kutz; located at 120 River Run Road, Keystone (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**
- E. Liquor License Renewal for ARAD LLC dba SUMMIT SLEIGH TOURS; Hotel & Restaurant; Dara Lor; located at 6061 Tiger Run Road, Breckenridge (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**

- F. **Liquor License Modification for ARAD LLC dba SUMMIT SLEIGH TOURS; Hotel & Restaurant; Dara Lor; Trade Name Change to GOLDEN HORSESHOE SLEIGH TOURS; located at 6061 Tiger Run Road, Breckenridge (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**
- G. **Approval to exercise option agreement to acquire Lot 12 Block 7 Alpine Breck Sub (Upper Blue) (Open Space & Trails). Approved as presented; and**
- H. **Approval of Appointment of Ten Mile Representative to the Countywide Planning Commission (Planning). Approved as presented; and**
- I. **Amendment to Colorado River Cooperative Agreement (Attorney). Approved as presented; and**

**MOTION: A motion was made by Commissioner Davidson and seconded by Commissioner Stiegelmeier to approve the Consent Agenda, items A-I.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

## **VII. NEW BUSINESS**

- A. **Proposed General Subdivision Exemption Plat to amend an existing Driveway Access Restriction Area, zoned Western Sky Ranch PUD, Lot 17, Western Sky Ranch, Filing #1 (PLN18-073/Christie Matthews Leidal) Upper Blue Basin (Planning).**

Lindsay Hirsh gave background information regarding the Western Sky Ranch PUD and Lot 17 in particular. He stated that the current owners are building a main residence and a barn on the lot and have submitted the subject proposal to modify the existing Driveway Access Restriction Areas in order to design safer driveways to accommodate a horse trailer and emergency vehicles and stated it did not modify the lot itself, the site disturbance envelopes, or easements.

Staff recommended approval of the proposed resolution including the 7 findings as listed in the staff report.

Commissioner Gibbs inquired more specifically regarding the location of the driveway and Mr. Hirsh showed a large printed map to clarify.

**MOTION: A motion was made by Commissioner Davidson and seconded by Commissioner Stiegelmeier to approve New Business A, Resolution 2018-69, a General Subdivision Exemption Plat to amend an existing Driveway Access Restriction Area, zoned Western Sky Ranch PUD, Lot 17, Western Sky Ranch, Filing #1 (PLN18-073/Christie Matthews Leidal) Upper Blue Basin (Planning) including the 7 findings as listed in the staff report.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

- B. Proposed Class 6 Lot Line Adjustment in the North Fork Reserve Subdivision Amended for properties located at:110 North Fork Rd (Lot 3R) and 491 Montezuma Rd (Lot 2B), which are under common ownership (PLN18-074/Nini Koch) Snake River Basin (Planning).

Dan Osborn gave a brief background of lots 3R and 2B in the North Fork Reserve and described the proposed adjustments to the lot lines. He stated the adjustments would best accommodate view corridors and river access, serve the aesthetic values, and preserve existing landscaping while maintaining privacy of the two lots, while remaining in conformance with the PUD.

Staff recommended approval of the proposed resolution including the 7 findings as listed in the staff report.

Commissioner Stiegelmeier inquired regarding soil disturbance. Mr. Osborne responded that all areas that may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed uses of these areas are compatible with such conditions, and as such, there are no issues.

**MOTION: A motion was made by Commissioner Davidson and seconded by Commissioner Stiegelmeier to approve New Business B, Resolution 2018-70, a Class 6 Lot Line Adjustment in the North Fork Reserve Subdivision Amended for properties located at:110 North Fork Rd (Lot 3R) and 491 Montezuma Rd (Lot 2B), which are under common ownership (PLN18-074/Nini Koch) Snake River Basin (Planning) including the 7 findings as listed in the staff report.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

- C. Proposed Class 6 General Subdivision Exemption Plat to create two lots (Lot 1- 2.086 acres and Lot 2 - 1.689 acres and Parcel A - 0.032 acres ), Zoned Copper Mountain PUD, Chapel Subdivision, A Resubdivision of Lot 2, Lot 3, Lot A and Lot B, Block 1, Copper Mountain, Filing #2 (PLN18-084/Powdr, Copper Participation LLC) Ten Mile Basin (Planning).

Mr. Hirsh gave a brief background of the history of the lots and the PUD. Mr. Hirsh noted that the proposed General Subdivision Exemption creates two separate lots and currently Copper Mountain intends to sell one lot to a third-party developer for a hotel. The second lot will be utilized by Copper, and likely will be developed in the future.

Staff recommended approval of the proposed resolution including the 7 findings as listed in the staff report.

Commissioner Stiegelmeier inquired regarding parking. Mr. Hirsh responded that adequate parking had been thoroughly analyzed in both a recent PUD amendment and during a site plan review for the proposed hotel. He stated that generally, the displaced parking is being made up with new parking lots and there is no net loss in parking, even with the addition of the hotel.

Graeme Bilenduke and Elena Scott gave a digital presentation to discuss briefly the following topics, including, but not limited to:

- Construction, paving and resurfacing of parking lots
- Improvements to shuttle service
- New entry sign
- Construction of lifts, restaurants, and more
- Creek improvements
- Trail improvements and pedestrian connectivity
- Hotel development and site plans

**MOTION: A motion was made by Commissioner Davidson and seconded by Commissioner Stiegelmeier to approve New Business C, Resolution 2018-71, a Class 6 General Subdivision Exemption Plat to create two lots (Lot 1- 2.086 acres and Lot 2 - 1.689 acres and Parcel A - 0.032 acres ), Zoned Copper Mountain PUD, Chapel Subdivision, A Resubdivision of Lot 2, Lot 3, Lot A and Lot B, Block 1, Copper Mountain, Filing #2 (PLN18-084/Powdr, Copper Participation LLC) Ten Mile Basin (Planning) including the 7 findings as listed in the staff report.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

- D. Consideration of a Resolution to Repeal the Fire Hazard Emergency and Ban on Open Fires in Summit County (Attorney).

Scott Vargo discussed the recent storm system that moved through the area and the accompanying lower temperatures and precipitation. He stated that the US Forest service had repealed all fire restrictions for the entire White River National Forest as of approximately noon, and that local agencies and Sheriff FitzSimons recommended repealing the local fire hazard emergency.

**MOTION: A motion was made by Commissioner Davidson and seconded by Commissioner Stiegelmeier to approve Resolution 2018-72, a Resolution to Repeal the Fire Hazard Emergency and Ban on Open Fires in Summit County (Attorney).**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

## **VIII. PUBLIC HEARING**

- A. Presentation of the Proposed 2019 Budget (Finance)

Mr. Vargo gave a digital presentation of the Proposed 2019 Budget. Public hearings regarding the budget are scheduled at work sessions and regular meetings through December 11, 2018 and final adoption will occur on December 11, 2018.

Department Heads and Senior Management were instructed to use several guidelines when creating their proposed budgets including:

- Use the 2018 original budget as base for 2019
- Keep expenses at 2018 levels
- Staff increases and program expansions should bring offsetting revenue
- Review line item spending

Mr. Vargo stated that the 2018 Proposed Budget used conservative revenue estimates. He noted that the combination of the impacts of Gallagher and Tabor and increasing operational expenses present a significant challenge looking into the future. In addition, he noted there has been review of line item spending to look at the history of expenditures and programs with the objective of removing obsolete programs.

The Commissioners discussed the 2018 proposed budget in detail with staff.

Commissioner Gibbs opened the hearing with no public comment.

**MOTION: A motion was made by Commissioner Gibbs and seconded by Commissioner Davidson to continue the hearing for the 2019 Proposed Budget at the next BOCC regular meeting on October 23, 2018.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

**IX. ADJOURNMENT**

The meeting was adjourned at 4:49 p.m.

Respectfully submitted,

Approved by:

*Sarah Wilkinson*  *Alan Gibbs*

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Sarah Wilkinson, Deputy Clerk      Alan Gibbs, Chair

NOTE: These minutes are a summary of the proceedings and minutes of the October 9, 2018 Board of County Commissioners' Regular Meeting. The complete digital recording is available in the Office of the Clerk & Recorder, Summit County Courthouse, 2<sup>nd</sup> Floor, 208 Lincoln Avenue, Breckenridge, Colorado 80424.