



**AGENDA  
FOR THE BOARD OF TRUSTEES  
OF THE TOWN OF BUENA VISTA, COLORADO  
April 14, 2020**

**Virtual Regular Meeting at 7:00 PM  
(Meeting will not be held at the Buena Vista Community Center)**

To participate in Public Comment and/or Public Hearings you must connect to the video conference.  
Conferencing Access Information: <https://zoom.us/j/318804347> Password: 000531

Listen via phone at 1-301-715-8592 Meeting ID: 318 804 347 Password: 000531

**THE BOARD OF TRUSTEES MAY TAKE ACTION ON ANY OF THE FOLLOWING AGENDA  
ITEMS AS PRESENTED OR MODIFIED PRIOR TO OR DURING THE MEETING, AND  
ITEMS NECESSARY TO EFFECTUATE THE AGENDA ITEMS**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. PLEDGE OF ALLEGIANCE**

**IV. AGENDA ADOPTION**

*The Board approves the agenda at the start of the meeting including modifications.*

**V. 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. BoT Regular Meeting – March 24, 2020

**B. Police Chief Report**

**C. Fire Chief Report**

**D. Chaffee County Office of Housing Activities Update**

**E. Chaffee County Development Services Department Activity Update**

**F. Amendment to a Public Improvement Agreement for Block 41, Town of Buena Vista**

**VI. SPECIAL PRESENTATION – Plaques for outgoing Trustee**

**VII. OATH OF OFFICE TO/AND SEATING OF INCOMING TRUSTEES**

**VIII. STAFF REPORTS**

1. Town Administrator
2. Town Treasurer
3. Airport Manager
4. Public Works Director
5. Recreation Director

**This Agenda may be Amended**

Posted at Buena Vista Town Hall, Post Office and [www.buenavistaco.gov](http://www.buenavistaco.gov), on Friday, April 10, 2020

## IX. BUSINESS ITEM

- A. Should the Board of Trustees approve adoption of Resolution No. 24, Series 2020, entitled **“A RESOLUTION EXTENDING THE DECLARATION OF A LOCAL DISASTER EMERGENCY IN AND FOR THE TOWN OF BUENA VISTA, COLORADO THROUGH APRIL 30, 2020.”?**

*The Board will consider extending the Order declaring a local disaster emergency.*

- B. Should the Board of Trustees approve adoption of Resolution No. 25, Series 2020, entitled **“A RESOLUTION OF THE TOWN OF BUENA VISTA ACCEPTING INFRASTRUCTURE IMPROVEMENTS INCLUDED IN THE PROJECT SCOPE OF THE 2018 WATER SYSTEM IMPROVEMENTS COLORADO STATE REVOLVING FUND LOAN.?”**

*The Board will consider accepting the Notice of Completion of the water improvement projects.*

- C. Letter requesting extension of DOLA REDI grant for Central Colorado Regional Airport  
*The Board will consider approving a request to the Department of Local Affairs extending the REDI grant deadline into the next fiscal year ending June 30, 2021.*

- D. Review 2020 Budget

*The Trustees will discuss and review impacts to the 2020 Budget as a result of the COVID19 pandemic.*

- E. Review and discuss a draft ordinance related to Tobacco regulations.

*The Board will review a draft ordinance and provide feedback to Staff for a version for adoption.*

## X. PUBLIC COMMENT

*Citizen participation where the public can sign up prior to the start of the meeting by entering your name, address, and subject to be discussed in the Zoom Chat box, or by emailing the information to [bvclerk@buenavistaco.gov](mailto:bvclerk@buenavistaco.gov). Neither Town Board nor Town staff should be expected to respond to matters raised in the Public Comment segment of Board meetings. Nevertheless, Board members will always retain the right to ask questions of the speaker and to respond then or at a later time to remarks made by any citizen.*

## XI. TRUSTEE/STAFF INTERACTION

**The Board discusses items with staff and staff can bring up matters not on the agenda.**

## XII. EXECUTIVE SESSION

An executive session to hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b)." concerning Lazzaro v. Garcia, U.S. District Court Civ. Action No. 2019-cv-1934-REB-SKC.

An executive session to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), concerning the Police Chief hiring process.

## XIII. ADJOURNMENT

**This Agenda may be Amended**

Posted at Buena Vista Town Hall, Post Office and [www.buenavistaco.gov](http://www.buenavistaco.gov), on Friday, April 10, 2020



**MINUTES OF THE BUENA VISTA BOARD OF TRUSTEES**  
**Virtual Regular Meeting**  
**Tuesday, March 24, 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 virtual regular meeting of the Board of Trustees was called to order by Mayor Duff Lacy, at 7:00 pm, Tuesday, March 24, 2020 having previously been noticed in accordance with the Colorado Open Meetings Law.

**ROLL CALL**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
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  
 Williams  
 Fire Chief Dixon Villers  
 Town Clerk Paula Barnett

Town Attorney Jeff Parker  
 Public Works Director Shawn

Town Treasurer Michelle Stoke  
 Airport Manager Jack Wyles

**PLEDGE OF ALLEGIANCE**

Mayor Lacy led the pledge of allegiance.

**AGENDA ADOPTION****MOTION NO. 1:**

MOVE TO APPROVE THE AGENDA.

<b>RESULT:</b>	<b>ROLL CALL</b>	<b>CARRIED</b>
<b>MOVER:</b>		Trustee Fay
<b>SECONDER:</b>		Trustee Swisher
<b>AYES:</b>	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 – March 10, 2020
2. Board of Trustees Special Meeting – March 18, 2020

**B. Town Clerk Report****MOTION NO. 2:**

MOVE TO APPROVE THE CONSENT AGENDA.

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

**STAFF REPORTS**

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

Mayor Lacy asked Stoke if she is working on projected impacts to the 2020 budget due to COVID-19. Stoke stated that she and Town Administrator Phillip Puckett have been reviewing the budget, and Department Heads have been asked to review their budgets to determine expenditures that can be decreased or eliminated. Puckett is reviewing the 2020 Capital Projects to determine which project will be postponed.

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

**BUSINESS ITEMS****Consider approving the appointment of Brian Green as the Buena Vista Municipal Judge**

Puckett reviewed with the Trustees that the Municipal Court Judge position was vacated on February 18, 2020, and at the direction of the Board, staff formed a search committee to take applications, conduct interviews and bring a recommendation to the Board for appointment consideration. The position was advertised for four weeks during the month of February, five applications were received and reviewed, and the search committee selected three finalists to be interviewed.

Puckett stated the committee unanimously selected Brian Green for recommendation to the Board for appointment as Municipal Judge. Green brings a wealth of knowledge and experience as a municipal and county court judge, and currently serves as the Park County Court Judge, Fairplay Municipal Court Judge, and Alma Municipal Court Judge.

Judge Green was in attendance, introduced himself to the Trustees, thanked them for considering allowing him the opportunity to serve the Town of Buena Vista, and left the meeting to provide the Board the opportunity to discuss the issue.

**MOTION NO. 3:**

MOVE TO APPROVE RESOLUTION NO. 21, SERIES 2020 APPOINTING JUDGE BRIAN GREEN AS MUNICIPAL COURT JUDGE.

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

**Consider approving the agreement with Dibble Engineering for Runway Rehabilitation**

Jack Wyles, Airport Manager reviewed with the Trustees \$388,889.00 was allocated in the 2020 budget for the airport Runway Rehabilitation Project, and \$350,000.00 in grant funding was received from the Colorado Department of Transportation (CDOT) for the project. Dibble Engineering, consultant for the airport will provide the required professional services for the project with a cost not to exceed \$112,687.00.

Trustee Jenkins asked how long the airport will be closed during this project, and Wyles stated Dibble Engineering is estimating 10 to 14 days.

**MOTION NO. 4:**

MOVE TO ADOPT RESOLUTION NO. 22 APPROVING THE PROFESSIONAL SERVICE AGREEMENT WITH DIBBLE ENGINEERING TO PROVIDE SERVICE FOR THE AIRPORT REHABILITATION PROJECT.

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

**Consider Approving the Purchase of a 2011 Ferrara Fire truck**

Puckett reviewed with the Trustees that Fire Chief Dixon Villers, and Staff have located and negotiated an offer on a fire truck that meets the needs and size requirements to replace the 1974 fire truck.

The unit is a 2011 Ferrara fire truck with approximately 20,600 miles and is owned by the Northern Sonoma County Fire Protection District in Geyserville, California. The purchase price is \$200,000.00, and the funding source to cover the cost of the truck will be the revenue that has been received from the Incident Deployment of the brush truck. The agreement is dependent upon an on-site inspection of the truck by Chief Villers which has been postponed due to COVID-19.

**MOTION NO. 5:**

MOVE TO ADOPT RESOLUTION NO. 23, SERIES 2020 APPROVING THE VEHICLE PURCHASE AGREEMENT WITH NORTHERN SONOMA COUNTY FIRE PROTECTION DISTRICT FOR A 2011 FERRARA FIRE TRUCK.

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

The Trustees and Staff discussed when the allocation of funds for the purchase of the fire truck is presented to the Board for approval, that the amount be \$250,000,00 which will include the expenditures of the fire truck and necessary equipment/supplies for the truck. Treasurer Stoke will complete the public notice process and documentation related to the 2020 Budget adjustments.

**Municipal Water and relief for COVID-19 impacts**

Puckett reviewed at the March 18<sup>th</sup> Special meeting the Trustees requested Staff to bring back information regarding waiving water billing fees to assist those impacted by the COVID-19

emergency. At this time, late fees and the service charge to pay water bills via phone have been waived, and shutoffs will not occur due to non-payment.

Puckett stated that the Town bills for both water and a storm water fee on the same bill each month, and the February billing produced \$70,311.00 in Water Fund revenue, and \$5,871.00 in Storm Water Fund revenue. Staff has explored options available to the Trustees to provide relief to water customers impacted by the recent emergency declarations and guidelines put forth by various authorities.

Puckett reviewed three options available to the Board to provide relief to water customers.

- Across the board abatement for all water customers.
- Selective abatement for customers by having them complete an abatement request form and adjusting individual accounts based on those applications.
- Contributing to the Chaffee County Foundation a sum that would be used to provide relief.

Puckett stated Staff is recommending the third option of contributing to the Chaffee County Foundation. Staff is already overburdened with issues requiring their attention during this time and processing a very large number of abatement requests and reversing the charges on accounts approved for fee waivers would increase the workload exponentially.

Chaffee County Foundation in partnership with Department of Human Resources (DHS) has processes in place and is equipped to handle abatement requests based on need. The application process would be a clean and concise avenue of relief structured to require that the abatement request be accompanied by proof that the bill had been paid, and then the Foundation would refund fees to the water customer from the dollars contributed by Town for this purpose. This process would be focused on individuals and families experiencing hardship (rent, mortgage, utilities, food).

Puckett stated the initial contribution from Buena Vista would be \$25,000.00 to match the City of Salida and other sources to create a \$100,000.00 fund, and additional contributions could be considered later. The contribution would come out of the Water Fund.

The Trustees and Staff discussed ways to inform residents of the programs available to provide financial assistance which included providing information in the next water billing statement.

The Board discussed and agreed to have Chaffee County Foundation combine the \$7,000.00 designated for Community Grant Funds with the \$25,000.00 to provide assistance to individuals and families in need.

**MOTION NO. 6:**

MOVE TO APPROVE CONTRIBUTING \$25,000.00 TO THE CHAFFEE COUNTY FOUNDATION, WITH FUNDS BEING DISBURSED FROM THE WATER FUND.

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

**Changes to the Municipal Code related to the Conduct of Municipal Elections**

Town Clerk Paula Barnett reviewed with the Trustees that in past municipal elections, the Board and Staff have acknowledged that mail ballot elections increase voter turn-out, and have approved resolutions authorizing the election to be conducted as a mail ballot election versus a polling place election. The current code also gives the authority to appoint election judges to the Board of Trustees, and if an election judge(s) becomes ill and cannot serve, and there are not enough judges to complete the election process, a special meeting would have to be called to appoint additional judges.

Staff is requesting the Board amend Chapter 2, Article 1, of the Buena Vista Municipal Code to state that regular municipal elections held on the first Tuesday of April in even-numbered years be conducted as mail ballot elections, and to give the Town Clerk authorization to appoint election judges.

**MOTION NO. 7:**

MOVE TO ADOPT ORDINANCE NO. 04, SERIES 2020 AMENDING CHAPTER 2, ARTICLE 1 OF THE MUNICIPAL CODE REGARDING THE CONDUCT OF TOWN ELECTIONS.

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

**PUBLIC COMMENT**

No public comment was received.

**TRUSTEE/STAFF INTERACTION**

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

Puckett reported continued changes are occurring on all levels of government related to COVID-19. Several members of staff attend daily debriefing calls led by the Chaffee County Commissioners, with representation from Public Health, Emergency Management, Emergency

Medical Services, Municipalities, and Schools. Staff and Mayor Lacy will continue to participate and provide input in the discussions and decisions, and comply with conclusions and restrictions being made.

Puckett stated Staff is continuing to be conduits to provide information to businesses and residents related to the ongoing changes related to restrictions and law changes. A COVID-19 page has been created on the Town website providing information and links to local, state, and federal resources. Staff will continue working with Chaffee County Economic Development and the Buena Vista Chamber of Commerce focusing on businesses in the county.

Puckett stated that he and Treasurer Stoke have been reviewing the 2020 budget for the entire year, and preliminary numbers/projections indicate a 20% reduction, approximately \$600,000.00, will be needed. Staff is exploring solutions which include reducing operational expenses, eliminating all travel and trainings, reviewing capital projects, transferring to the airport out of the Capital Fund, and instituting a hiring freeze which includes a Police officer, a full-time position in the Park Department, and seasonal staff. Puckett stated he wants to set the expectation with the Board that these reductions may not only cut into operational expenditures but may also affect staffing. Puckett stated the events and circumstances that the businesses are experiencing have a ripple effect which will impact the town budget since much of the budget is funded by sales tax revenue.

**MOTION NO. 8:**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THAT THE MEETING BE ADJOURNED AT 8:18 PM.

<b>RESULT:</b>	<b>CARRIED</b>
<b>MOVER:</b>	Trustee Jenkins
<b>SECONDER:</b>	Trustee Nyberg
<b>AYES:</b>	Best, Fay, Jenkins, Nyberg, Swisher, Volpe

Respectfully submitted:

\_\_\_\_\_  
Duff Lacy, Mayor

\_\_\_\_\_  
Paula Barnett, Town Clerk



**Buena Vista Police Department**  
Post Office Box 1310  
713 E. Main St.  
Buena Vista, Colorado 81211  
Phone: (719) 395-8654 Fax (719) 395-8655



**CHIEF'S REPORT  
MARCH 2020**

COVID-19, we never heard of it until now! We really appreciate the Mayor & board of trustees & Phillip Puckett, taking action on Coronavirus. Sometimes the right decision is a tough decision.

This is a perfect time to be thankful for what we have! God, our family & our health. Life is too short to spend time complaining about everything. Please stay positive, we will survive this bump in the road.

As most of you know, July 23, 2020 will be my last day working for the Town of Buena Vista. 34 years & one day! Many changes have taken place since July 22, 1986, my first day as a police officer. I was a 36 year old rookie who didn't have a clue what I was in for! I have said it before & I will say it again, this is the best TEAM we have ever had. From Judy in the front office to Sam & Dean & all of patrol, they are the very best!

All of our team thanks you for appointing Judge Brian Green as our Municipal Court Judge. We had three really good applicants who interviewed for the position.

Please stay safe, we are all in this together!

See attached calls for service & stats



**BVPD CALLS FOR SERVICE FOR THE MONTH OF MARCH 2020**

6	911 MISC. (NON-EMERGENCY; HANGUP CALLS ETC)
0	ABANDONED VEHICLE
4	ACCIDENTS
68	ADMINISTRATIVE CALLS (OUT AT PD/TOWN HALL/MTGS)
6	ALARMS - INCLUDING FIRE
5	ANIMAL COMPLAINTS
0	ARSON
1	ASSAULTS
26	ASSIST OTHER AGENCY
0	AUTO THEFT
0	BURGLARY
5	BUSINESS CHECKS
0	CHILD ABUSE
0	CHINS (CHILD HAVING IMMEDIATE NEED OF SUPERVISION)
26	CITIZEN ASSIST
3	CIVIL DISPUTES
0	CIVIL PAPERS
0	CIVIL STANDBY
3	CODE VIOLATION
1	COMMUNITY RELATIONS
0	COURT SERVICES
3	CRIMINAL MISCHIEF
2	DEATH
3	DOMESTIC VIOLENCE
1	DISTURBANCE CALL - FIGHT
3	DISTURBANCE CALL - NOISE
1	DRUG INVESTIGATION
0	EMERGENCY MESSAGE
2	FIRE CALLS - MISC
0	FIRE CALLS - STRUCTURE & WILDFIRE
58	FOLLOW UP
1	FOOT PATROL
2	FORGERY/FRAUD
4	FOUND PROPERTY
3	HARASSMENT
1	HAZARDS - GENERAL
0	HAZARDS - MATERIAL
0	HOME TOWN SECURITY
0	HOUSE WATCH
1	INTERVIEW
18	INFORMATION ITEMS
0	INTOXICATED SUBJECT
0	LIQUOR VIOLATION

0	<b>LIVESTOCK</b>
1	<b>LOST PROPERTY</b>
3	<b>MEDICAL ASSIST</b>
9	<b>MEETING</b>
1	<b>MISSING PERSON</b>
2	<b>MOTORIST ASSIST</b>
7	<b>PARKING VIOLATION</b>
1	<b>PHONE CALL</b>
0	<b>PBT - PORTABLE BREATH TEST</b>
1	<b>REDDI REPORT</b>
9	<b>REPORTS</b>
0	<b>ROADSIDES</b>
1	<b>RUNAWAY</b>
26	<b>SECURITY CHECKS</b>
0	<b>SEXUAL ASSAULT</b>
1	<b>SMOKE INVESTIGATION</b>
0	<b>SUICIDE ATTEMPT</b>
5	<b>SUSPICIOUS INCIDENT</b>
2	<b>SUSPICIOUS PERSON</b>
5	<b>SUSPICIOUS VEHICLE</b>
4	<b>THEFT</b>
40	<b>TRAFFIC STOPS (ALL CONTACTS)</b>
3	<b>TRAFFIC VIOLATIONS (CITATIONS WITH CASE #)</b>
56	<b>TRAFFIC MISC (VEHICLE INVESTIGATION)</b>
3	<b>TRAFFIC COMPLAINT</b>
29	<b>TRAINING</b>
0	<b>TRANSPORTS</b>
3	<b>TRESPASS</b>
10	<b>VIN INSPECTION</b>
0	<b>VIOLATION OF PROTECTION ORDER</b>
0	<b>WARRANT ARREST (INCLUDING ATTEMPTED)</b>
0	<b>WEAPONS/GUN</b>
27	<b>WELFARE CHECK</b>
0	<b>WILDLIFE</b>
506	<b>TOTAL CALLS RECEIVED FROM CHAFFEE CTY. DISPATCH</b>

Statistics from: 3/1/2020 12:00:00AM to 3/31/2020 11:59:00PM

## Citation Printout Report by Violation

	Total Citations of (10-123 THEFT): 1 Total Mandatory Appearances: 1
	Total Citations of (18-18-403.5 UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE): 2 Total Mandatory Appearances: 2
	Total Citations of (18-18-404 UNLAWFUL USE OF A CONTROLLED SUBSTANCE): 1 Total Mandatory Appearances: 1
	Total Citations of (18-18-428 POSSESSION OF DRUG PARAPHERNALIA): 1 Total Mandatory Appearances: 1
	Total Citations of (18-4-503 SECOND DEGREE CRIMINAL TRESPASS): 1 Total Mandatory Appearances: 1
	Total Citations of (18-8-212 VIOLATION OF BAIL BOND CONDITIONS): 1 Total Mandatory Appearances: 1
	Total Citations of (42-2-101(1) DROVE MOTOR VEHICLE WITHOUT VALID DRIVERS LICENSE): 1 Total Mandatory Appearances: 1

Total Citations of (42-3-103 REGISTRATION REQUIRED): 1  
Total Mandatory Appearances: 1

Total Citations of (42-4-1101 SPEED LIMITS (EXCEEDING)): 13  
Total Mandatory Appearances: 0

Total Citations of (42-4-1204 STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES): 2  
Total Mandatory Appearances: 0

Total Citations of (42-4-1409 COMPULSORY INSURANCE): 1  
Total Mandatory Appearances: 1

Total Citations of (42-4-1903 SCHOOL BUSES - STOPS - SIGNS - PASSING): 1  
Total Mandatory Appearances: 0

Total Citations of (42-4-703 ENTERING THROUGH HIGHWAY - STOP OR YIELD INTERSECTION): 1  
Total Mandatory Appearances: 0

Total Citations of (7-136 RUNNING AT LARGE): 3  
Total Mandatory Appearances: 3

Total Citations of (VOID): 3  
Total Mandatory Appearances: 0

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Grand Total

Total Number of Citations Reported: 33  
Total Fine Amounts Reported: \$0.00  
Total Money Collected:  
Total Money Still Due: \$0.00  
Total Mandatory Appearances: 13



## Buena Vista Fire Department

P.O. Box 1624

Buena Vista, CO 81211

Phone: 719 395-8098

Fax: 719 395-2046

### Chief Villers March 2020 Report

For the month of March, we are working on purchasing a new engine. It is a 2011 Ferrara Engine. We are waiting to pick up the truck until after COVID-19 has run it's toll.

With the COVID-19 pandemic at full force, we are working to create new protocols to keep our staff's safety and health. We have also ordered medical and equipment/supplies to use when on calls.

Wildland program - we had our RT-130 Wildland Fireline Refresher the first Saturday of March with 7 people from our department/program and 4 from area agencies. We have signed on 1 new person and working on signing up 1-2 more for this season.

The generator at the Community Center is up and operational. A two year project completed.

We are gearing up for a new potentially busy season and waiting to see how COVID-19 creates changes. We had one small wildland call near the end of March but was extinguished quickly.

Thank you for your time,

Chief Dixon Villers



# Buena Vista Fire Department

P.O. Box 1624

Buena Vista, CO 81211

Phone: 719 395-8098

Fax: 719 395-2046

## Incident Count for All Call Statuses per ALL Actions Taken for Date Range

Start Date: 03/01/2020 | End Date: 03/31/2020

ACTION TAKEN	# INCIDENTS	PERCENTAGE
10 - Fire control or extinguishment, other	1	3.13%
14 - Contain fire (wildland)	1	3.13%
16 - Control fire (wildland)	1	3.13%
20 - Search & rescue, other	1	3.13%
22 - Rescue, remove from harm	1	3.13%
30 - Emergency medical services, other	17	53.13%
31 - Provide first aid & check for injuries	1	3.13%
32 - Provide basic life support (BLS)	1	3.13%
50 - Fires, rescues & hazardous conditions, other	1	3.13%
51 - Ventilate	1	3.13%
73 - Provide manpower	4	12.5%
81 - Incident command	3	9.38%
86 - Investigate	3	9.38%
92 - Standby	4	12.5%

**TOTAL: 40**

Total Training hours for December - 12 volunteers/staff

Station Training

3.5 hours



# OFFICE OF HOUSING

PO Box 699  
SALIDA, CO 81201  
PHONE (719) 530-2590  
WWW.CHAFFEECOUNTY.ORG

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## Directors Report to the Board of County Commissioners for activities in March 2020

- Housing Policy Advisory Council:
  - The March HPAC meeting did not convene;
  - The next meeting is scheduled for May 7<sup>th</sup>.
  
- Multi-Jurisdictional Housing Authority
  - I have been working on the IGA that will create a MJHA and the bylaws that will define operations; however, my work load changed considerably due to COVID-19 response and therefore not many changes to the document have occurred.
  - The Central Peaks Region of El Pomar Foundation has offered the MJHA a \$50,000 challenge grant. Details include:
    - Contingent upon the creation of the MJHA
    - Requires 100% local match; High Country Bank has already pledged \$1,000.
    - To be used for workforce housing
  
- Homeless Coalition
  - On March 10<sup>th</sup>, our region's Coordinated Entry lead agency, Loaves and Fishes, trained the trainers on how to use the VI-SPDAT, the assessment tool used in coordinated entry intake. NOTE: Coordinated Entry is essential for selecting tenants in a permanent supportive housing environment, such as the LITC project proposed for Poncha Springs through the Salida housing Development Corporation.
  - **COVID-19 Response:** In response to the "stay at home" order, the overnight shelter for men has modified its operations to include 24/7 shelter. Additionally, I am working through Public Health and OEM to identify a location for a potential camp, to absorb the wave of newly homeless that might be expected to be seen in the months ahead.
  
- Salida Housing Development Corporation
  - Cardinal Development, the LITC developer identified by UAACOG for this project has offered both a 4% tax credit approach and a 9% tax credit approach. If we wait for the 9% opportunity, the earliest we could apply would be January 2021.
  
- Rental Deposit Guarantee Program
  - Presently have 9 active households
  - Lesson Learned:
    - Accepting applications and processing eligibility takes more time than anticipated; as this program grows, it will require additional staff.

- It is difficult to verify income for most applicants; they have income, but in the gig economy often payment isn't documented. This should be considered when designing local programs for workforce housing – how might we establish eligibility criteria in such a way that acknowledges the economy we have embraced.
- Health Disparities Grant Program
  - 2020 Speakers this far:
    - Strong Towns, Speaker: Chuck Marohn (Topic: Smart Growth Principles) – February 26 and 27; event on 26<sup>th</sup> followed by comp plan open house.
    - 95 people signed in to the two events, the data collected demonstrated an increase in the audience's understanding of the topic as well as strong support for systems and policies that encourage entrepreneurship and an increase in the variety of housing types in the county.
  - “I Am Chaffee” Storytelling workshop occurred March 12-14; we will be creating a marketing strategy to promote these stories and offer them to the BOCC for a preview.
  - **COVID-19 response:** I was able to renegotiate the statement of work with the HDGP program manager to move the remaining events into an online format. Additionally, we were able to rearrange the budget and inject over \$8,000 into our local restaurant community by purchasing gift certificates to be used as incentives to participate in the online events and pre and post surveys.
  - FY21 HDGP Statement of work: I am currently negotiating our statement of work with CDPHE for the second year of this funding. We have proposed the following:
    - Two community-wide education events
    - Convening of a Planning Collaborative among all of the jurisdictions within the county.
    - Offering at least four training and technical assistance events for the Planning Collaborative.
    - Contracting the evaluation of our GIS system, resulting in a prioritized list of GIS layers needed to plan effectively.
    - Contracting the evaluation of a collaborative GIS tool, shared among the Planning Collaborative.
    - Contracting the creation of additional GIS layers, if possible.
- C-PACE:
  - On March 10<sup>th</sup>, Tracy Phillips, Executive Director of C-PACE visited the BOCC; immediately prior, our County Treasurer was alerted to an instance in Fremont County where a CPACE assessed parcel entered into default. Chaffee County

will wait until Fremont County has been satisfied with the remedy before moving forward.

## Community Partnerships

I continue to develop working relationships with a myriad of service providers within Chaffee County, often centering around the Rental Deposit Guarantee Program.

- Economic Development Corporation:
  - April 26-28: Access to Money and Resources:
    - This conference has been postponed due to COVID-19.

NOTE: Promoting this event has caused a dramatic increase in the number of people approaching me with potential housing projects.

- CHFA: I will be hosting CHFAReach, the professional development arm of CHFA, at the Poncha Springs Town Hall on July 23<sup>rd</sup>, 2020. The topic of this session will be LITC compliance, and will be an excellent opportunity for the LITC project management staff in our county to get together and ensure they are compliant with the IRS regulations. This is the first time our county has hosted a CHFAReach event.
- Lake County:
  - March 11<sup>th</sup>, Lake County Housing Action Team toured Chaffee County and engaged with LITC development, T Zone land use plans, Inclusionary ordinances, Land Turst Model, Habitat for Humanity model, and the HPAC.

## Public Speaking Engagements

### Professional Development

- March 4-6 I attended the Rocky Mountain Land Use Institute's Conference in Denver, including a pre-session on development finance. Other Chaffee County professionals who were present include: Daniel Tom, Christie Barton, and Glen Van Nimwegen. My notes from the conference are included as an attachment to this report.

Confidentiality, Conflict and Public Citizenship:

Civil disobedience as long as the underlying conduct is not a crime/fraud can be assisted by an attorney.

Advice versus active participation.

Conflict of interest: representation of client and personal beliefs. Acting in personal capacity that conflict with client triggers a personal conflict of interest, concurrent conflict of interest, significant risk of material representation that lawyer's representation will be limited by personal beliefs of an attorney. Personal conflict of interest are not imputed to other attorney's in the firm.

Water Law/Colorado River Law

Nolan/Dolan

Exactions only when we actually take land, not regulate land.

Impact fee= reasonable relation or rational nexus to the improvements

Authority: express v. implies, level of government (statutory or home rule), plenary v. non plenary power, action has been preempted by higher level of government

Tax is a compulsory charge imposed for the purpose of generating revenue to defray the general expenses of government. Look at ad valorem or excise, general constitutional limitations, special constitutional limitations.

Fee ...see case below: fees can be imposed for quid pro quo, cover cost of program (like building permit fees), cover cost of your impact.

Nolan: no nexus between the condition and the original purpose of the building restriction b/c no nexus violates taking clause

Dolan: there must be rough proportionality but the exaction and impact

Three part test Nolan/dolan

Fee v. Tax see, Bloom v. City of Ft. Collins 794 p2 304. d

Use restriction for affordable housing is regulation and not an exactions.

Ad hoc fees imposed s subject to Nolan/dolan

Does not apply to fees imposed pursuant to legislatively imposed powers.

Koontz v. St Johns 570 US 595 (2013)

Proper impact fee:

Direct link between impact fee being imposed and development

Cost of the facility or improvement to be provided for

Equitable method to appropriate the cost among the developments that necessitated the expenditures

Provide clearly articulated and when possible detailed standards assessing the amount of the impact fee or exaction adopt and follow procedures

Segregate funds.

Community Choice Aggregation: local governments purchase electricity on behalf of the community while the local utility continues transmission and distribution. Leads to increase renewable energy supply.

Town of Vail: environmental impact report. Creates an invitation to exaction because it a case-by-case basis for implementation of mitigations.

Boulder County Wildfire Mitigation Plan.

Regulatory Issues and Climate Change in Rocky Mountain West:

Flooding, wildfire, urban heat island,

Flooding: build up, permeable ground floors, revised set backs from the floodplain. Construction size limit, (reasonable economic use of the property) , clustering, (we need to listen to the land about how and where to build), open space design allow open space requirements to allow some portion of the area to serve as temporary floodwater accommodation areas, FEMA Community Rating Systems to reduce flood insurance ratings,

Wildfire Planning:

Comp plan ( connect the information to other functional plans, where do you want to grow and where is the wildfire hazard map and how do they connect)

Subdivision regulations: plans on how they manage subdivision regulation to account for fire, fuel management/modification plan part of subdivision plan process, done before lots are purchased, phasing regs for wildfire mitigation,

Wildland urban interface code: standard for construction material and building requirements and vegetation management more, standards and codes all together

Vegetation management: property owner based

Setback/hillside protection ordinance: increase setbacks from steep slopes and combined with hillside and hazard protection objectives.

Site specific assessments: offer site specific assessments through voluntary or regulatory pathways can be combined with incentives for property owners.

Enforcement:

Recent Land Use Decisions in Colorado

City and County of Denver v. Burton: Homeless camping ban overturned, cruel and unusual punishment and 8<sup>th</sup> amendment. Government may not prosecute people for basic human needs of sitting, lying, sleeping in public. So long as there is a greater number of homeless individuals in a jurisdiction than beds in shelters. Martin . Boise 920 F.3d 384.

Ordinances how are you going to enforce, safety/health, conduct etc.

Carousel Farms v. Woodcrest Homes , 442 P.3d 401 (Colo 2019): annexation agreement with Town of Parker, one owner objected, metro district did eminent domain action to force homeowner into the metro district, supreme court the fundamental and intrinsic nature of the taking was for a public benefit though most immediate reasons was to comply with pre annexation agreement with the Town.

Thompson Excavation v. Larimer County: conditional use approval for a mine application. Was approved earlier than came back to “refresh” the prior conditional use approval application. Approved, homeowners filed a 106. Rule 57 claim: whether or not one of the Commissioner’s had a conflict of interest in approving the decision. Homeowners never claimed a conflict of interest against any of the Board members because one of the Board members received a campaign contribution from the Thompson mine. Found that Commissioner refusal to recuse was a conflict of interest. US Supreme Court Case Caperton? Donor gave 3 million to an appellate judge campaign, that judge was sitting and reviewing the donor’s case. West Virginia case. Donation can create a bias because of the extreme donation even though there is no true bias. Caperton case party contribution has a significant impact disproportionate to how much was received and spent and how the money influenced the outcome of the election makes an irrefutable bias.

In Larimer the person made a 10K donation to the campaign and judge found that it was a big enough contribution to create a bias. They donated because the Republican Party solicited on behalf of the Commissioner.

Larimer county has an existing conflicts policy: quasi judicial officers are presumed to be impartial unless financial interest personal/business.

Historic preservation: must meet with owner of building that you are trying to designate as historical and board must be a resident of the jurisdiction.

Lakewood's growth ordinance: Passed in July. 1<sup>st</sup> case filed relating to the ordinance filed, white fence farm project, was it a pending project before the ordinance adopted.

State wide growth ordinance for the ballot?

City of Denver v. Burton

Lynall et al v. City of Denver.



- **300-304 E. Main Street:** A permit was issued for a major renovation of this building to include short term rental units on the second floor and commercial spaces on the main level.
- **707 N. Hwy 24:** A permit was issued for a renovation of this building.
- **211 Tabor:** A permit was issued for a renovation of this building.

#### County:

- **7800 CR 152:** A permit was issued for an addition to the existing greenhouse at this address.
- **15870 CR 162:** A permit was issued for a pedestrian bridge at the Mt. Princeton Hot Springs Resort.
- **11344 Hwy 50:** A permit was issued for a new gas pump canopy at this location.
- **22575 Hwy 285:** A permit was issued for a fire training facility at this location.

#### C. Inspection Totals

- We performed 902 field inspections in the month of March.
- We issued 20 certificates of occupancy in March.

#### D. Legislative Update

- Nothing new to report.

### II. Planning & Zoning

**A. Land Use Code:** The March 31st Planning Commission & BoCC joint work session was devoted to review of the draft comprehensive plan. The following Land Use Code items are pending discussion;

- An amendment to the definition of Outfitting Facility in Article 15 of the LUC was discussed in work sessions on November 26, 2019, January 28, 2020 and February 25, 2020. Changes to the code will be heard by the PC on March 31, 2020.
- A citizen-initiated amendment to Article 7.8.22.B.2.e to reduce the setback to existing residences from 500 feet to 100 feet. This was heard in work session on January 28, 2020 and was discussed in a joint work session agenda on February 25, 2020.
- An amendment to Article 15, Definitions to add definitions of Central Water System and Central Sewer System. This was discussed by the Planning Commission in work session on January 9, 2019. Planning Commissioner Curgus has research to share with the Planning Commission and this will be discussed at the April work session.

**B. Buena Vista Intergovernmental Agreement:** Buena Vista has designated a Municipal Services Area that was adopted by the Buena Vista Planning Commission in October. Buena Vista anticipates adoption of a new 3 Mile Plan which will facilitate adoption of the IGA. The IGA has been reviewed by County staff and has been forwarded to, and discussed with, the Town. The plan was discussed with the Planning Commission at the March 31, 2020 meeting.

**C. Comprehensive Plan:** Staff continues to meet with Cushing Terrell on a bi-weekly basis on the comp plan project. The Planning Commission has scheduled weekly meetings for discussion of the plan through mid-June, the first discussion was held on March 31.

#### D. Land Use Applications Current / Pending / in progress:

##### Applications Scheduled for Public hearing:

- The Bach/Masterson road vacation at 16807 CR 243 and 16830 CR 220 in Maysville proposes the vacation of a portion of Park Avenue. This is scheduled to be heard by the BoCC on **May 5, 2020**.
- The Cogan Farms Agricultural Subdivision Exemption proposes the creation of a 2.01 acre lot with a remainder parcel of approximately 185 acres. This will be before the BoCC on **May 12, 2020**.
- The North Fork Ranches Major Subdivision Preliminary Plan on Highway 50 at the entrance to Weldon Creek proposes the creation of 16 lots ranging from 5 to 17.2 acres. This application will be before the Planning Commission on **June 2, 2020**.
- The Adams Agricultural Subdivision Exemption at 11460 CR 140 proposes the creation of a 2.57 acre lot with a remainder parcel of 76.88 acres. This application will be before the BoCC on **April 14, 2020**.
- The Ogden Heritage Water Subdivision Exemption at 12840 CR 190 proposes the division of a 35.04 acre parcel into two Lots of 20.14 and 13.36 acres with a 1 acre road dedication. This will be before the BoCC on **May 12, 2020**.
- The Yuniker (or Timber Creek Ranch) Heritage Water Subdivision at 8315 CR 160 proposes the creation of a 14.2-acre lot with a 356 acre remainder parcel/ this application will be before the BoCC on **April 7, 2020**.
- The Aspire Tours application for Limited Impact Review at 11302 CR 190W proposes an Outfitting Facility, a Commercial Campground and a Seasonal Employee Campground on a 44-acre parcel. This application was to be heard by the Planning Commission on February 25, 2020 but was continued to March 31, 2020 at the applicant's request. The application is currently scheduled to be before the Planning Commission on **May 26, 2020**.
- Lark's Perch Major Subdivision preliminary plan, located south of Hutchinson Lane and east of the Canyons ROSI, proposes the division of a 37-acre parcel into 13 lots. This application was before the PC on January 29, 2019 and recommended for Approval. The application was before the BoCC on February 12, 2019 and approved. After agency review the application was before the Planning Commission on November 5, 2019 and continued to January 14, 2020 to allow the applicant to prepare additional materials and then additionally continued to March 3, 2020 at which time the application was denied. The BoCC will hear a request for appeal on **April 7, 2020**.
- The RGP Industrial Park Major Subdivision preliminary plat on the south side of CR 140 across from the west end of the Harriet Alexander Field runway proposes (5) 2.1-acre lots in the industrial zone with no residential use. This application was heard and recommended for approval by the PC on November 27, 2018. The application was heard and approved by the BoCC on December 12, 2018. After agency review, the application was before the Planning Commission on January 28, 2020 at which they recommended approval. The final plat application will be before the BoCC on **April 14, 2020**.

##### Recently Approved, Denied or Withdrawn Applications:

- The Hiser Heritage Water Subdivision Exemption at 14580 CR 193 proposes the creation of a 2.22-acre lot. This application was before the BoCC on March 10, 2020 and approved.
- The Cordova/Spino/Dykins Boundary Line Adjustment proposes an adjustment that will allow construction of an RV garage on the Cordova lot. This application was before the BoCC on March 4, 2020 and approved.
- The Blitstein Agricultural Subdivision Exemption at 36570 Hwy. 24 N proposes the creation of (1) 2.00-acre lot. This application was before the BoCC on March 17, 2020 and approved.

#### Applications Requiring Applicant Action:

- The Morrison Heritage Water Subdivision Exemption at 15974 CR 306 proposes the creation of one lot and one outlot in conjunction with a Minor Subdivision. The HWSE was heard by the BoCC on November 19, 2019 and approved. The Minor Subdivision was heard by the PC on November 19, 2019 and was recommended for approval.
- Rio Frio Minor Subdivision sketch plan on CR 300 proposes division of the 27-acre Parcel 1 of the Nestle Water/Jacobson Boundary Line Adjustment into 4 residential lots, 2 common use outlots and Rio Frio Lane. The application was before the Planning Commission on September 24, 2019 and was recommended for approval. The application was before the BoCC on October 10, 2019 and approved.
- Centerville Ranch Major Subdivision preliminary plan proposes 133 lots ranging in size from 1.5 to 9.3 acres on 495-acres within a 907-acre ranch. This application was heard by the Planning Commission on January 29, 2019 and recommended for approval. The application was before the BoCC on February 12, 2019, continued to February 21, 2019 and then continued to March 12, 2019 for a special meeting at the fairgrounds. At the March 12 meeting the BoCC approved the sketch plan and directed the County Attorney to draft a Resolution. The Resolution was approved by the Board at the March 19, 2019 meeting and Central Colorado Conservancy presented a concept for a Conservation Easement that would encompass the southerly 2/3 of the ranch. The application was sent to review agencies. The Preliminary Plan is for Phase I of 62 Lots. The application was heard by the Planning Commission at a special meeting held at the Fairgrounds on August 21, 2019 and recommended for approval. The application was before the BoCC at another special meeting held on September 4, 2019 and approved.
- Ruby Mountain Minor Subdivision sketch plan, located east of the Arkansas River adjacent to the Ruby Mountain campground, proposes to divide a 19.7-acre parcel into two lots. This application was before the PC on January 29, 2019 and recommended for approval. The application will be sent for agency review upon receipt of the final submittal.
- El Rancho Vaquero Minor Subdivision north of the Buena Vista rodeo grounds proposes to divide the outlot created by the Heritage Water Subdivision into 3 lots of 9.6 to 9.8 acres. The Minor Subdivision was before

the Planning Commission on February 26, 2019 and recommended for agency review.

- Whispering Pinons Acres Major Subdivision Sketch Plan at 11341 CR 206, west of the Poncha Springs Cemetery, proposing 12 lots on 40 acres was heard and approved by the BoCC on March 13, 2018. Staff granted a 6-month extension to submit the preliminary plat through September 13, 2019.

**Out of Compliance Applications:**

- Estates at Mt. Princeton Phase II & III (OLD) are required to be completed by 06/08/2015 (sketch plans for multiple filing subdivisions are valid for a maximum of 5 years under the old regulations). The PUD development agreement also refers to a five-year term, requiring that all phases have final approval within 5 years. Staff had a pre-application meeting with the applicant on 6/4/15. This subdivision is out of compliance. Staff met with representatives of Mt. Princeton Holdings and Phelps Engineering on September 30, 2019 and it was agreed that Phases II & III will need to be considered as a new application. A replat of lots in Phase I was also discussed. No application has been submitted to date.

- E. County Property adjacent to Fairgrounds:** Henderson Land Surveying has been engaged to prepare an additional Subdivision Exemption for Public Benefit to create an approximately 20-acre parcel for fairgrounds expansion. The Salida School District has expressed interest in the remaining lands for a school site. The current owner of the residential parcel has expressed interest in expanding their boundaries by purchasing land from the county.
- F. Harriet Alexander Field:** Staff has been researching various issues for Burns and McDonald to finalize the most recent version of the Airport Property Inventory Map. This work is complete.
- G. North Fork Acres Homeowners Association:** During discussion of the Monarch Shadows Minor Subdivision it was noted that the NFHOA does not own Hanging Tree Drive as the developer let it revert to Chaffee County in a tax sale. NFHOA is requesting that Chaffee County deed the road to the HOA. Taxes in arrears are approximately \$450.
- H. Nestle Waters:** Staff continues to work with Nestle Waters in anticipation of a permit amendment and renewal of the 1041 permit. The 2018 Annual Report was received by staff on May 1, 2019. Staff met with Larry Lawrence on August 6, 2019 to review renewal submittal requirements. Nestle has submitted an application for extension of the permit without amendment. This application is scheduled for hearing on April 21, 2020. The resolutions and yearly reports are currently published on the County website. The BoCC will consider a continuance of this hearing on April 7, 2020.
- I. Homestake pipeline reconstruction 1041 permit:** Staff met with Homestake representatives to discuss an amendment of this 5-year permit for an additional 5 years to repair additional sections of pipeline. Staff is currently working with the applicant on the extension application.
- J. Valley View School:** Salida School District has proposed the transfer of this property to Chaffee County. Staff has noted that the 2004 transfer of this property from the Richardson Family was not in conformance with the Land Use Code. **A**

survey of the property is being prepared in anticipation of an Exemption for Public Benefit to facilitate the transfer. The representative of the estate has been contacted and is willing to sign the plat on behalf of the Richardson Family.

#### **K. Subdivisions subject to SIA with Lot Sales Restrictions:**

1. Estates at Mt. Princeton: LSR on Phase 1, Lots 10 and 16-27; was extended through June 27, 2019. Staff met with the applicant on September 30, 2019, see out of compliance applications.
2. Lakeside Preserve: The BoCC granted a final extension to the Lot Sales Restriction through November 01, 2019. The BoCC accepted escrow for the completion of Teal Ct. on February 18, 2020.
3. River Meadow Estates Addition, Fil. 1-4; LSR was extended through October 20 2029
4. Shikoba Acres Fil. 2: LSR was extended through July 6, 2023.
5. Westwinds: LSR Lots 35-45 Filing 3 & Lots 46-49 and 52-55, Filing 4. Developer has entered into an escrow agreement with the County (\$270,000). Lot 46, Filing 4 was released in April, 2019. \$170,000 authorized for release on June 25, 2019. The remaining funds were authorized for release on August 22, 2019. The BoCC will hear a request to accept escrow for the completion of the roadways on March 4, 2020.
6. Bos Minor Subdivision: LSR on all 4 lots through November 11, 2019. This will require extension.
7. Chipeta Meadows Minor Subdivision: LSR on Lot 1 through July 13, 2019. This requires extension
8. Longhorn Ranch: Chaffee County holds an escrow account of \$10,000 for completion of improvements.
9. Oak Leaf Solar Farm: Improvements and Maintenance Agreement through July 27, 2019. The applicant has submitted the funds required by the Improvements Agreement and has submitted an application for the building permit. The building and electrical permits have been issued.
10. Rafter's Roost: Improvements and Maintenance Agreement through October 31, 2021 for Phase I and through October 31, 2024 for Phase II.
11. Strother Minor Subdivision: LSR through July 7, 2023.

#### **L. Violation Investigations**

1. Staff is reviewing the property at 30108 CR 361 at the southeast corner of Game Trail (the site of "Organic Firewood" sales) for possible violations of the Junk Ordinance.
2. Wyzkiewicz/Hirschey Property – 11341 CR 206. Building and Zoning violations. This property is being platted as Whispering Pinons Acres Major Subdivision, see items requiring applicant action. Staff is working with the applicant toward resolution of the building and land use violations.
3. Staff is reviewing 3 properties in Trout Creek Meadows on Singletree Road for possible camping violations.
4. Nathrop Properties – white metal Junk
5. 28417 CR 337, A violation letter was sent May 22, 2017 for operation of a salvage yard in a residential zone, accumulation of trash, and pole barn built without permits. The certified mail receipt was returned to the County with a

received date of June 10, 2017. Staff has not been contacted by the property owner. This matter has been referred to the County Attorney. Staff is working with Daniel Tom on how to handle this currently.

### **III. Engineering**

#### **A. Road and Bridge**

1. Staff prepared the Granite Bridge change order RFP for Otak. CDOT gave us permission to retain OTAK as the engineering firm since they were already under contract by Chaffee County. CDOT sent an official amendment to the original grant, changing it from a new bridge to a rehabilitation of the existing bridge.
2. Staff performed the final inspection on the Mountain Shadow subdivision road.

#### **B. Plan Review**

1. Staff reviewed the following plans:
  - a. Nothing to report.

#### **C. OWTS Program**

1. In February staff reviewed 8 OWTS designs. Issued 6 OWTS permits and 2 are on hold.
2. Staff performed a site-visit at 8160 Buck Run, to discuss the placement of a leach field with geographical challenges. Staff also required additional engineering at this location due to the steep slopes and the geotechnical nature of the soils. (non-structural fill)

#### **D. Regional engineering plan review and inspection**

2. Buena Vista High School: Phase 2 of 3 is under construction.
  - a. Phase 1: 100% complete
  - b. Phase 2:
    - i. The existing school is 100% demolished,
    - ii. The foundations are 95% complete,
    - iii. Prefab concrete walls are 100% complete,
    - iv. Steel structure is 15% complete,
    - v. CMU walls are 5% complete.
  - c. Phase 3: 0% complete.
  - d. Staff has performed approx. 80 inspections to date.
  - e. The Buena Vista school district installed a temporary building that will be used as a cafeteria during construction.



Figure 1 BV High School temporary cafeteria

### E. Engineering Projects

1. Salida Airport Beacon Tower:
  - a. The geotechnical investigation and structural engineering have been completed and will be used in the construction RFP that will be published in May.
2. Fair grounds North building, heating/cooling:
  - a. The final version of the RFP for the installation for new heating/cooling units in the North multi-use building has been published. The deadline for bids is April 16<sup>th</sup>.
3. Chaffee County Administration Building:
  - a. Preliminary design is 100% complete,
  - b. The architect and engineering team stopped the Definite Design due to design optimization and approval of those changes by the BOCC,
  - c. Additional parking is required for the new Administrative Building. A parking area has been designed east of 104 Crestone. Crabtree did the engineering, wrote the RFP and published the RFP. The construction bids submittal deadline is April 16<sup>th</sup>.

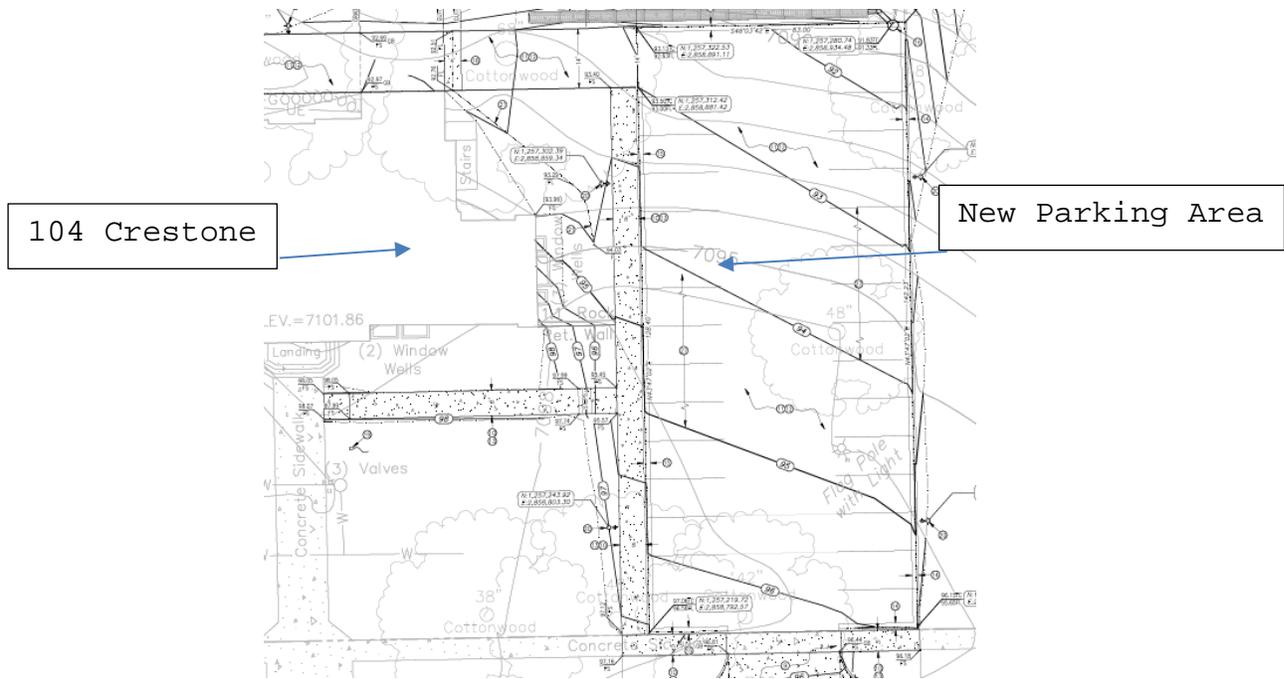


Figure 3 New Parking Area

4. Public safety Building:
  - a. Due to COVID-19 the review of bid submittals has been postponed until mid-April,
5. Sleeping Indian Mobile home park:
  - a. Staff has been coordinating with Al Smith the Town engineer of Buena Vista to take soil samples and septic tank samples. The soil samples were collected on April 2, 2020 and the results are pending.
  - b. Andrew Rice the counties CDPHE contact person recommends that the staff sample the liquid waste (liquid in septic tanks), solid waste (Septic tanks, piping), and biosolids (soils). These tests must be performed before any action may be taken to decommission the septic system.
  - c. Andrew Rice has informed the county that the existing system has never been officially decommissioned by the owners. Since the site's closing the owners have not fulfilled their CDPHE reporting requirements. Even though this system is no longer in use, the owners are still required to do their monthly, quarterly and yearly reporting.
6. Dekker Fire recovery:
  - a. NRCS has approved the funds for flood protection for structures that may be impacted by flooding caused by the Dekker Fire.
  - b. Staff together with Mark Stacy and Chelsey Nutter have done an initial site visit to all the proposed sites.
  - c. Staff revisited all the sites and made concept designs to protect the proposed structures. NRCS has already approved the concept designs. The concept designs need to be discussed with the land owners before further work can be performed.



## TOWN OF BUENA VISTA

P.O. Box 2002  
 Buena Vista, CO 81211  
 Phone: (719) 395-8643  
 Fax: (719) 395-8644

DATE: March 11, 2020  
 TO: Mayor and Board of Trustees  
 FROM: Mark N. Doering, Principal Planner

AGENDA ITEM: An amendment to a Public Improvement Agreement for Block 41, Town of Buena Vista

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### **Request:**

Town staff is requesting an amendment to the Public Improvement Agreement for Block 41 of the Town of Buena Vista to release a portion of the cash escrow deposited with the Town back to the developer, Ken Cook, representative for Northside Holdings, LLC. The amended agreement will allow the developer to get a partial release of funds while protect the Town to ensure that the remaining public improvements will be installed prior to building permits being issued on the lots covered by the agreement (Lots 1-16, Block 41 Town of Buena Vista). Staff is requesting that the Board authorize the Mayor to sign the amended agreement.

### **Background:**

When public improvements are required to be built to support development, the Town enters into an agreement with the builder to ensure that the improvements are built to the Town's standards or that the improvements can be built should the developer not be able to complete them. The developer has completed the majority of the improvements needed for development of the block, namely installing new sewer main, utility connections, and constructing the alley in Block 41, Town of Buena Vista. With the current situation related to the COVID-19 virus, the developer is seeking to get a portion of the funds back to be able to use those funds during this situation. Staff agrees that the majority of work has been completed and that \$52,292.00 of the original amount placed in cash escrow (\$68,093.00) can be released back to the developer while the remaining \$15,801.00 will be retained to ensure that the remaining improvements are completed prior to building permits being issued for the property.

### **Budget Impact:**

No impact.

### **BOT Action:**

If the Board of Trustees agree with the proposed amendment to the public improvements agreement and that \$52,292.00 can be released to the developer for completed public improvements, it should make a motion to approve the Mayor signing the attached amendment to the public improvement agreement.

### **Attachments:**

First Amendment to the Public Improvements Agreement for Block 41, Town of Buena Vista  
 Public Works Cost Estimate Review for Block 41, with remaining needed improvements highlighted

## FIRST AMENDMENT TO PUBLIC IMPROVEMENT AGREEMENT

THIS FIRST AMENDMENT TO PUBLIC IMPROVEMENT AGREEMENT ("First Amendment") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the TOWN OF BUENA VISTA, a Colorado municipal corporation having an address of P.O. Box 2002, Buena Vista, Colorado 81211 (the "Town"), and Northside Holdings, LLC, having an mailing address of P.O. Box 1010, Buena Vista, Colorado 81211 ("Developer") (collectively the "Parties").

**WHEREAS**, the Town and Developer entered into a Public Improvement Agreement, dated May 21, 2019 and recorded in the records of the Chaffee County Clerk and Recorder at reception number 450908 ("Agreement") concerning the property described in **Exhibit A**;

**WHEREAS**, Developer has completed most of the Public Improvements, as set forth in that Agreement;

**WHEREAS**, Developer deposited Sixty-Eight Thousand Ninety-Three Dollars (\$68,093.00) as cash escrow with the Town as a Performance Guarantee as that term is defined in and as required by the Agreement;

**WHEREAS**, with the onset of the COVID-19 pandemic, the Governor of Colorado and the Colorado Department of Public Health and Environment have issued several orders requiring the closure of certain non-critical businesses and such orders have had a financial impact on Developer;

**WHEREAS**, Developer has requested that the Town release the cash escrow held under the Agreement;

**WHEREAS**, the Town is agreeable to a partial release of the Performance Guarantee due to the fact that Developer has a majority of the Public Improvements installed; and

**WHEREAS**, the parties wish to enter into this First Amendment to the Public Improvement Agreement to effectuate the release of funds to Developer.

**NOW, THEREFORE**, for and in consideration of the mutual promises and covenants contained herein, the sufficiency of which is mutually acknowledged, the Parties hereto agree as follows:

1. Within five (5) days of the execution of this First Amendment, the Town shall release \$52,292.00 to the Developer.
2. The Town expressly reserves the right to request a new cost estimate and/or addition funds to secure performance from Developer when construction and/or installation of the Public Improvements commences.
3. All terms and conditions in the Agreement, not modified in this First Amendment, shall remain in full force effect. This First Amendment shall run with the land.



**EXHIBIT A**  
**LEGAL DESCRIPTION**

Lots 1 through 16, inclusive  
Block No. 41  
Town of Buena Vista  
Chaffee County, Colorado

**TOWN OF BUENA VISTA**

P.O. Box 2002  
Buena Vista, CO 81211  
(719) 395-8643

MEETING DATE: April 8, 2020

TO: Mark Doering

FROM: Shawn Williams, Public Works Director

ITEM: Block 41 Cost Estimate Review

---

**Request:**

This report captures the estimate for the remaining work that still needs be performed per the Engineers Probable Cost for Block 41, Phase 1.

**Overview:**

Public Works Staff has reviewed the engineers probable cost report provide to the Town of Buena Vista, as well as performed site visit to determine an estimated cost to install the remaining work.

**Estimated Cost:**

\$15,801.00 (15% contingency is not included in this amount)

See Attached report for reference.

Thank you,

Shawn Williams, Town of Buena Vista Public Works Director

### Engineer's Opinion of Probable Construction Cost

Block 41, Buena Vista; CO - Phase 1 Improvements to be Conveyed to the Town of Buena Vista

Prepared By: Crabtree Group Inc.  
 Owner: Ken Cook and Jess Jones

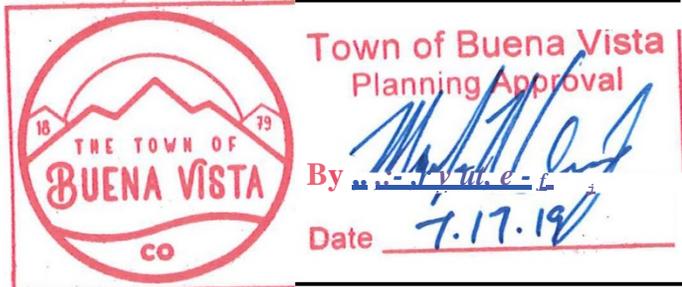
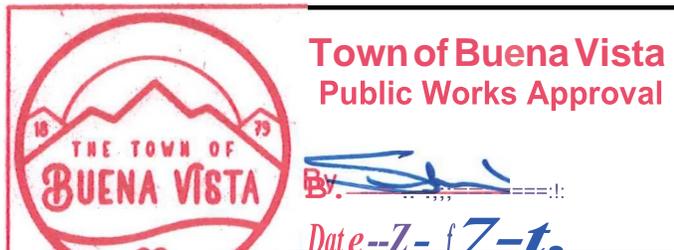
5/6/2019

Item #	Phase 1 Qty	Unit	Description	Unit Cost	Total Cost
<b>Demolition</b>					
1	51	LF	Sawcut existing asphalt concrete to limits shown on plan	\$ 2.50	\$ 127.50
4	76	CY	Remove and dispose of boulder greater than 5' diameter	\$ 200.00	\$ 15,200.00
5	250	CY	Excavation, measured in place	\$ 8.00	\$ 2,000.00
6	1,650	SY	Clear and Grub, remove 6" of depth	\$ 6.00	\$ 9,900.00
				<b>Sub-Total</b>	<b>\$ 27,227.50</b>
<b>Street Construction</b>					
8	33	SY	Furnish and install 3" asphalt patch Installed but the will need to be applied to street a 1 year excavation/asphalt warranty for 1 year.	\$ 23.00	\$ 759.00
8a	33	SY	Furnish and install 6" COOT Class 6 Aggregate Base Course	\$ 9.00	\$ 297.00
9	1,798	SY	Furnish and install 6" COOT Class 6 Aggregate Base Course	\$ 9.00	\$ 16,182.00
12	55	SY	Furnish and install 6" concrete driveway	\$ 50.00	\$ 2,750.00
12a	55	SY	Furnish and install 6" COOT Class 6 Aggregate Base Course	\$ 9.00	\$ 495.00
15	1	EA	Furnish and install standard stop sign	\$ 500.00	\$ 500.00
17	2	EA	Furnish and install streetlight per Town of Buena Vista design standards.	\$ 5,000.00	\$ 10,000.00
18	2	EA	Furnish and install street name sign	\$ 500.00	\$ 1,000.00

Construction Required prior to Building Permit per Town of Buena Vista Development Improvement Agreement

(Escrow/Letter of Credit) \$ 59,211

With 15% Contingency \$ 68,093



# TOWN OF BUENA VISTA

## BOARD OF TRUSTEES

Introduction to the Town of Buena Vista government

April 14, 2020





## TOWN OF BUENA VISTA

P.O. Box 2002  
 Buena Vista, CO 81211  
 Phone: (719) 395-8643  
 Fax: (719) 395-8644

April 14, 2020

Congratulations on your recent election or re-election to the Town of Buena Vista Board of Trustees! It is a great honor to serve your community as an elected official. Town Staff are eager to work with you to accomplish great things ahead!

We have prepared a packet of information that will help you become acquainted with your role on the Board and bring you up to speed with our current year budget and projects. Key components of this packet include:

- Introduction to the Town of Buena Vista government
- Policies of the Town of Buena Vista Board of Trustees
- Buena Vista Collective Vision & Key Outcome Areas
- Buena Vista 'Filtering Questions' for decision making
- Town of Buena Vista 2020 Budget
- 2020 Work Plan
- Key Outcome Planning Goals

Staff recommends that the Board revisit and update the "Policies of the Town of Buena Vista Board of Trustees" (Policy Governance Doctrine). This policy was adopted in November 2015 and no updates have been made since that time. After four years of having this policy in place, staff believes that while many of these Board policies are actively being followed, some content appears to be unnecessary for our town. Staff will schedule time for the Board to review these policies during 2020.

There will also be training opportunities that will help you become acquainted or re-acquainted with your role and responsibility as a local government elected official.

1) Board Orientation Training: Staff is working with Colorado Municipal League (CML) to schedule a training session in Buena Vista during the month of May. As members of CML, we have access to many valuable resources - [www.cml.org](http://www.cml.org)

2) CIRSA, the insurance for the Town of Buena Vista, would like to remind you of the complimentary liability prevention training tools we have produced specifically for elected officials. All the available resources we offer, including videos, publications, and a webinar, can be found on the CIRSA website - [www.cirsa.org/safety-training/elected-officials](http://www.cirsa.org/safety-training/elected-officials)

3) You will also need to take the NIMS ICS 100, 200, 700 and 800 courses, which cover your role in emergency management, and can all be done online. More direction will come from staff on how to complete these courses. If you have any questions, contact Shawna Martinez at

[bvfireadmin@buonavistaco.gov](mailto:bvfireadmin@buonavistaco.gov) or at 719-395-8098

4) Colorado Municipal League (CML) host an annual conference in Westminster from June 23-26. <https://www.cml.org/annual-conference/>

This is an excellent opportunity to network and learn about municipal government issues and policies in Colorado. If you are interested in attending, please let me know so that we can get you registered and a room reserved as well. Registration will close June 12<sup>th</sup>.

5) We will schedule a tour of town facilities. Please let me know if you're interested in this and I will get that set up.

6) Work sessions are a great way to dive deeper into a topic that the Board is interested in learning more about. Some examples include updates from advisory boards, water rights and law, or historic preservation. Staff can coordinate work sessions at the direction of the Board.

Thank you and welcome to serving the Town of Buena Vista citizens!

Respectfully,

A handwritten signature in black ink, appearing to read "Phil Puckett", with a long, sweeping underline.

Town Administrator  
Town of Buena Vista

## Introduction to Town government

### Board of Trustees

There are a few things to keep in mind to help things go smoothly. And, while the attached policy document and the Municipal Code outline roles and responsibilities of a member of the Board of Trustees, for the Mayor and Trustees, here is a general run down in more basic terms. Basically, trustees set policy and adopt an annual budget. The Administrator is responsible for implementing the policy and following the budget, understanding that modifications are necessary throughout the year. The Board ought to keep in mind that a policy is intended to either solve a problem or prevent a problem from happening. An easy question to ask as various priorities crop up and problems are identified is, "What does this particular problem prevent the citizenry from achieving?" This can help provide direction to the Administrator. The Administrator then manages staff to implement the direction of the Board. Also, individual trustees can express a voice, but the Administrator acts according to the voice of the Board as a whole. There will be a host of items that come before the Board throughout the year, and the Board will give staff areas to focus on. Please keep in mind that any directive given can take priority, but there is an opportunity cost to everything

### Town Administrator

The Town of Buena Vista operates within a council-administrator form of government. The Town Administrator is the chief executive officer of the town and is responsible for the overall management of town operations.

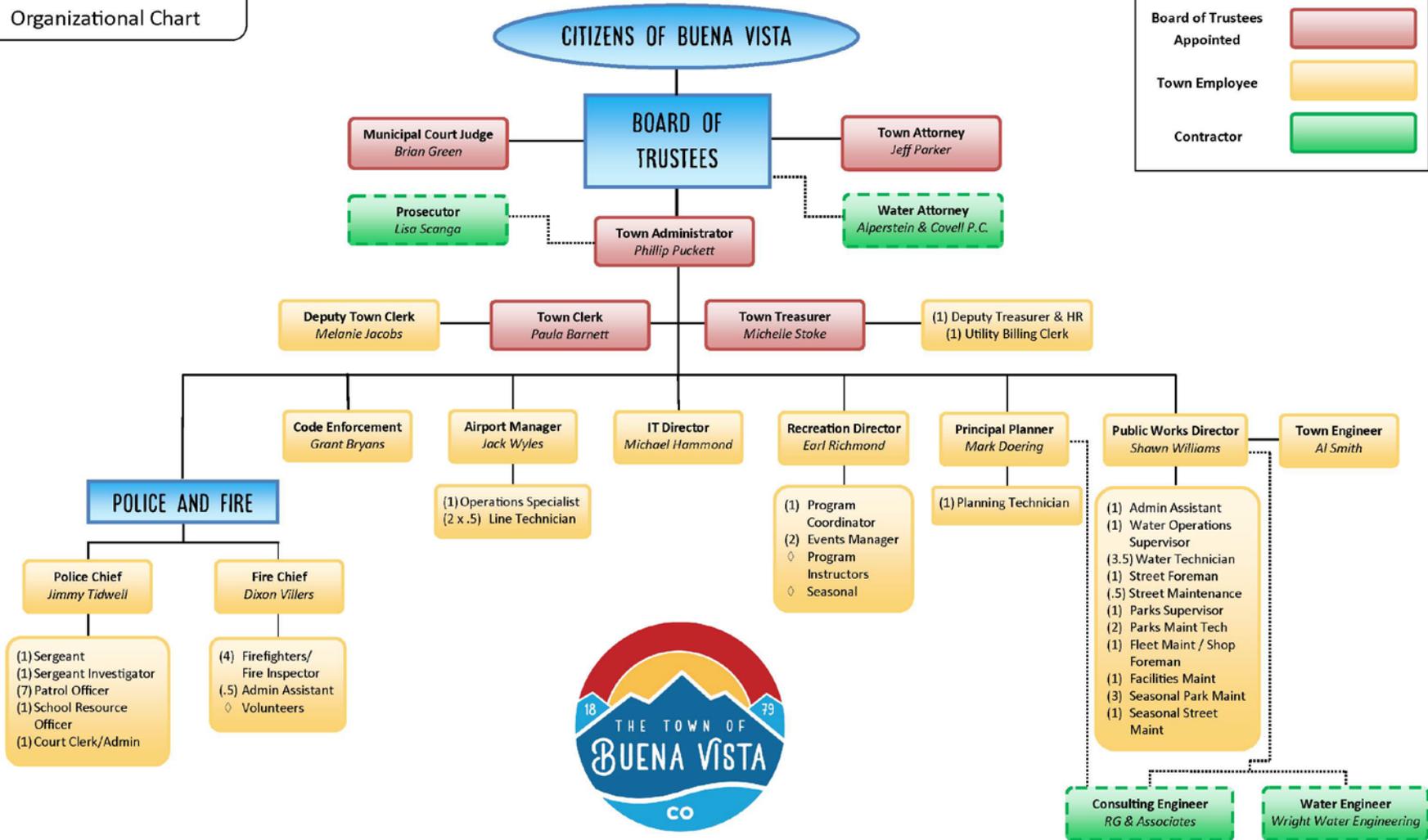
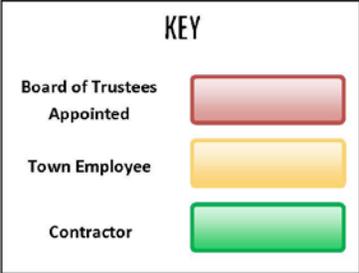
Functions of the Town Administrator include:

- Implement policy decisions and legislative actions taken by the Board of Trustees
- Make recommendations to Board of Trustees
- Oversee the operations of the town
- Prepares the town budget

### Council-Administrator form of government

	Board of Trustees	Town Administrator
<b>Responsible for:</b>	Policy Decisions	Day-to-day operations
<b>Hires and Supervises:</b>	Town Administrator Town Attorney Town Clerk Town Treasurer Municipal Judge	All other town staff members/employees

**TOWN OF BUENA VISTA**  
Organizational Chart



**TOWN OF BUENA VISTA**

P.O. Box 2002  
Buena Vista, CO 81211  
Phone: (719) 395-8643  
Fax: (719) 395-8644

DATE: April 14, 2020  
TO: Mayor and Board of Trustees  
FROM: Michelle Stoke, Town Treasurer

AGENDA ITEM: Treasurer's Report

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Transparency Portal:

<https://buenavistaco.opengov.com>

Town Expenditures:

Since the March 24, 2020 report the Town has issued:

- 58 accounts payable checks for a total of \$447,905.92
- ACH withdrawals to the IRS, FPPA, CCOERA and Colorado Department of Revenue for pay period ending 03/07/2020 was \$36,674.34.
- Net payroll was \$72,737.39 for the same period.
- The breakdown by Fund for AP and payroll-related check disbursements plus the ACH payments is as follows: *(Note that not all expenditures are expenses since some are reimbursements or withholding from employees' gross payroll)*
  - General Fund - \$ 447,229.88
  - Water Enterprise Fund - \$ 10,224.95
  - Capital Improvement Fund - \$ 8,524.70
  - Stormwater Enterprise Fund- \$ 0.00
  - Airport Enterprise Fund - \$ 18,524.70
  - Street Fund \$ 76.68
  - TOTAL \$ 484,580.26

Expenditures Over \$2,000.00

- Buena Vista School District for \$350,000.00 for GOCO payment pass-thru for the Baseball Field
- Chaffee County Community Foundation for \$25,000.00 for the Chaffee County Emergency Fund
- Heart of the Rockies Medical Center for \$2,792.36 for April lease payment for the Police building
- Hoffman, Parker, Wilson & Carberry for \$9,969.75 for February charges
- McFarland Oil for \$2,981.70 for February fuel charges
- Webster Sand & Gravel for \$8,524.70 for sand for the volleyball court and parks
- Ascent Aviation for \$14,675.33 for Jet-A Fuel
- Joel Benson for \$3,300.00 for February and March consulting
- RG & Associates for \$2,728.50 for February engineering statement
- Rocky Mountain Recreation for \$3,285.00 for 2 plastic benches for the Recreation Department
- Lincoln National Life Insurance Company for \$2,310.65 for April disability insurance premiums for employees
- Wright Water Engineers for \$2,296.50 for January engineering services
- Scheuber + Darden for \$4,662.11 for final invoice for St. Rose of Lima Historic Structure Assessment

I will entertain questions at this time.  
This concludes my report.

Michelle Stoke, CPA  
Treasurer/Finance Director



To: Board of Trustees, Town of Buena Vista, CO  
Airport Advisory Board

April 14, 2020

From: Jack Wyles / Airport Manager

**Subject: Airport Report**

**COVID-19 Updates:** The FAA “continues to expect all airports to operate safely and stay open” and deems all airport employees “essential critical infrastructure workforce.” As such, CCRA remains open to all aviation traffic with no restrictions yet to general aviation, commercial, or military aircraft.

However, on 28<sup>th</sup> of March, in a response to increasing inquiries about social distancing measures and local/state orders, the FAA suggested that airport operators can initiate reductions of: staff, non-essential visitors, and non-aviation related operations, “particularly if driven by public health measures or reduced clientele, and especially if based upon restrictions applicable to all business entities within the jurisdiction” as in the instance with COVID-19 transmissions. These restrictions would “likely NOT be in violation of FAA grant assurances” and, as a result, CCRA has now implemented a variety of security and precautionary measures related to COVID-19 including:

- increased cleaning of heavy traffic areas (ex. exterior doors, lobbies, bathrooms, etc.),
- reducing the number of AP staff on campus at one time and implementing telework options,
- posting signs on exterior doors requesting non-urgent business be conducted remotely and non-essential visitors return home for compliance with local & state stay-at-home orders,
- changing codes on exterior doors and security gate to limit public access to AP campus.

**NORMAL BUSINESS**

- **Staffing:** Reduced staffing on site until further notice: Jack teleworking on Tue & Thur; Chandra teleworking on Wed & Fri.
- **Operations:** Boeing-Apache Testing (from AZ): Crew departed BV and equipment picked up on 27Mar 2020. Postponed testing ops for Fall 2020 when cold weather returns.  
Agusta 169 Testing: ETA 11May-31May 2020.  
Agusta 139 Testing: ETA AC Storage 31May – 21June. Testing, 22June – 19July 2020.  
Army MH6 Testing: ETA 28June – 31July 2020.
- **NEW CONTACT:** RTC-Apache Testing (from AL): ETA Early September 2020.
- **REACH Update:** Septic system removed from CCRA grounds on 26March 2020.
- **Runway Rehab:** Professional Service Agree signed and sent to Dibble.  
- Run Way survey conducted 31Mar-1Apr
- **Equipment / Vehicles:** Vehicles status = green. Annual Elevator Inspection completed 7Apr2020.
- **Security camera / system** – replaced with upgraded equipment. Still working on remote viewing capabilities outside of town network.

<b>March 2020 / Airport Ops</b>	<b>MTD</b>	<b>YTD</b>
Total Based Aircraft	14	48
Total Transient Aircraft	53	163
Total Piston Aircraft	56	148
Total Jet/Turbine Aircraft	11	48
<b>Total Aircraft</b>	<b>67</b>	<b>196</b>
<b>Total Operations</b>	<b>165</b>	<b>504</b>
<b>Total Persons Using Airport</b>	<b>271</b>	<b>972</b>
<b>Total Military Ops</b>	<b>3</b>	<b>16</b>
<b>Total Helicopter Ops</b>	<b>2</b>	<b>15</b>
<b>Total Ops over 12,500 lbs</b>	<b>3</b>	<b>14</b>
<b>Day W/O Ops</b>	<b>12</b>	<b>26</b>

<b>March 2019 / Airport Ops</b>	<b>MTD</b>	<b>YTD</b>
Total Based Aircraft	19	70
Total Transient Aircraft	51	136
Total Piston Aircraft	48	127
Total Jet/Turbine Aircraft	22	79
<b>Total Aircraft</b>	<b>70</b>	<b>206</b>
<b>Total Operations</b>	<b>141</b>	<b>429</b>
<b>Total Persons Using Airport</b>	<b>179</b>	<b>562</b>
<b>Total Military Ops</b>	<b>4</b>	<b>12</b>
<b>Total Helicopter Ops</b>	<b>9</b>	<b>34</b>
<b>Total Ops over 12,500 lbs</b>	<b>4</b>	<b>26</b>
<b>Days W/O Ops</b>	<b>8</b>	<b>25</b>

### Fuel Sales

#### March 2020 Fuel Sales

#### March 2019 Fuel Sales

<b>Jet A fuel sold:</b> 1,258 gal	<b>YTD:</b> 5,071 gal	<b>Jet A fuel sold:</b> 2,158 gal	<b>YTD:</b> 7,972 gal
<b>100LL fuel sold:</b> 492 gal	<b>YTD:</b> 1,926 gal	<b>100LL fuel sold:</b> 835 gal	<b>YTD:</b> 2,382 gal

Thank you,  
Jack Wyles



## TOWN OF BUENA VISTA PUBLIC WORKS

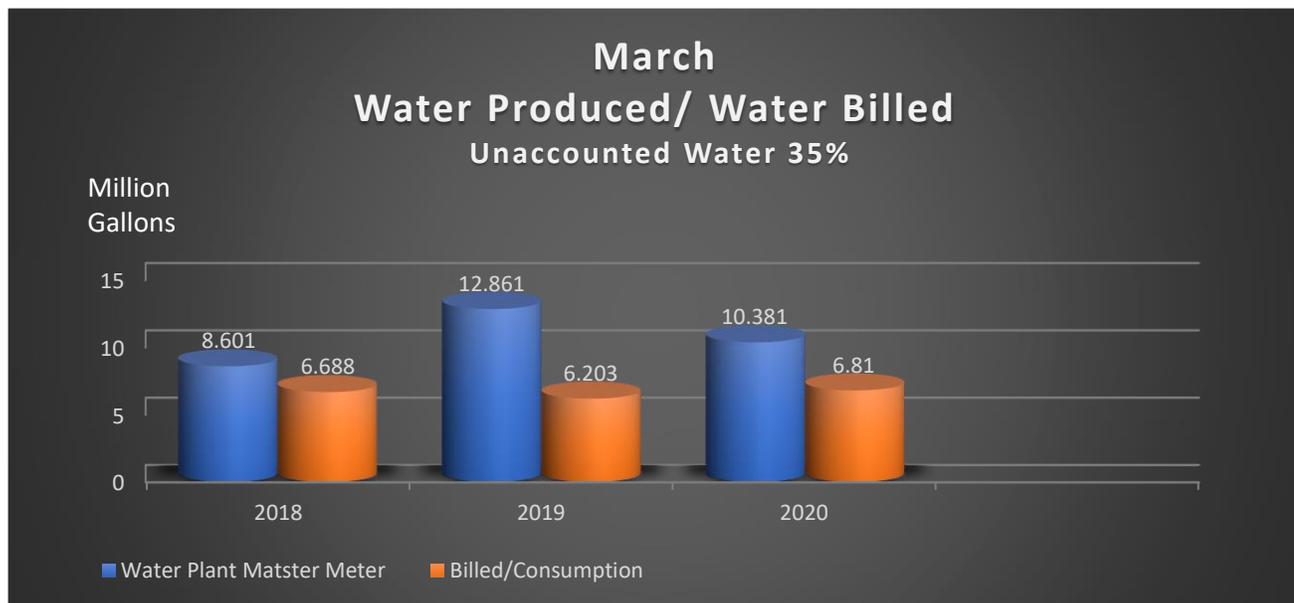
**MEETING DATE:** April 14th, 2020

**TO:** Mayor and Board of Trustees

**FROM:** Shawn Williams, Public Works Director

**AGENDA ITEM:** Staff Report

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### Water:

- Normal Operations
- Aspen Leaf Trailer Park repaired a large unmetered water line leak
- Performing fire hydrant maintenance and flushing
- Monthly Sampling, No Issues
- Irrigation water at the meadow is active

### Streets:

- Pothole and asphalt patching
- Street drainage and repairs on Arizona Street bridge
- Railroad St./Collegiate Heights concrete installations continue
- Sign installation and maintenance
- Alley grading
- Town/Chaffe County Road and Bridge Town Lake sand and silts removal pending
- Street sweeping

**Engineering Projects:**

- Continue updating and modifying the Town's Standards and Specification
- Source Water Protection District On-site wastewater treatment system reviews
- Water Rate Study, as time allows
- Staff assisted Chaffee County with raw water sampling
- Well #4 Update; Wright Water Engineering is working on action plan for drilling and flow rates

**Parks:**

- Cemetery irrigation system installation continues
- Community Center raking and cleanup
- Turf maintenance and aeration
- Recycle Center cleanup
- Turning on irrigation systems at the River Park and South Main (Well #3)
- Sign installations
- Memorial bench installations
- Hand watering trees and Main Street plants
- Trash removal as needed
- River Park Volleyball sand, Miles Construction to haul away
- Tree Pruning in select areas

**Facilities and Building Maintenance:**

- Normal Operations
- Community Center showers and bathroom painting

**Fleet:**

- Normal Operations and Vehicle Maintenance and Repair

Respectfully Submitted,

*Shawn Williams*

Shawn Williams, Public Works Director



## TOWN OF BUENA VISTA

P.O. Box 2002  
 Buena Vista, CO 81211  
 Phone: (719) 395-8643  
 Fax: (719) 395-8644

DATE: April 14th, 2020

TO: Mayor and Board of Trustees

FROM: Earl Richmond, Recreation Director

AGENDA ITEM: Recreation Director Report

Good day. A lot has happened since the last time we meet as a group and we are all experiencing many changes to our daily lives. We appreciate your patience as a community member and your continued supporter of BV Rec. Like all things, this will pass. And when it does, the rivers, mountains, businesses and community will be here. FOR EVERYONE. Our department is working hard to service our community daily and to keep planning for the future. Below is a quick list of projects we have been working on over the past month.

### Capital Improvement Projects

- Volleyball Court sand has been delivered and distributed. Soon we will get the nets and lines on order.
- Skate Park rehab is in motion and should start in late April. Working with Aaron McDowell of Go Green Ventures who will be providing additional guidance and in-kind donations from his team.
- McPhelemy Park Shade Structure- Final design is almost done. Building permit to be submitted next and we plan to be finished by end of May.
- Youth Baseball Scoreboard- Ready to be ordered and will be installed by early June by BV Parks and BVPW.

### Special Interest Groups

- Continuing to meet with UAS- Drone, Pickleball team to assist with up to date strategies for facility improvements. We have yet to receive official feedback from GOCO as to why we were not awarded the grant. This info will help guide us into 2021 as we plan our priorities for CIPs in next year's budget.

### Budget

- Each department in the town of BV has been asked to make adjustments. Our sales tax projection will be lower than forecasted for obvious reasons. We will do our part to control our expenses knowing that participation in programs, facility rentals and special events will be below our projections. BV Rec is not hiring any seasonal or part time employees this spring. We

will also not be making any unnecessary purchases relating to postponed programs. While revenue will be down, so will all related expenses. We're also starting to work on our ramp up timeline knowing that we will have some opportunities soon as we start to head towards our "new normal."

### **Communications**

- The Rec team is keeping our participants and the public informed on delays and closures.
- I have been working closely with Phillip, Paula and Joel to help craft messaging as it relates to visitors to BV and recreational opportunities during this Covid 19 period.
- I had a great meeting with AHRA to continue discussions about Silver Bullet signage below our river park and the new "loaner" PFD program they would like to start up in BV.
- I have been attending daily meetings with department heads and the Chaffee Co government to stay up to date on trends and issues relating to Covid - 19.
- CPRA- Colorado Parks and Rec Association- has been hosting weekly meetings to share ideas on what other towns are doing as it related to Parks and Rec during the last 4 weeks. I am happy to hear that BV is doing a lot of great things in correlation with other similar mountain communities.
- The BV Optimist Club has cancelled the CP Trail Run scheduled for early May. The Car Show for July 5th is still a go as of today, but that could change. Both special events are big revenue producers for their club. I have met with their teams and with advice the RAB and the blessing of the BV Optimist, we are going to direct their \$4000 donation towards the BV Skate Park rehab project and not purchase an activity bus in 2021. We will work to get the activity bus concept back into the 2021 proposed budget if we see a good fit.

### **Teamwork**

- During these epic times, BV Rec is helping other departments in any way possible. Focusing on the modo that we are all in this together.

### **Program Report**

All recreation programs are currently suspended due to the COVID-19 outbreak. This winter, BV Rec completed the seasons for Youth Cross Country Ski League, Demon Diggers Youth Volleyball, and the Adult Men's and Coed Indoor Soccer Leagues. Our two largest spring programs of Adult Coed Volleyball League and Youth Soccer League are currently postponed and may be cancelled. All participants in these programs will receive a full refund or a credit in the event of a cancellation. We are using this time without programs to catch up on paperwork, wrapping up old programs, and preparing for future programs. We hope to see you all back out at our programs as soon as it is safe to do so!

- The last day of the Demon Diggers Volleyball program and the Adult Soccer League were cancelled. These days will not be made up.
- The ongoing programs of Open Gym Pickleball, Open Gym Volleyball, Monday Morning Art, PiYo, Bridge Club, and Circus School have been postponed.
- The start of the Youth Soccer League and the Adult Coed Volleyball League have been postponed. Depending on the situation, we may still hold these programs with an abbreviated or altered schedule, or they may be cancelled.

- The Spring Break Pickleball Tournament was cancelled. All registration fees were refunded to the participants. A makeup tournament may be held in the summer.

### Facilities/Events Update

In the interest of the safety of our community, we are following County Health Department guidance and have postponed all Community Center rentals and events until at least April 30th. We are continuing to clean and disinfect the building in preparation for returning to business as normal. We will keep taking reservations for future events, and we encourage you to give us a call at 719-581-1029 so we can discuss how best to serve you in the future.

This spring and summer may look a little different around Buena Vista as some special event organizers are deciding to postpone their usual events in the interest of public safety. Our team will be checking in with event organizers 45 days prior to the start date to make sure all sides are on the same page with updates. So far, the following events have been changed:

- BV 720 Mountain Bike and Funduro Race (April 25-26): Postponed until later this fall, date TBD
- Collegiate Peaks Trail Run (May 2nd): Cancelled for 2020 but will return in 2021
- Bike Fest (June 6th): Cancelled for 2020 but will return in 2021
- Out Living It Fest (July 17-19): Postponed, date TBD

### Facility Rentals

- Everything Postponed until 15 APR- only losing Church Revenue 01-15 APR (\$380)
- Estimated refunds through 15 APR (and beyond for CMC Yoga): \$375
- Estimated Credits through 15 APR: \$482.50
- Amounted refunded to date: \$425
- 2020 Rental Fees (after COVID19 Refunds and Credits) \$3,445 out of \$7,182.50

### Sponsorship Update

#### 2020 Sponsorship total

- \$13,700 received out of possible \$14,300
- Gold Level: 20/21 (\$8,250/\$8,650)
- Silver Level: 10/11 (\$3,300/\$3,300)
- Bronze Level: 11/12 (\$2,150/\$2,350)

2019 total: \$9,150

2018 total: \$7,150

Respectfully,

*Earl Richmond*

Earl Richmond  
Recreation Director

**TOWN OF BUENA VISTA, COLORADO****RESOLUTION NO. 24****(Series of 2020)****A RESOLUTION EXTENDING THE DECLARATION OF A LOCAL DISASTER EMERGENCY IN AND FOR THE TOWN OF BUENA VISTA, COLORADO THROUGH APRIL 30, 2020**

WHEREAS, pursuant to the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.* (the "Act"), in particular Section 24-33.5-709, and Section 2-322 of the Buena Vista Municipal Code (the "Code"), a local disaster emergency may be declared by the Town Administrator and extended by the Board of Trustees;

WHEREAS, on March 17, 2020, the Town Administrator issued an order declaring a local disaster, which on March 18, 2020 was extended until April 15, 2020, by the Board of Trustees via Resolution No. 20, Series 2020;

WHEREAS, the local disaster emergency related to the COVID-19 pandemic continues to threaten the health, safety and welfare of the Town, its residents, visitors, employees, and businesses and continues to constitute a local disaster emergency pursuant to the Act;

WHEREAS the Board of Trustees, therefore, desires to extend the declaration of a local disaster emergency through April 30, 2020; and

WHEREAS, pursuant Section 2-322(b) of the Code, this Resolution shall be promptly filed with the Town Clerk, delivered to the Chaffee County Emergency Operations Manager, forwarded to the State Office of Emergency Management, and the County Clerk. The public shall also be notified promptly through general dissemination to the news media, posting on the Town website and by the use of other means of communication appropriate for informing the general public.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO** as follows:

Section 1. The Town Board hereby extends its Declaration of a Local Disaster Emergency in and for the Town of Buena Vista, Colorado, **until April 30<sup>th</sup>, 2020**, unless sooner terminated by action of the Town Board, at which time the Town Board's Declaration may be extended by action of the Town Board.

Section 2. This Resolution shall be filed with the Town Clerk, the Chaffee County Clerk and Recorder, the Chaffee County Emergency Operations Manager, and the Colorado Office of Emergency Management. The public shall also be notified promptly through general dissemination to the news media, posting on the Town website and by the use of other means of communication appropriate for informing the general public.

**RESOLVED, APPROVED, AND ADOPTED** this 14<sup>th</sup> day of April, 2020.

TOWN OF BUENA VISTA

BY: \_\_\_\_\_  
Duff Lacy, Mayor

ATTEST:

\_\_\_\_\_  
Paula Barnett, Town Clerk



## TOWN OF BUENA VISTA

P.O. Box 2002  
 Buena Vista, CO 81211  
 Phone: (719) 395-8643  
 Fax: (719) 395-8644

MEETING DATE: April 14, 2020

TO: Mayor and Board of Trustees

FROM: Shawn Williams, Public Works Director

AGENDA ITEM: Resolution 25, Acceptance of the 2018 Water System Improvement Project

### Request:

Staff is requesting acceptance of resolution 25, the 2018 Water System Improvement Project as completed according to the final plans and specifications for construction. This request allows for the release of the 5% retainage (final payment) for all work performed.

### Overview:

The 2018 Water Systems Improvements Project secured funding from the Colorado State Revolving Fund Program. The project included several bid schedules. These schedules included installation of a new storage tank, installation and replacement of water mains, installation of fire hydrants, retrofitting well #3 for a potable water supply and updating the SCADA (supervisory control and data acquisition) components.

Through the process of advertisement, bid schedules were established and awarded.

The following table lists the schedules, contractors, total cost and the retainage.

Bid Schedule	Contractor	Contract Amount, \$	C.O.'s	Total, \$	5% Retainage, \$
Upper Zone Water Storage	Great Plains Structures	846,893.83	31,414.00	878,307.83	43,915.39
2018 Water Sys. Improvements	Miles Construction	242,644.85	224,426.22	467,071.07	23,353.55
Well #3 Retrofit Inside	RMS	33,264.24	3,325.00	36,589.24	1,829.46
Well #3 Retrofit outside	Miles Construction	152,261.32	31,136.41	183,397.73	9,169.89
SCADA System Upgrades	Micro-Comm	87,564.00	0.00	87,564.00	4,378.20

Totals		1,362,628.24	290,301.63	1,652,929.87	82,646.49
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### Analysis:

Project management provided to the town by RG and Associates and the Town of Buena Vista Public Works Staff has determined the 2018 Water System Improvements Project is complete. All work has been performed, the project closeout advertisement is complete and the 5% retainages for all contractors and contract work should be released.

**BOT Action:**

Staff recommends the Board accept the 2018 Water Systems Improvements Project as completed according to the final plans and specifications for construction.

Respectfully Submitted,

Shawn Williams, Town of Buena Vista Public Works Director

**TOWN OF BUENA VISTA  
RESOLUTION NO. 25  
(Series 2020)**

**A RESOLUTION OF THE TOWN OF BUENA VISTA ACCEPTING  
INFRASTRUCTURE IMPROVEMENTS INCLUDED IN THE PROJECT  
SCOPE OF THE 2018 WATER SYSTEM IMPROVEMENTS COLORADO  
STATE REVOLVING FUND LOAN**

**WHEREAS**, the Town of Buena Vista secured financing from the Colorado Water Resources and Power Development Authority (CWRPDA), Colorado State Revolving Fund Program (SRF), to upgrade the water system;

**WHEREAS**, the identification of the project is:

**“Public Water System Identification (PWSD) No. C00108300, Town of Buena Vista Acting Through Its Water Activity Enterprise Upper Zone Water Storage Water Tank Project, 2018 Water System Upgrades, Well No. 3 Retrofit, Supervisory Control and Data Acquisition (SCADA) Upgrades Energy Impact Assistance Project No. 8395;**

**WHEREAS**, Miles Construction Company has performed construction pursuant to the contract dated September 11, 2018;

**WHEREAS**, Great Plains Structures, LLC has performed construction pursuant to the contract dated August 21, 2018;

**WHEREAS**, RMS Utilities, Inc. has performed construction pursuant to the contract dated September 11, 2018;

**WHEREAS**, Micro – Comm Inc. has performed construction pursuant to the contract dated September 25, 2018;

**WHEREAS**, the project scope and construction for all contracts relating to the 2018 Water System Improvements Project have been inspected and are now complete; and;

**WHEREAS**, Town of Buena Vista, Board of Trustees, hereby, accepts the 2018 Water Systems Improvements Project completed according to the final plans and specifications for construction; and;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO AS FOLLOWS:**

The Town of Buena Vista, hereby, accepts the Water System Upgrades as completed according to the final plans and specifications for construction.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO,** that this notice of completion and acceptance is hereby approved as presented.

**RESOLVED, APPROVED, and ADOPTED** this 14th day of April 2020.

**TOWN OF BUENA VISTA, COLORADO**

By: \_\_\_\_\_  
Duff Lacy, Mayor

ATTEST:

\_\_\_\_\_  
Paula Barnett, Town Clerk

**TOWN OF BUENA VISTA**

P.O. Box 2002  
Buena Vista, CO 81211  
Phone: (719) 395-8643  
Fax: (719) 395-8644

April 14, 2020

Christy Doon  
South Central Colorado Regional Manager  
Department of Local Affairs, Field Services  
610 State Street, Ste 203, Alamosa, CO 81101

Re: REDI 19-175 - Town of Buena Vista STEM Incubator

Dear Mrs. Doon:

Due to the current COVID-19 crisis, which has a major impact on our local economy and priorities, the Town of Buena Vista is requesting an extension of our REDI grant deadline into the next fiscal year ending June 30, 2021.

The original project consisted of the creation of a STEM (Science, Technology, Engineering and Math) Incubator for the Town of Buena Vista by remodeling a 3,000-square-foot commercial building at the Central Colorado Regional Airport. DOLA awarded \$46,300 with the Town matching \$10,800. The project was placed on hold in the Fall of 2019 when the Colorado Community College (CMC) opened a request for proposal process for their vacant building adjacent to the airport. Our partner in this project, TopoGEN, submitted a proposal to utilize the CMC building for the STEM Incubator. As of April 14, 2020, the CMC Board of Trustees has not announced a final decision for their building. The TopoGEN team would like to continue pursuit of a partnership with CMC for use of the building (or partial use) as a STEM Incubator.

The Town of Buena Vista is requesting a project scope change to use the REDI funds to make needed upgrades to the 5 offices and conference rooms in the Central Colorado Regional Airport Terminal. This change in scope aligns with the original intent of the project to attract small technical businesses to Buena Vista and our Airport business park.

Thank you for considering these requests to extend the grant deadline and modify the project scope. Please let us know if you have any questions or concerns.

Sincerely,

Duff Lacy, Mayor  
Town of Buena Vista



**Town of Buena Vista**  
 Post Office Box 2002  
 Buena Vista, Colorado 81211  
 Phone: (719) 395-8643  
 Fax: (719) 395-8644

DATE: April 14, 2020  
 TO: Mayor and Board of Trustees  
 FROM: Phillip Puckett, Town Administrator  
 Michelle Stoke, Town Treasurer

AGENDA ITEM: Review and Discussion of 2020 Budget

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**Request and Overview:**

In the past thirty days, our Town has experienced unprecedented economic upheaval. Because of the unpredictability of the situation surrounding Covid-19, Town has found it prudent to re-examine our 2020 Budget.

It is with the utmost concern and determination to be excellent stewards of public funds that Staff brings this conversation back to the Trustees.

**Analysis:**

Staff recommends a two-phase approach. Phase one is detailed below, however, if the currently recommended adjustments are not sufficient, Staff will bring forward Phase two which may detail personnel reductions.

A new revenue forecast was derived based on 2019 actual monthly figures and applying a percentage for each month after February. Staff estimates an approximately 21.5% reduction of previously budgeted revenues (sales tax, recreation fees, increased sales tax rebate) resulting in a \$786,451 revenue shortfall.

With this estimate in mind Department Heads have taken a very close look at the 2020 budget in order to identify items which may be reduced or postponed. Please refer to the attached adjustment summary.

**General Fund**

- Reduce Various Travel and Training budgets
- Postpone previously budgeted new hires (Police Officer & Parks Maintenance)
- Reduce or eliminate paid seasonal positions
- Reduce Various Legal fees
- Reduce Various Professional fees
- Reduce Recreation Program expenses
- Reduce Building Maintenance & Repairs at Town Hall

*Surround Yourself with What Matters*

- Savings in Court department due to transition of Judge & Prosecutor
- Reduce Election expenses
- Reduce Various Marketing fees
- Reduce Recording fees
- Eliminate transfer to Airport Fund
- Reduce transfer to Capital Improvement Fund
- Postpone Benches and Sculpture planned by Beautification

#### Capital Improvement Fund

- Reduce transfer from General Fund
- Remove revenue for Sunset Vista Park (GOCO, Park fee-in-lieu savings)
- Remove Whitewater Park donation
- Lease the new Police vehicles rather than purchasing them
- Postpone Recycle Center Improvement
- Postpone Circuit Workout improvements
- Postpone Whitewater park improvements
- Remove Sunset Vista Park
- Keep in place projects funded by Conservation Trust Fund Transfer (Youth Baseball Scoreboard, McPhelemy shade structure, Disc Golf improvements, Trail construction & maintenance, BV Square seating, Rodeo Grounds outbuildings, Pump Track rehab,
- Keep in place carryover projects (Arizona Trail, Skate Park border, outdoor volleyball rehab, Safe Routes, Wayfinding)

#### Airport Fund

- Removal of transfer from General Fund
- Eliminating paid seasonal positions
- Postpone hangar pavement maintenance
- Postpone snowplow purchase
- Reduce other smaller budgeted expenses like marketing, meeting food and uniforms

#### Street Fund

- Reduce Sales Tax Revenue
- No Expense reductions due to sufficient fund balance

#### Water Fund

- No changes

#### Stormwater Fund

- No Changes

#### Conservation Trust Fund

- No Changes

#### **Summary:**

With the estimated reduction in revenue and the proposed reductions in expenses, staff recommends the remaining \$333,508 shortfall in the General Fund be applied to the 27% Emergency Reserve established by the Board. This plan would bring the 2020 General Fund Emergency Reserve balance down to \$779,013 or 18.9% by end of 2020. Town will prioritize building this fund back up to 27% in future years.

The Street Fund and Airport Fund unrestricted fund balances will also be reduced by end of 2020.

While staff has put together a viable plan, there will be negative impacts to our service levels and capital/maintenance plans that the Board should consider. Postponing the addition of the patrol/traffic officer and parks maintenance tech will leave our teams thin and will put extra burden on existing staff. If activity picks up later in the summer, we will likely struggle.

**Policy Alignment:**

Corresponds with Financial Policy requiring good stewardship and transparency of Public Funds. Aligns with 27% emergency reserve policy.

**Budget Impact:**

None currently, future Budget Adjustment based on BOT feedback.

**BOT Action:**

Discuss topic and give staff feedback.

**Attached:**

Phase one spreadsheet  
Fund Balance Sheet



Projected  
**2020 Fund Balances**  
 As of 12/31/2020  
 COVID-19 Phase One

**2020 Consolidated Fund Balance Summary**  
 For period 1/1/2020 through 12/31/2020

Fund	2020 Beginning Balance	Reduced 12/31/2020 Revenue	Interfund Transfers In	Available Resources as of 12/31/2020	Reduced 12/31/2020 Expenditures	Interfund Transfers Out	Ending Fund Balance as of 12/31/2020	TABOR Reserve	Loan Covenant Reserve	Restricted for Fire Equipment	Restricted for Debt Service	Reserve Increase/Decrease	27% Reserve Per Board of Directors	Reduced Unrestricted Fund Balance as of 12/31/2020
<b>General Government Funds</b>													now at 18.9%	
General Fund	2,319,891	3,864,092		6,183,984	-4,120,448	-33,073	2,030,463	-123,613		-304,854		-333,508	-779,013	822,982
Capital Improvement Fund	122,239	588,248	72,073	782,560	-782,560		0					24,573		0
<b>Special Revenue Funds:</b>														
Conservation Trust Fund	24,204	40,000		64,204	0	-39,000	25,204					0		25,204
Street Fund	299,132	408,797		707,930	-487,225		220,705				-176,975	-71,928		43,730
<b>Enterprise Funds:</b>														
Airport Fund	177,466	892,000		1,069,466	-930,810		138,656					-38,810		138,656
Water Enterprise Fund	3,006,172	1,577,484		4,583,656	-1,610,986		2,972,669		-189,383		-111,780	0		2,671,507
Stormwater Enterprise Fund	189,048	68,000		257,048	-115,036		142,012					0		142,012
<b>Totals:</b>	<b>6,138,153</b>	<b>7,438,621</b>	<b>72,073</b>	<b>13,648,847</b>	<b>-8,047,065</b>	<b>-72,073</b>	<b>5,529,709</b>	<b>-123,613</b>	<b>-189,383</b>	<b>-304,854</b>	<b>-288,755</b>		<b>-779,013</b>	<b>3,844,091</b>

① Water and Airport Fund Balances shown are calculated without regard to fixed assets to show the cash and near cash fund balances.

		TOWN OF BUENA VISTA		
		COVID-19 SCENARIOS		
		Monthly Projection Model		
		2020 Adopted Budget	21.54%	<---- reduction in sales tax revenue vs 2020 Budget
			2019 Revenue Scenario 4	Phase 1
<b>Fund: 01 - General Fund</b>				
General Government Revenue	4,222,543.58	3,454,292.20	-768,251.38	Projected sales tax reduction + actual sales tax rebate from 2019 actuals
Town Clerk Revenue	30,950.00	30,950.00	0.00	
Municipal Court Revenue	45,770.00	45,770.00	0.00	
Public Support Revenue	35,500.00	35,500.00	0.00	
Police Revenue	36,400.00	36,400.00	0.00	
Fire Revenue	99,900.00	99,900.00	0.00	
Planning Revenue	51,200.00	51,200.00	0.00	
Community Center Revenue	13,500.00	13,500.00	0.00	
Public Works Revenue	1,500.00	1,500.00	0.00	
Street Maintenance Revenue	510.00	510.00	0.00	
Park Revenue	8,000.00	8,000.00	0.00	
Rodeo Grounds Revenue	750.00	750.00	0.00	
Cemetery Revenue	6,350.00	6,350.00	0.00	
Recreation Revenue	97,670.00	79,470.00	-18,200.00	Reduced Rec revenue from fewer programs
<b>Total General Fund Revenue</b>	<b>4,650,543.58</b>	<b>3,864,092.20</b>	<b>-786,451.38</b>	
<b>Expenditures</b>				
Board of Trustees Expenditures	44,730.10	43,730.10	-1,000.00	Reduce Travel & Training - some \$ for CML
Election Expenditures	18,875.00	5,000.00	-13,875.00	Partial election vs 2 that were budgeted (April & Nov)
Town Clerk Expenditures	147,635.98	140,885.98	-6,750.00	Reduce Travel & Training, recording, supplies
Court Expenditures	72,655.47	60,256.69	-12,398.78	Savings from transition of Judge & Attorney and no court for 2-3 months
Administration Expenditures	274,062.43	272,462.43	-1,600.00	Reduce Travel & Training and Marketing
Finance Expenditures	234,904.35	233,304.35	-1,600.00	Reduced Travel & Training
Town Hall Expenditures	37,038.10	34,538.10	-2,500.00	Reduced Building Maint & Repairs
Public Support Expenditures	374,824.00	196,397.00	-178,427.00	Eliminate transfer to CIP and Airport, Postponed benches and sculpture
Information Technology Expenditures	174,283.51	174,283.51	0.00	
Police Expenditures	1,210,167.60	1,135,185.87	-74,981.73	Delay hiring of traffic/patrol officer until 2021
Public Safety Complex Expenditures	17,900.00	17,900.00	0.00	
Fire Expenditures	511,649.95	511,649.95	0.00	
Planning Expenditures	264,739.85	236,739.85	-28,000.00	Reduce Travel & Training and professional fees (RG & Legal)
Community Center Expenditures	32,042.78	32,042.78	0.00	
BVTV Expenditures	500.00	500.00	0.00	
Public Works Expenditures	478,588.72	466,688.75	-11,899.97	Reduce Travel & Training, building maintenance, marketing & printing
Street Maintenance Expenditures	32,572.83	32,572.83	0.00	
Parks Expenditures	352,611.84	250,052.49	-102,559.35	Delay hire of Parks Maint position until 2021, in-house fertilizing, reduce tree trimming, reduce parks maintenance
Cemetery Expenditures	3,250.00	3,250.00	0.00	
Recreation Expenditures	323,432.14	306,080.14	-17,352.00	Reduce seasonal staff, less Rec programming during March/April
<b>Total General Fund Expenditures</b>	<b>4,606,464.65</b>	<b>4,153,520.82</b>	<b>-452,943.83</b>	
For Fire Truck Reserve	47,500.00	47,500.00		
<b>General Fund Balance Increase/Decrease</b>	<b>-3,421.07</b>	<b>-336,928.62</b>	<b>-333,507.55</b>	
	\$ (786,451)	Projected Revenue Reduction		
	\$ (452,944)	Phase 1 Expense Reduction		
<b>Fund: 02 - Water Enterprise Fund</b>	\$ (333,508)	Projected needed from emergency fund	balance	
Total Water Fund Revenue	1,577,483.69	1,577,483.69	0.00	
Total Water Fund Expenditures	1,610,986.34	1,610,986.34	0.00	
2019 Projects Carried Over from Water Fund Balance				
<b>Water Fund Balance Increase/Decrease</b>	<b>-23,502.65</b>	<b>-23,502.65</b>	<b>0.00</b>	No changes
<b>Fund: 03 - Capital Improvement Fund</b>				
Total Capital Improvement Fund Revenue	1,121,547.00	660,321.00	-461,226.00	
Total Capital Improvement Fund Expenditures	1,326,060.00	782,560.00	-543,500.00	
2019 Projects Carried over from Fund Balance				
Total 2019 Projects Carried over from Fund Balance	204,513.00	146,812.00	-57,701.00	

		TOWN OF BUENA VISTA			
		COVID-19 SCENARIOS			
		Monthly Projection Model			
		21.54% <---- reduction in sales tax revenue vs 2020 Budget			
		2020 Adopted Budget	2019 Revenue Scenario 4	Phase 1	
<b>Total Capital Imp Fund Increase/Decrease</b>		<b>0.00</b>	<b>24,573.00</b>		Increase in CIP Fund Balance
<b>Fund: 35 - Street Fund</b>					
<b>Revenue</b>					
Total Street Fund Revenue		517,457.46	408,797.32	-108,660.14	Reduction in Sales Tax Revenue
Total Street Fund Expenditures		487,225.00	487,225.00	0.00	
2019 Projects Carried Over from Street Fund Balance					
<b>Total Street Fund Increase/Decrease</b>		<b>36,732.46</b>	<b>-71,927.68</b>		Decrease in Street Fund Balance
<b>Fund: 04 - Conservation Trust Fund</b>					
Total Conservation Trust Fund Revenues		40,000.00	40,000.00	0.00	
Total Conservation Trust Fund Expenditures		39,000.00	39,000.00	0.00	
<b>Total Cons Trust Fund Increase/Decrease</b>		<b>1,000.00</b>	<b>1,000.00</b>	<b>0.00</b>	No Changes expected
<b>Fund: 06 - Stormwater Enterprise Fund</b>					
Total Stormwater Revenue		68,000.00	68,000.00	0.00	
Total Stormwater Expenditures		115,036.00	115,036.00	0.00	
<b>Total Stormwater Fund Increase/Decrease</b>		<b>-47,036.00</b>	<b>-47,036.00</b>	<b>0.00</b>	No Changes expected
<b>Fund: 07 - Airport Enterprise Fund</b>					
Total Airport Revenue		989,000.00	892,000.00	-97,000.00	Eliminate Transfer from General Fund
Total Airport Expenditures		988,061.87	930,809.61	-57,252.26	Reduce capital improvements for hanger paving and equipment purchase. Reduce travel & training. No paid summer interns
<b>Total Airport Fund Increase/Decrease</b>		<b>938.13</b>	<b>-38,809.61</b>		Decrease in Airport Fund Balance
Total Revenue: All Funds		8,964,031.73	7,510,694.22	-1,453,337.51	
Total Expenditures: All Funds		9,172,833.86	8,119,137.77	-1,053,696.09	
<b>Overall Fund Balance Increase/Decrease</b>		<b>-208,802.13</b>	<b>-608,443.55</b>	<b>-399,641.42</b>	

**TOWN OF BUENA VISTA, COLORADO**  
**ORDINANCE NO. \_**  
**(SERIES OF 2020)**

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO**  
**REPEALING AND REENACTING SECTION 10-257 OF THE BUENA**  
**VISTA MUNICIPAL CODE CONCERNING TOBACCO REGULATIONS**

**WHEREAS**, the Board of Trustees wishes to increase the minimum legal age to buy tobacco products to twenty-one (21) years of age or older; and

**WHEREAS**, the Board of Trustees wishes to include vaping devices and products in the definition of tobacco products and to prohibit the sale of tobacco products via vending or coin-operated machines.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO:**

**Section 1.** Section 10-257 of the Buena Vista Municipal Code is hereby repealed and reenacted as follows:

**Sec. 10-257. – Sales and Distribution of Tobacco and Electronic Smoking Devices to Persons under Twenty-One (21) Years of Age.**

(a) Definitions. As used in this Section:

(1) *Minor* means a person under twenty-one (21) years of age.

(2) *Tobacco Product* means: (i) any product which contains, is made or derived from tobacco or used to deliver nicotine, synthetic nicotine, or other substances intended for human consumption, whether heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, bidis, snus, nicotine product, mints, hand gel; or (ii) any electronic smoking device. "Tobacco product" includes any component, part, accessory, or associated tobacco paraphernalia of a tobacco product whether or not sold separately. The term does not include any product that contains marijuana or any product made from or derived from tobacco and approved by the Food and Drug Administration ("FDA") for use in connection with cessation of smoking.

(3) *Electronic Smoking Device* means any product containing or delivering nicotine intended for human consumption that can be used by an individual to simulate smoking in the delivery of nicotine or any other substance, even if marketed as nicotine-free, through inhalation from the product. "Electronic smoking device" includes any refill, cartridge, or component part of a product, whether or not marketed or sold separately. "Electronic smoking device" does not include any product that has been approved or certified by the FDA for sale as a tobacco cessation product or for other medically approved or certified purposes.

(b) It is unlawful for a person to knowingly furnish, by gift, sale, or any other means, a tobacco product to a minor.

(c) It is unlawful for a person to sell or offer a tobacco product by use of a vending machine or coin-operated machine.

(d) It is a rebuttable presumption that the substance within a package or container is a tobacco product if the package or container has affixed to it a label which identifies the package or container as containing a tobacco or nicotine product.

(e) It is an affirmative defense to a prosecution under this Section that the person furnishing the tobacco product was presented with and reasonably relied upon a government issued document which identified the minor receiving the tobacco product as being twenty-one (21) years of age or older.

(f) The person convicted of, or pleading guilty or nolo contendere to, a violation of this Section shall be punished by Staff and Board to discuss... fine can be anything up to 1 year in jail and \$2,650

**INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY (30) DAYS FROM PUBLICATION.**

TOWN OF BUENA VISTA, COLORADO

By: \_\_\_\_\_  
Duff Lacy, Mayor

ATTEST:

\_\_\_\_\_  
Paula Barnett, Town Clerk

(SEAL)



**AGENDA  
FOR THE BOARD OF TRUSTEES  
OF THE TOWN OF BUENA VISTA, COLORADO  
April 28, 2020**

**Work Session at 6:00 PM –**

**Virtual Regular Meeting at 7:00 PM  
(Meeting will not be held at the Buena Vista Community Center)**

**To participate in Public Comment and/or Public Hearings you must connect via Zoom  
Conferencing Access Information:**

**Listen via phone at 1-301-715-8592    Meeting ID:**

**THE BOARD OF TRUSTEES MAY TAKE ACTION ON ANY OF THE FOLLOWING AGENDA  
ITEMS AS PRESENTED OR MODIFIED PRIOR TO OR DURING THE MEETING, AND  
ITEMS NECESSARY TO EFFECTUATE THE AGENDA ITEMS**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. PLEDGE OF ALLEGIANCE**

**IV. AGENDA ADOPTION**

*The Board approves the agenda at the start of the meeting including modifications.*

**V. 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 – April 14, 2020
- 2.
- 3.
- 4.

**B. Town Clerk Report**

**VI. STAFF REPORTS**

1. Town Administrator
2. Town Treasurer
3. Principal Planner

**VII. BUSINESS ITEMS**

- A. Should the Board of Trustees approve adoption of Resolution No. #, Series 2020, entitled  
“A RESOLUTION OF THE BOARD OF TRUSTEE OF THE TOWN OF BUENA VISTA,  
COLORADO REAPPOINTING PHILLIP PUCKETT AS TOWN ADMINISTRATOR.”?**
- B. Should the Board of Trustees approve adoption of Resolution No. #, Series 2020, entitled  
“A RESOLUTION OF THE BOARD OF TRUSTEE OF THE TOWN OF BUENA VISTA,  
COLORADO REAPPOINTING PHILLIP PUCKETT AS TOWN ADMINISTRATOR.”?”?**

**This Agenda may be Amended**

Posted at Buena Vista Town Hall, Post Office, and [www.buonavistaco.gov](http://www.buonavistaco.gov) on Friday, April 24, 2020

- C. Should the Board of Trustees approve adoption of Resolution No. #, Series 2020, entitled **“A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING HOFFMANN, PARKER, WILSON AND CARBERRY, P.C. AS TOWN ATTORNEY.”?**
- D. Should the Board of Trustees approve adoption of Resolution No. #, Series 2020, entitled **“A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING MICHELLE STOKE AS TOWN TREASURER.”?**
- E. Should the Board of Trustees approve adoption of Resolution No. #, Series 2020, entitled **“ A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING PAULA BARNETT AS TOWN CLERK.”?**
- F. Should the Board of Trustees approve adoption of Resolution No. #, Series 2020, entitled **“A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING JUDGE BRIAN GREEN AS MUNICIPAL COURT JUDGE.”?**
- G. **Selection and appointment of Mayor Pro Tem**
- H. Should the Board of Trustees approve adoption of Resolution No. #, Series 2020, entitled **“A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO REAFFIRMING THOSE PERSONS WHO ARE AUTHORIZED TO SIGN ON TOWN BANK ACCOUNTS.”?**
- I. Should the Board of Trustees approve adoption of Ordinance No. 0X, Series entitled **“AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO REPEALING AND REENACTING SECTION 10-257 OF THE BUENA VISTA MUNICIPAL CODE CONCERNING TOBACCO REGULATIONS.”?**
- J.
- K.

#### VIII. PUBLIC COMMENT

*Citizen participation where the public can sign up prior to the start of the meeting by entering your name, address, and subject to be discussed in the Zoom Chat box, or by emailing the information to [bvclerk@buenavistaco.gov](mailto:bvclerk@buenavistaco.gov). Neither Town Board nor Town staff should be expected to respond to matters raised in the Public Comment segment of Board meetings. Nevertheless, Board members will always retain the right to ask questions of the speaker and to respond then or at a later time to remarks made by any citizen.*

#### IX. TRUSTEE/STAFF INTERACTION

*The Board discusses items with staff and staff can bring up matters not on the agenda.*

#### X. EXECUTIVE SESSION

#### XI. ADJOURNMENT

**This Agenda may be Amended**

Posted at Buena Vista Town Hall, Post Office, and [www.buenavistaco.gov](http://www.buenavistaco.gov) on Friday, April 24, 2020