



MINUTES OF THE BUENA VISTA BOARD OF TRUSTEES
Pinon Room, Community Center 715 E. Main Street
Tuesday, February 25, 2020

MINUTES OF THE MEETINGS OF THE BOARD OF TRUSTEES ARE A TRANSCRIPT OF THE GOVERNING BODY'S ACTIONS RATHER THAN A VERBATIM RECORD OF DELIBERATIONS.

A regular meeting of the Board of Trustees was called to order by Mayor Duff Lacy, at 7:00 pm, Tuesday, February 25, 2020 at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado having previously been noticed in accordance with the Colorado Open Meetings Law.

ROLL CALL

Attendee Name	Title	Status
Duff Lacy	Mayor	Present
Lawanna Best	Trustee	Present
Libby Fay	Trustee	Present
Mark Jenkins	Trustee	Present
Norm Nyberg	Trustee	Present
Cindie Swisher	Trustee	Present
David Volpe	Trustee	Present

Town Staff Present:

Town Administrator Phillip Puckett
Principal Planner Mark Doering
Code Enforcement Officer Grant Bryans

Town Attorney Jeff Parker via phone
Public Works Direct Shawn Williams
Town Clerk Paula Barnett

PLEDGE OF ALLEGIANCE

AGENDA ADOPTION

MOTION NO. 1:

MOVE TO APPROVE THE AGENDA.

RESULT:	CARRIED
MOVER:	Trustee Best
SECONDER:	Trustee Swisher
AYES:	Best, Fay, Jenkins, Nyberg, Swisher, Volpe

CONSENT AGENDA

Approval of matters that are routine in nature that require review and/or approval, i.e. minutes and reports. (Professional Service Agreements (PSA) that exceed \$25,000.00 require the Consent Agenda to be approved by a Roll Call vote)

A. Minutes

- 1. Board of Trustees Regular Meeting – February 11, 2020
- 2. Airport Board – January 21, 2020
- 3. Historic Preservation Commission – January 2, 2020
- 4. Planning & Zoning Commission – January 22, 2020

B. Town Clerk Report

C. Adoption of Resolution No. 15, Series 2020 entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPOINTING ROBERT DIMMITT AND MARK MULLER AS REGULAR MEMBERS OF THE AIRPORT ADVISORY BOARD, AND MARK GODONIS AS AN ALTERNATE MEMBER.”

D. Adoption of Resolution No. 16, Series 2020 entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, SUPPORTING THE PAWS FOR LEOS NON-PROFIT ORGANIZATION.”

MOTION NO. 2:

MOVE TO APPROVE THE CONSENT AGENDA.

RESULT:	CARRIED
MOVER:	Trustee Swisher
SECONDER:	Trustee Jenkins
AYES:	Best, Fay, Jenkins, Nyberg, Swisher, Volpe

PUBLIC COMMENT

Ryan Martin, 30595 Overlook Run, Buena Vista, member of the Buena Vista Welcome Center and Chamber of Commerce met with the Board to give an update on activities and upcoming events. Martin shared the Chamber currently has 322 members, the 2020 Visitor’s Guide has been published and being is distributed, the Spring Gala will be May 2nd, and members and staff are working on grant applications for interior and exterior improvements to the building.

Amy Eckstein, 119 Meadow Lane, Buena Vista, thanked the Board for creating a pathway for the rafting companies to provide housing for seasonal employees. Eckstein expressed concern that Section 4.e. states the property upon which seasonal camping occurs must be owned by the same business for which the employees work, which restricts business owners in the food and beverage industry from providing housing for seasonal employees.

Eckstein commented that section 8-44-4 states recreational/camping vehicles and utility trailers may not be parked or stored in the railroad right-of-way. She shared due to the number of residents who own trailers, and the limited businesses that provide storage for trailers, the Board and Staff may want to consider allowing trailers to be parked or stored along the railroad right-of-way and in mixed use lots.

STAFF REPORTS

1. Town Administrator - Highlights of the report in the packet were reviewed and Puckett responded to Trustee comments and questions.

Puckett noted that the Board Strategic Planning Session will be Thursday, March 5th at the Airport Conference room. Joel Benson, Special Projects Manager distributed and briefly reviewed with the Trustees several documents outlining the purpose and goals of the session, the Strategic Plan Collective Vision Statement, and a spreadsheet listing the Town's special projects and key objectives from 2017-2025 for the Trustee's to review prior to the planning session.

Puckett reviewed that staff met with Brian Beaulieu, Executive Director of the Chaffee County Boys and Girls Club to discuss in more detail the potential project to use Town-owned land for the new site location. They are looking closely at the undeveloped Town owned parcels north of New Bees and east of Avery Parsons Elementary. The emphasis from Town is on inside recreation space for Recreation Programming and community use.

Puckett shared Town is talking applications through February 28th for a Municipal Judge which is an appointed position by the Board. A committee will select finalists for interviews in early March, and plans to bring forward a candidate recommendation to the Board on March 24th for consideration of appointment.

2. Town Treasurer - Highlights of the report in the packet were reviewed and Puckett responded to Trustee comments and questions.

3. Principal Planner - Highlights of the report in the packet were reviewed and Doering responded to Trustee comments and questions.

BUSINESS ITEMS

Greater Arkansas River Nature Association (GARNA) Chaffee County Waste Audits, Education, Outreach and Compost Expansion Project

Dominique Naccarato, Executive Director of Greater Arkansas River Nature Association (GARNA) reviewed with the Board the Chaffee County Waste Audit, Education, Outreach and Compost Expansion Project. Naccarato shared GARNA is applying for a grant with Colorado Department of Public Health and Environment to obtain funds to increase recycling efforts in the county, and is requesting a letter of support from the Town to include in the application packet.

Town Administrator Puckett shared the Chaffee County Waste Audits, Education, Outreach and Compost Expansion project will assist the municipalities and county in making recycling decisions for 2021. Puckett stated he met with County Administrator Bob Christiansen and they determined the letters of support from the county and municipalities should be consistent, and agreed the language in the letters referencing grant matches will be excluded since the entities have not had an opportunity to discuss the amounts of matching funds, which are usually based on population. Puckett stated the letter of support that was included in the Board of Trustees packet has been revised to reflect those changes, and a copy of the modified letter was provided to Trustees for review and approval.

MOTION NO. 3:

MOVE TO AUTHORIZE MAYOR LACY TO SIGN THE LETTER OF SUPPORT TO BE INCLUDED IN GARNA'S GRANT APPLICATION PACKET TO THE COLORADO DEPARTMENT OF PUBLIC HEALTH.

RESULT:	CARRIED
MOVER:	Trustee Best
SECONDER:	Trustee Swisher
AYES:	Best, Fay, Jenkins, Nyberg, Swisher, Volpe

CONSIDER APPROVING AN ORDINANCE RELATED TO CAMPING, PARKING, AND RECREATIONAL VEHICLES

Code Enforcement Officer Grant Bryans reviewed with the Trustees the proposed ordinance which addresses concerns discussed during several meetings and work sessions with the Board of Trustees and Planning and Zoning Commission. Bryans shared the ordinance strives to maintain compatible land uses by using zone districts to clarify requirements for housing seasonal workers, to outline how citizens can utilize their property and not become a nuisance, and to regulate special events camping.

Bryans reviewed the proposed changes clarify the current code and provide law enforcement and the Code Enforcement Officer with the ability to enforce the rules regarding recreational vehicle and camping use.

- Temporary Seasonal Camping 16.03.3.2.4(C)
 - Changes the regulations to allow camping in the industrial zone (I) with a

- temporary use permit
 - The temporary use permit plus other safeguards in the code language will mitigate potential nuisances
 - Specific language for suspension and revocation of permit/use
- Short-Term and/or Long-Term Storage of Recreational/Camping Vehicles and Utility Trailers 8-44
 - Prohibits parking of recreational vehicles and utility trailers in Town owned right-of-way for more than 72 hours
 - Prohibits recreational vehicle and camping vehicle use on Town right-of way
 - Limits use of recreational vehicle and camping vehicle on private property
 - Vehicle must be permitted
 - 21 user days per calendar quarter
- Camping Chapter 7 Article IX
 - Bans camping on public property, including in Town right-of-way
 - Allowed with a permit issued through special use event permit process
- Special Event Camping
 - Retains current language which outlines the Administrative review process
 - Updates the policy to include:
 - Set back of 150 feet from residential dwelling
 - Appropriate waste management plan
 - No fires
 - No drugs
 - No alcohol unless permitted with a special event liquor license
 - Noise limitations
 - Revocation if found to be a nuisance

The Trustees discussed the proposed ordinance and requested the following amendments.

- Section 1 Temporary Seasonal Camping – 3. Duration – change “September 31” to “September 30”
- Section 1 Temporary Seasonal Camping – 4. Restrictions and Requirements c. – change “include food waste” to “including food waste”
- Section 1 Temporary Seasonal Camping – 4. Restrictions and Requirements e. – change “must be owned by the same business for which the employees work.” to “must be owned or leased by the same business for which the employees work.”

Trustee Swisher asked if there is a fee for the camping permit. Puckett stated that Staff is recommending a fee not be charged at this time. Staff is creating an online camping permit application process that should require minimal staff time, and Bryans would like to observe how the first year transpires before considering charging a fee.

MOTION NO. 4:

MOVE TO APPROVE ORDINANCE NO. 01 AS AMENDED MODIFYING SECTIONS OF THE MUNICIPAL CODE RELATED TO CAMPING AND PARKING OF RECREATIONAL OR CAMPING VEHICLES.

RESULT:	CARRIED
MOVER:	Trustee Volpe
SECONDER:	Trustee Fay
AYES:	Best, Fay, Jenkins, Nyberg, Swisher, Volpe

APPLICATION PROCESS AND TIMELINES FOR SPECIAL EVENTS

Recreation Director Earl Richmond reviewed with the Trustee’s that with the increase in special event applications each year, Staff feels it would be advantageous to have additional administrative time to review the applications with other department heads before final approval. Richmond stated the current code lists time frames that could put unnecessary pressure on the application review teams during certain circumstances, and recommended several code changes to avoid unrealistic expectations for the applicants and staff.

Richmond reviewed with the Board the current code, and Staff’s recommended changes.

- Section 11-124 - Issuance
Current: Within ten (10) days of receipt of a complete application for an event permit, the Town Administrator shall consider the applicable criteria and approve, conditionally approve or deny the application. If the application is denied, the Town Administrator shall inform the applicant in writing of the grounds for denial and the applicant's right of appeal. If the application is approved, the Town Administrator shall issue the event permit, including any conditions.

Proposed: Eliminate the sentence containing within ten days of receipt of a complete application. With town’s growth and to better understand the impacts of special events, staff prefers more than 10 days to report back to the Town Administrator.
- Section 11-122 - Permit application (c)
Current: Applications shall be submitted not less than fourteen (14) days nor more than eighteen (18) months before an event, except that applications requiring a special event liquor license shall be submitted not less than thirty (30) days nor more than

eighteen (18) months before an event. The Town Administrator shall, upon a showing of good cause, consider an application that is filed after the filing deadline if there is enough time to process and investigate the application and obtain necessary police services for the event. Good cause may be demonstrated by a showing that the circumstance that gave rise to the application did not reasonably allow the applicant to file within the time prescribed. If the Town Administrator refuses to consider a late application, the Town Administrator shall inform the applicant in writing of the reasons therefor and of the applicant's right of appeal.

Proposed: Staff is recommending that a special event application not be accepted more than 12 months before any given start date of an event. The current 18 months in advance guideline can create timeline challenges that are difficult to manage, including fees being modified during the interval between submittal of an application and the event date. Staff believes that 30 days is adequate for processing a special event liquor permit request on Town-owned property. However, Town staff recommends that the timeframe for review be increased to 45 days if the event will involve street closures, special event camping, expected attendance of more than 200 people, amplified sound, and/or multiple vendors.

MOTION NO. 5:

MOVE TO ADOPT ORDINANCE NO. 2 APPROVING CHANGES TO THE MUNICIPAL CODE CONCERNING SPECIAL EVENTS.

RESULT:	CARRIED
MOVER:	Trustee Nyberg
SECONDER:	Trustee Best
AYES:	Best, Fay, Jenkins, Nyberg, Swisher, Volpe

Agreement with Chaffee County Road and Bridge for asphalt paving on Rodeo Road
Public Works Director Shawn Williams reviewed with the Board that a member of Chaffee County Road and Bridge Department approached Staff with a proposal to install approximately .45 mile of asphalt overlay on County Rd.321/Rodeo Road. This would connect the Town owned section of Rodeo Road to a much larger county owned paving project connection to County Road 321. Chaffee County Road and Bridge’s proposal to complete the project is projected to cost the Town \$60,696.00.

Williams stated if the Town/Public Works Department were to purchase the asphalt material, the estimated cost would be \$55,000.00, and based on previous projects with similar scopes, Staff has determined that having the county complete the project is a cost saving of \$19,000.00. Impacts to the 2020 Street Fund proposed projects are expected, and Staff will modify the project list to accommodate this effort.

Williams stated the resolution needs to be modified to reflect the correct cost of the project, changing \$60,000.00 to \$60,696.00.

MOTION NO. 6:

MOVE TO APPROVE RESOLUTION NO. 17 ENTERING INTO AGREEMENT WITH CHAFFEE COUNTY ROAD AND BRIDGE FOR ASPHALT OVERLAY PAVING ON RODEO ROAD AS AMENDED.

RESULT:	ROLL CALL	CARRIED
MOVER:		Trustee Swisher
SECONDER:		Trustee Jenkins
AYES:	Best, Fay, Jenkins, Nyberg, Swisher, Volpe	

APPROVE AGREEMENT TO TRANSFER THE 2020 FEDERAL AVIATION ADMINISTRATION (FAA) ENTITLEMENTS

Town Administrator Puckett reviewed with the Trustees the Town receives \$150,000.00 annually from the Federal Aviation Administration for improvements at the Central Colorado Regional Airport. Due to the high costs of improvements at airports, Buena Vista, Salida, Fort Morgan, and Cortez airports/municipalities have agreed that each year one airport would receive all the entitlements to allow completion of larger projects. In 2020 the Harriet Alexander Field in Salida will receive the funds, and in 2021 the Central Colorado Regional Airport in Buena Vista will be the recipient.

Trustee Volpe asked what would happen if an airport were to drop out of the FAA entitlements agreement after it received funds from the other municipalities. Puckett stated he will research and report back to the Board.

MOTION NO. 7:

MOVE TO APPROVE THE AGREEMENT TO TRANSFER THE 2020 FEDERAL AVIATION ADMINISTRATION (FAA) ENTITLEMENTS TO THE HARRIET ALEXANDER FIELD IN SALIDA, COLORADO.

RESULT:	CARRIED
MOVER:	Trustee Nyberg
SECONDER:	Trustee Best
AYES:	Best, Fay, Jenkins, Nyberg, Swisher, Volpe

TRUSTEE/STAFF INTERACTION

Trustees and Staff reported on or commented about recent and upcoming events, activities and topics.

Trustee Volpe discussed with the Board that with the adoption of Ordinance No. 1 which reduces the number of locations for in-town camping, the Trustees and Recreation Advisory Board should consider allowing/developing an in-town campground. Puckett suggested the topic be presented to the Recreation Advisory Board prior to the Board of Trustee's having a discussion on the subject.

Puckett reviewed with the Board that Chaffee Green is asking the Town to be a sponsor again this year of their cloth recyclable bag initiative. To be listed as a sponsor on the large bags costs \$250.00, while small bags are \$225.00, and in 2019 the Town was a sponsor on both sizes of bags. Puckett stated funds from the Marketing and Printing budget could be used to cover the expenditure.

The Board discussed having Chaffee Green apply for Town Community Grant funds through Chaffee County Community Foundation in the future.

MOTION NO. 8:

MOVE TO APPROVE THAT THE TOWN BE A SPONSOR ON THE LARGE CHAFFEE GREEN CLOTH BAGS AT A COST OF \$250.00 WITH THE FUNDS COMING FROM THE MARKETING AND PRINTING BUDGET LINE ITEM.

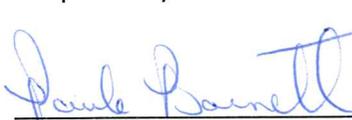
RESULT:	ROLL CALL	CARRIED
MOVER:		Trustee Fay
SECONDER:		Trustee Nyberg
AYES:	Best, Fay, Jenkins, Nyberg, Swisher	
NAYS:		Volpe

MOTION NO. 9:

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THAT THE MEETING BE ADJOURNED AT 8:25 PM.

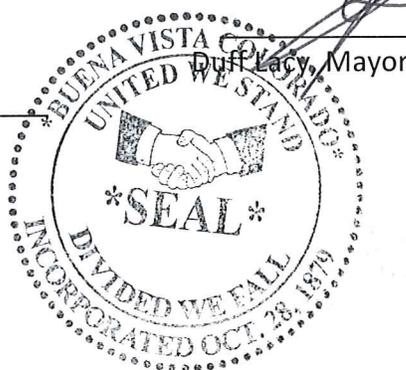
RESULT:	CARRIED
MOVER:	Trustee Nyberg
SECONDER:	Trustee Best
AYES:	Best, Fay, Jenkins, Nyberg, Swisher, Volpe

Respectfully submitted:



Paula Barnett, Town Clerk

BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA
Regular Meeting



Duff Lacy, Mayor