



**AGENDA  
FOR THE BOARD OF TRUSTEES  
OF THE TOWN OF BUENA VISTA, COLORADO  
May 12, 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 via Zoom  
 Conferencing Access Information: <https://zoom.us/j/88948930525> Password: 007876  
 Listen via phone at 1-346-248-7799 Meeting ID: 889 4893 0525 Password: 007876

**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
2. BoT Special Meeting – May 7, 2020
3. Trails Advisory Board – March 3, 2020
4. Beautification Advisory Board – January 7, 2020
5. Beautification Advisory Board - April 2, 2020

**B. Police Chief Report**

**C. Fire Chief Report**

**D. Colorado Retirement Association Participation Agreements for 401(a) and 457 Plans**

*Approve Mayor Lacy sign the Participation Agreements.*

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

**VI. STAFF REPORTS**

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

**VII. BUSINESS ITEM**

**A. Mt. Olivet Cemetery**

*The Trustees will consider approving a new cemetery ordinance and to amend the fees associated  
with Mt. Olivet Cemetery.*

**This Agenda may be Amended**

Posted at Buena Vista Town Hall, Post Office and [www.buonavistaco.gov](http://www.buonavistaco.gov), on Friday, May 8, 2020

- B. Should the Board of Trustees approve adoption of Ordinance No. X, Series 2020, entitled **“AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING ARTICLE VIII OF CHAPTER 11 OF THE BUENA VISTA MUNICIPAL CODE REGARDING THE RULES AND REGULATIONS FOR MT. OLIVET CEMETERY.”?**

C. **Recreational Marijuana**

*The Trustees will discuss allowing the sale of recreational marijuana.*

**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. ADJOURNMENT**



**MINUTES OF THE BUENA VISTA BOARD OF TRUSTEES**  
**Virtual Regular Meeting**  
**Tuesday, April 28, 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.**

**Work Session at 6:00 PM – Discussion About Goals and Priority Projects for 2021-2025**

In attendance for the Work Session were Mayor Lacy, Trustees Amy Eckstein, Libby Fay, Norm Nyberg, Devin Rowe, Cindie Swisher, and David Volpe. Also present were Town Administrator Phillip Puckett, Special Projects Manager Joel Benson, Principal Planner Mark Doering, Public Works Director Shawn Williams, Code Enforcement Officer Grant Bryans, and Paula Barnett, Town Clerk.

Town Administrator Phillip Puckett reviewed that the work session is a follow up to the Strategic Planning Session which was held March 5, 2020, and is a process intended to set goals and to identify short and long term projects in 2020 through 2025. Puckett stated it is also a tool used for project budgeting/scheduling purposes, is not set in stone, and the Board may review and modify the plan at any time.

Joel Benson, Special Projects Manager reviewed that the Board of Trustees speaks as one Board, with one voice, and strives to set goals that all the Trustees agree on, and which are obtainable and beneficial to the residents and infrastructure of Buena Vista.

Benson reviewed that the 2020 Draft Strategic Plan was developed prior to CVOID19 which has impacted the budget and several projects currently in the plan. The draft document encompasses the timeline from 2017 to 2025 and outlines five key areas which include Economic Vitality, Infrastructure, Community, Environment, and Water. Benson stated during the discussion he will capture input from the Trustees, update the chart, and send it out to the Board for review.

Benson stated the Town was not awarded the Great Outdoors Colorado (GOCO) grant funds which were designated for developing Sunset Vista Park. The Board will need to decide if they

want to roll the project into 2021 and apply again, apply for a different project, or use allocated budget funds to cover expenses to develop and maintain a park.

The Trustees and staff had lengthy discussion on an array of topics which included affordable and inclusionary housing, economic development, the airport, recycling, improvements at the Rodeo Grounds, street designs, a new facility for the Fire Department, the Comprehensive Plan, and development of internal Board processes to identify projects that include consideration of costs versus impacts, timelines, and realistic assessments of projects and what is affordable.

A virtual regular meeting of the Board of Trustees was called to order by Mayor Duff Lacy, at 7:00 pm, Tuesday, April 28, 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
Amy Eckstein	Trustee	Present
Libby Fay	Trustee	Present
Norm Nyberg	Trustee	Present
Devin Rowe	Trustee	Present
Cindie Swisher	Trustee	Present
David Volpe	Trustee	Present

Town Staff Present:

Town Administrator Phillip Puckett  
 Principal Planner Mark Doering  
 Public Works Director Shawn Williams

Town Attorney Jeff Parker  
 Town Treasurer Michelle Stoke  
 Town Clerk Paula Barnett

**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 Swisher
<b>SECONDER:</b>		Trustee Nyberg
<b>AYES:</b>	Eckstein, Fay, Nyberg, Rowe, 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 – April 14, 2020

**B. Town Clerk Report**

**C. Code Enforcement Report – 1<sup>st</sup> Quarter**

**D. Adoption of Resolution No. 26, Series 2020 entitled “A RESOLUTION EXTENDING THE DECLARATION OF A LOCAL DISASTER EMERGENCY IN AND FOR THE TOWN OF BUENA VISTA, COLORADO THROUGH MAY 31, 2020.”**

*Approve extending the Order declaring a local disaster emergency.*

**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 Rowe
<b>AYES:</b>	Eckstein, Fay, Nyberg, Rowe, Swisher, Volpe	

**PUBLIC COMMENT**

Rebecca Rice, 851 McDonald Ave., Buena Vista, representing Chaffee County Public Health and the State Tobacco Education and Prevention Program, shared with the Board that she is available to answer questions during the Trustees’ discussion of Business Item A. Ordinance No. 5 amending Section 10-257 related to the tobacco regulations.

Honora Roberts, 33593 Wapiti Circle, Buena Vista, and Taylor Albrecht with the Central Colorado UAS Club reviewed with the Board a brief history of the club which provides outreach and training for unmanned aircraft and drones. The club currently utilizes an area by the Rodeo Grounds, and has been working with Recreation Director Earl Richmond to explore options to create the Buena Vista Drone Flying Park which would have zones for beginners and advanced flyers, and obstacle courses to practice maneuvers which would also be utilized by First Responders and Search and Rescue teams for training.

## STAFF REPORTS

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

Puckett reviewed with the Board that Town Staff will begin Phase 1 of re-opening offices on May 4<sup>th</sup> which is a limited opening to the public following the State and County directives for “Safer-at-Home”. Staff will take steps to minimize social interactions and will use face covers, hand sanitizer and gloves when appropriate to reduce exposure.

Additional actions that will be implemented in May include:

- Limit employees at each site – continue to utilize working from home
- Fire Department, Community Center and Publics Works will remain closed to the public
- Limited opening to public at Town Hall and Police Department
- Continue using phone/email/video conferencing to conduct business
- Trustee meetings will continue to operate virtually through Zoom

Puckett asked the Board if they were interested in contributing funds to support businesses that are requesting financial assistance. Currently the Town does not have funds allocated to support businesses and the expenditure would have to be taken from the General Fund Balance.

Puckett shared that he and Mayor Lacy have been contacted by the Chamber of Commerce requesting financial support. If the Board decides that Town has the ability to provide support, it would be setting a precedent, and Town would need to establish processes for businesses to request financial assistance, and criteria for the Town to award and disburse funds.

The Board discussed the Town does not charge the Chamber of Commerce rent, pays all utilities, and will be making improvements to the site. The Board agreed due to the Town making budget cuts, and projections indicating that the Town will need to utilize funds from the the Emergency Fund Balance to meet expenditures, assisting the Chamber and business cannot be considered at this time.

Trustee Eckstein asked the Board, rather than providing direct financial assistance, to consider supporting businesses by purchasing hand washing stations, providing masks and gloves, and allowing businesses to encroach on to adjacent sidewalks and parking spaces to provide additional seating for guests, (while waiving permit fees, and fast tracking the permitting process).

The Board and Staff discussed insurance coverage, and the need for the process to be consistent and fair to all businesses regardless of the type of product/service they provide. Town Clerk Barnett stated liquor license premise changes are approved by the Colorado Department of Revenue Liquor Enforcement, fees cannot be waived, and approval time is between 30 and 90 days.

**MOTION NO. 3:**

MOVE TO HOLD A DISCUSSION ON WAIVING ENCROACHMENT FEES AND FAST TRACKING PERMITTING PROCESSES.

RESULT:	ROLL CALL	CARRIED
MOVER:		Trustee Eckstein
SECONDER:		Trustee Fay
AYES:		Eckstein, Fay
NAYES:	Nyberg, Rowe, Swisher, Volpe	

Puckett reviewed that staff is opening the boat launch permitting process for the 2020 commercial rafting season. Town normally charges a \$250 permit fee for commercial companies that use our launch site, and Staff is recommending that the fee be reduced to \$150 to help the rafting business.

**MOTION NO. 4:**

MOVE TO APPROVE A ONE TIME FEE REDUCTION FOR BOAT LAUNCH PERMITS FROM \$250.00 to \$150.00.

Trustee Volpe asked how many boat launch permits are issued. Puckett stated approximately ten permits.

RESULT:	ROLL CALL	CARRIED
MOVER:		Trustee Nyberg
SECONDER:		Trustee Fay
AYES:	Eckstein, Fay, Nyberg, Volpe	
NAYES:	Rowe, Swisher	

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

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

Doering reviewed with the Board that when the Unified Development Code (UDC) was adopted it stated minor site plans would be approved by Staff, and major site plans would be submitted to the Planning Commission. The UDC also states the Trustees reserve the right to review and approve site plans. Currently two site plans have been submitted to the Planning Department for review and approval:

- Legacy Bank (430 E. Main St) Minor Site Plan pending submittal for 1,800 square foot bank with drive-through at NE corner of Court Street and Main Street, which will be approved by Staff.
- South Court Social (505 E. Main St) Major Site Plan for 5,500 square feet of commercial and 16 residential units in two three story buildings at SE corner of Court Street and Main Street to be approved by the Planning & Zoning Commission.

Doering asked the Board if they would like to review the plans. The Board agreed to have Staff and the Planning & Zoning Commission review and approve the plans.

Doering requested the Board authorize Mayor Lacy to sign the Public Improvements Agreement with Fading West Factory for the required water, sewer and street improvements at the site location. Town Attorney Jeff Parker has reviewed the agreement.

**MOTION NO. 5:**

MOVE TO AUTHORIZE MAYOR LACY TO SIGN THE PUBLIC IMPROVEMENTS AGREEMENT WITH FADING WEST FACTORY.

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

**Business Items**

**Consider Approving Changes to Tobacco Regulations**

Puckett reviewed with the Board that Town Attorney Parker has revised Ordinance No. 5 to reflect the feedback received from the Trustees at the April 14, 2020 meeting which included increasing the age required to purchase tobacco and vaping products to 21, eliminating the punishment of minors, and increasing the punishment of the seller.

Parker stated Ordinance No. 6 approves changes to the municipal code related to charges that may be filed related to the acts of agents and representatives of a business who violate the municipal code.

**MOTION NO. 6:**

MOVE TO APPROVE ORDINANCE NO. 5 AMENDING SECTION 10-257 OF THE MUNICIPAL CODE RELATED TO TOBACCO.

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

**MOTION NO. 7:**

MOVE TO APPROVE ORDINANCE NO. 6 AMENDING SECTION 1-42 OF THE MUNICIPAL CODE RELATED TO ACTS OF AGENTS AND REPRESENTATIVES.

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

**Reappointment of Town Officer**

Puckett reviewed with that Board that although the April 2020 Municipal Election was canceled, the Trustees are required to consider reappointing/appointing the Town Administrator, Town Attorney, Municipal Judge, Town Clerk, and Town Treasurer within 30 days of the regular municipal election.

**MOTION NO. 8:**

MOVE TO APPROVE RESOLUTION NO. 27 REAPPOINTING PHILLIP PUCKETT AS TOWN ADMINISTRATOR.

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

**MOTION NO. 9:**

MOVE TO APPROVE RESOLUTION NO. 28 REAPPOINTING HOFFMAN, PARKER, WILSON AND CARBERRY, P.C. AS THE TOWN ATTORNEY.

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

**MOTION NO. 10:**

MOVE TO APPROVE RESOLUTION NO. 29 REAPPOINTING MICHELLE STOKE AS TOWN TREASURER.

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

**MOTION NO. 11:**

MOVE TO APPROVE RESOLUTION NO. 30 REAPPOINTING PAULA BARNETT AS TOWN CLERK.

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

**MOTION NO. 12:**

MOVE TO APPROVE RESOLUTION NO. 31 REAPPOINTING 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 Eckstein
<b>AYES:</b>	Eckstein, Fay, Nyberg, Rowe, Swisher, Volpe	

**Selection and Appointment of Mayor Pro Tem**

Puckett reviewed the Board is required to appoint a current member of the Board of Trustees to fill the Mayor Pro Tem position for the 2-year term 2020-2022. The Mayor Pro Tem chairs the trustee meetings in the Mayor's absence, facilitates the evaluation of town officers, and performs various tasks assigned by the Board of Trustees. Currently Trustee Fay serves as Mayor Pro Tem.

**MOTION NO. 13:**

MOVE TO REAPPOINT TRUSTEE FAY AS MAYOR PRO TEM.

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

**Advisory Boards and Community Liaison**

Puckett reviewed with the Trustees that the Advisory Board and Community liaisons provide connection and insight between the Trustees and members of the Advisory and Community Boards. The Planning and Zoning Commission and Historic Preservation Commission do not have a liaison because they occasionally handle quasi-judicial matters. In addition to the Town and Community Boards, Trustees can consider being a liaison for County and State Boards.

The Trustees agreed to serve as liaison on the following Boards.

- Recreation Advisory Board                      Trustee Rowe
- Trails Advisory Board                              Trustee Volpe
- Tree Advisory Board                                Trustee Swisher
- Beautification Advisory Board                Trustee Nyberg
- Airport Advisory Board                          Trustee Volpe
- Water Advisory Board                              Trustee Swisher
- Housing Policy and Advisory Committee  
  /Housing Authority Development            Trustee Fay and Trustee Eckstein

**Reaffirm the officers of the Town of Buena Vista to remain as authorized signers on the Town Bank and Trust Accounts.**

**MOTION NO. 14:**

MOVE TO APPROVE RESOLUTION NO. 32, SERIES 2020, REAFFIRMING AUTHORIZED SIGNERS ON THE TOWN BANK AND TRUST ACCOUNTS.

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

**Improvements on East Main Street**

Puckett and Principal Planner Mark Doering reviewed Town staff is requesting direction from the Trustees regarding right-of-way improvements for East Main Street between

Court Street and Beldan Street.

Doering stated Town has developed a guideline for infrastructure improvements based upon the specific context of a property depending upon its location in Town. The properties along East Main Street are located in the Downtown Context, which requires that sidewalks and other public improvements be installed as infill lots develop. Because this block of East Main Street has never developed (other than the apartments at the very east end of the block adjacent to Beldan Street) discussion is needed as to what specific improvements will be required for this block, in order to establish a consistent pattern that future developers will have to adhere to as they develop the infill lots on this block. As such, staff is proposing two options for the Board to consider that will establish the pattern that the new development will follow.

- Option One is proposing to continue the wider sidewalk to match the existing sidewalk to the west in front of the block with the Roastery and House Rock Kitchen. In addition, staff is proposing a raised curb and gutter, with angled parking along the south side of the street, to match those found elsewhere along East Main Street.
- Option 2 as proposed is the same along the southern side of East Main Street, but also proposes to change the parallel parking located along the northern side of the street to angled parking to provide additional parking spaces. With both options, the existing bicycle lane along the east-bound lane is removed.

The Trustees reviewed and discussed maps and information provided by Doering and Public Works Director Shawn Williams. Puckett stated staff will continue to refine the designs for the area for the Board to review at a future meeting.

### **Town Owned Parcels**

Puckett reviewed with the Trustees that Town owns a variety of properties, and needs to provide buildings for its operations and parks on several parcels while other properties have no specific purpose at this time. Some properties are vacant, some are occupied with current uses, others have infrastructure to them to support more immediate goals while some do not have any infrastructure nearby and will involve long-term decisions to allow them to be developed. Staff is seeking the Board's input on how staff should go about any possible development of those in both the short- and long-term.

The properties the town owns:

- Williams Street parcel – Zoned R-1 OT, 17,062 square feet, no utilities, no street, irregular shape.
- Beldan Street parcel – Zoned R-2 OT, 7,360 square feet, vacated right-of-way, street access, adjoining River Park.

- Evans Street parcel – Zoned R-2 OT, 20,624 square feet, behind elementary school, no existing access to Main Street, no water/sewer.
- Community Center/Police Station parcels – Zoned MU-MS, MU-2, and OSR, 2.5 acres, some platted lots and some not, lease to own for police station properties, vacant parcels and alley.
- Skate Park parcel – Zoned OSR, 35,400 square feet, part of larger parcel for pump track, no water/sewer.
- River Park parcel – Zoned OSR, 59.9 acres Main Street not platted, area around pump track no water/sewer.
- Collegiate Commons – Zoned MU-2, 3.3 Acres, Town leasing to Urban Inc. on a 75-year lease, 48 affordable multifamily units.
- Right Field parcel – Zoned MU-2, 1.0 Acre, water and sewer available.
- Carbonate Street parcel – Zoned R-2 OT, 1.0 Acre, water and sewer nearby, no alley or Carbonate improvements.
- Town Hall – Zoned MU-MS, 2,500 square feet, Town offices and parking, on National Register.
- Splash Park – Zoned OSR, 3,400 square feet, developed using GOCO grant, developed park facilities.
- Fire Station – Zoned HC, 28,700 square feet, in existing floodplain and floodway, limited growth opportunities, limited space in fire station.
- Public Works – Zoned I-1, 13.4 acres, developed as Public Works building, storage yard, and recycling center.
- Rodeo Road Parcel – Zoned I-1, 38.1 acres, vacant with future drainage pond for Sunset Vista #4, no utilities.
- Sunset Vista Park – Zoned R-1, 30,300 square feet, access to water/sewer, four platted lots awaiting development of neighborhood park facilities, Town seeking GOCO grant to build park.

The Board and Staff had lengthy conversation exploring options to utilize several of the parcels, and agreed to sell the Beldan Street parcel, with determination of the allocation of revenue from the sale to take place at a later day. Staff will continue working with the Chaffee County Boys and Girls Club to utilize the Evans Street parcel as the site for a new facility.

**MOTION NO. 15:**

MOVE TO DIRECT STAFF TO PROCEED WITH THE SALE OF THE ARKANSAS STREET PARCEL.

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

**Mt. Olivet Cemetery**

Puckett reviewed with the Board the cemetery is a two faceted process with Deputy Town Clerk Melanie Jacobs and Town Clerk Paula Barnett overseeing the sale of sites and interments, and the Public Works Department maintaining the cemetery.

Jacobs reviewed with the Board staff is requesting to amend Article VIII, Sec. 11 of the Buena Vista Municipal Code to remove ambiguity regarding how Town staff will maintain an orderly and dignified environment at the cemetery and to bring the code language into conformity with current practices. Staff would also like the Board to consider an update to the fees associated with the cemetery.

Williams shared with the Board that Public Works staff generally cleans up and monitors sites as they mow and water, picks up trash as needed, and usually does not do clean up on individual sites. When time allows, they weed and remove old plastic flowers and miscellaneous items from sites, and will continue improving in this area.

Williams stated staff is striving for consistency and taking a common sense-based approach when determining what to clean up and remove. The amount of time spent on individual site upkeep varies. Sites/plots that are grass require very minimal efforts versus sites that have been landscaped with rock or gravel, which over time become more labor intensive...weeding, re-landscaping, etc.

Williams reviewed the 2020 cemetery site improvements/goals include completing the irrigation system replacement project with a completion date of June 1<sup>st</sup>, reseeding with a drought tolerant grass mix, and grading roads.

**MOTION NO. 16:**

MOVE TO DIRECT STAFF TO BRING ADDITIONAL INFORMATION TO THE BOARD RELATED TO INCREASING FEES AT MT. OLIVET CEMETERY.

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

**2020 Financial Report – 1<sup>st</sup> Quarter**

Treasurer Stoke reviewed with the Trustees the 2020 1<sup>st</sup> Quarter Financial Report which included Sales Tax Revenues, Remote Sellers Report, Balance Sheet for all funds, Fund Balance Report, Investment Register, and the Budget Report for all departments and funds.

Puckett reviewed with the Board that the Buena Vista School District is applying for the FEMA Safer Grant which requires an Interoperable Communications Grant Memorandum of Understanding between Buena Vista School District and Chaffee County Office of Emergency Management Partners, Chaffee County Sheriff, and Buena Vista Fire and Buena Vista Police Departments, to be signed by Police Chief Tidwell and Fire Chief Villers and included in the grant application.

The Board agreed to have Chief Tidwell and Chief Villers sign the Memorandum of Understanding.

Puckett reviewed with the Board that Dr. Mark Muller with TopoGEN is requesting a Letter of Support from the Trustees to be included in his NIH Grant application packet.

**MOTION NO. 18:**

MOVE TO AUTHORIZE MAYOR LACY TO SIGN THE LETTER OF SUPPORT FOR TOPOGEN’S NIH GRANT APPLICATION.

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

**TRUSTEE/STAFF INTERACTION**

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

Trustee Rowe shared he would like to have a discussion on allowing the sale of recreational marijuana which would provide financial benefits to the Town as well as local businesses that would benefit from increased consumers in Town. A majority of the Board agreed to discuss the topic at an upcoming meeting.

**MOTION NO. 18:**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THAT THE MEETING BE ADJOURNED AT 10:11 PM.

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

Respectfully submitted:

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Duff Lacy, Mayor

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Paula Barnett, Town Clerk



**MINUTES OF THE BUENA VISTA BOARD OF TRUSTEES**  
**Virtual Special Meeting**  
**Tuesday, May 7, 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 special meeting of the Board of Trustees was called to order by Mayor Duff Lacy, at 6:00 pm, Thursday, May 7, 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
Amy Eckstein	Trustee	Present
Libby Fay	Trustee	Present
Norm Nyberg	Trustee	Present
Devin Rowe	Trustee	Present
Cindie Swisher	Trustee	Present
David Volpe	Trustee	Present

**Town Staff Present:**

Town Administrator Phillip Puckett  
 Airport Manager Jack Wyles

Police Chief Jimmy Tidwell  
 Town Clerk Paula Barnett

**PLEDGE OF ALLEGIANCE**

Mayor Lacy led the pledge of allegiance.

**AGENDA ADOPTION**

**MOTION NO. 1:**

MOVE TO APPROVE THE AGENDA.

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

**Consider approving Mayor Lacy sign the request from the Chaffee County Board of Commissioners for a variance from part of Governor Polis' Safer at Home Order (Executive Order D2020 044).**

Mayor Lacy reviewed the County Commissioners are in the process of submitting a variance request from part of Governor Polis' Safer at Home Order (Executive Order D2020 044) to the Colorado Department of Public Health and Environment. The Commissioners are requesting support from the municipalities in the form of the Mayor's signature on the request, or by means of a Letter of Support, dependent on the submittal process. Mayor Lacy stated if the variance is granted, retail food establishments, Places of Worship, Fitness Centers, Recreational activities, Outfitters, and the Bowling Alley would be allowed to open prior to the opening date designated by the state, assuming they are able to follow the distancing and other requirements specific to their industry . Chaffee County Public Health determines when Lodging establishments and Short-term rentals will be allowed to open, and these are not included in the variance.

Town Administrator Phillip Puckett reviewed with the Trustees the draft variance request created by Chaffee County Public Health outlines the background of COVID19 and the actions and activities that have transpired since January 30, 2020. The level of detail in the document proves to the State that businesses/industries are committed to maintaining safe business practices and are able to open and provide necessary services to the community. Puckett stated upon approval of the variance, multiple details will be defined in a new Chaffee County Public Health Order.

The Trustees and Puckett discussed at length a variety of topics/concerns related to variances that included exact/projected dates all businesses would be able to open, restaurant seating capacity, how to handle camping, and procedures to allow for the safe operation of? tap rooms, tasting rooms, distilleries, and the winery.

Trustee Rowe stated the State is relaying the message that mountain communities are closed to out of county residents and tourists. He is concerned that by requesting and being granted a variance, Chaffee County will convey the message that the county is open for business, which will result in a large influx of tourists and increase the risk of COVID19 exposure. Puckett stated the message will continue to be to stay home, and the variance will allow the businesses to arrange a soft opening, and prepare for the summer season.

Trustee Volpe shared the trail heads, trails, river, and woods are full of people, and expressed concern with the enforceability of the documents.

Trustee Swisher commented that if the Town/County is safe to open to the public, playgrounds should be opened to allow families in the community to enjoy them. Puckett stated Town Staff is in the process of phasing in opening the parks and playgrounds and implementing cleaning/sanitizing procedures.

Trustee Nyberg shared he is concerned with the state campgrounds being closed, the increased number of people camping and having campfires, and the risk and enforcement issues that arise from that activity.

Trustee Rowe stated he feels it is his responsibility as a Trustee to protect the health and safety of the residents and visitors of Buena Vista, and is not comfortable opening the county/town at this time and possibly increasing the risks/chances of being exposed to and contracting COVID19.

**MOTION NO. 2:**

MOVE TO AUTHORIZE MAYOR LACY TO SIGN THE REQUEST/LETTER OF SUPPORT FROM CHAFFEE COUNTY BOARD OF COMMISSIONERS FOR A VARIANCE FROM PART OF GOVERNOR POLIS' SAFER AT HOME ORDER (EXECUTIVE ORDER D2020 044) SUBJECT TO NO SIGNIFICANT CHANGES.

<b>RESULT:</b>	<b>ROLL CALL</b>	<b>CARRIED</b>
<b>MOVER:</b>		Trustee Eckstein
<b>SECONDER:</b>		Trustee Volpe
<b>AYES:</b>	Eckstein, Fay, Nyberg, Swisher, Volpe	
<b>NAYES:</b>		Rowe

Puckett stated he will provide the Trustees with a copy of the final draft of the variance request document.

**TRUSTEE/STAFF INTERACTION**

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

**MOTION NO. 3:**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THAT THE MEETING BE ADJOURNED AT 6:46 PM.

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

Respectfully submitted:

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Duff Lacy, Mayor

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Paula Barnett, Town Clerk

**BUENA VISTA TRAILS ADVISORY BOARD**  
**Meeting Minutes**  
**January 7, 2020**



Present: Lois Walton, Pat McCarthy, Kelly Collins, Alex Ware, Ryan Cole, Shawn Williams, Earl Richmond.

**I. Call to order:** 5:40 pm

**II. Agenda adoption or changes:** Pat moved adoption; Alex seconded the motion; motion passed unanimously

**III. Approval of October 1, 2019 Minutes** Lois moved to approve; Pat seconded the motion; motion passed unanimously

**IV. Public Comment:** No public comment

**V. REPORTS**

- Public Works –
  - Arizona Bridge/Marquette Project has a CDOT issue with Marquette sidewalks; moving forward with the bridge and trail on Arizona;
  - Marquette/Baylor project went to bid today, expect completion in June.
  - New trail connecting The Farm development with Brady Road to provide a safe and shorter route to school for students from the Farm. The trail is on a Town water line easement and the adjacent property owners have agreed. Trail signage is needed to mark both ends of the trail. The name of the trail could be “Farm Trail”
- Parks – No report
- Recreation –
  - BVSC has trail volunteers to help with trail construction; pull together trail ideas for trails master plan, coordinate with Recreation Board;
  - Quote for stone stairway from Whitewater to Arkansas River Trail received; looking for ways to fund the construction (estimated \$4,500).
  - New trail in disc golf course (a figure 8 path) this summer;
  - All in-town trails have had GPS mapping completed by Scott Anderson and will be incorporated into new trail maps;
  - A new multi-user planning group is working on short term multiple use trail project and long term trail development planning;
  - Common Ground grant awarded to GARNA with partners Town and BVSC; beginning discussion on new kiosk at boathouse.
- Adopt-a-Trail –
  - Sue Neis adopted Zebulon Pike Trail and Cottonwood Creek Trail; submitted final report. River Run HOA will adopt trails for next year.
  - Arkansas River Trail from Whipple to Ramsour adopter has not had time to walk the trails. May want to find another adopter.
- County ENVISION report – Focus on dispersed camping.

**VI. BUSINESS**

**BUENA VISTA TRAILS ADVISORY BOARD**  
**Meeting Minutes**  
**January 7, 2020**



- TAB member Nancy Fox: Alex moved for acceptance of Nancy Fox on the trails Advisory Board; Ryan seconded the motion; motion passed unanimously
- Social trails and barriers: materials in hand. Must wait until spring/summer
- Trail projects for 2020: TBD at next meeting work session

**VIII. ACTION ITEMS**

- The TAB will recommend that the Town to install boulder signage at the new access trail "Farm Trail". Alex volunteered to help.
- Trail planning work session next meeting
- The TAB will recommend that the Trustees allocate funds to build a stairway from upper Arkansas Trail to Whitewater Trail to help eliminate social trails and request funds from Trustees
- The TAB will recommend formally naming the connector trail between the South Main Boulder Park and the Arkansas River Trail built by Logan Trenkle as his Eagle Scout project be formally named "Logan Connector" and have signage with that name.
- Tab recommendations are summarized in the attached memo.

**IX. Adjournment:** 7:06 pm

NEXT MEETING: **March 3, 2020**

Minutes submitted by Kelly Collins

Minutes approved as written (Date) 3/3/2020

A handwritten signature in black ink, appearing to read 'Kelly Collins', is written over a horizontal line.

by \_\_\_\_\_

**BUENA VISTA TRAILS ADVISORY BOARD  
RECOMMENDATIONS  
for the  
BOARD OF TRUSTEES**



January 7, 2020

The Trails Advisory Board respectfully submits the following three recommendations regarding Town of Buena Vista trails to the Buena Vista Board of Trustees.

**Recommendation 1: Install wayfinding signage for the new Farm Trail**

The Farm Trail will connect the new Farm development with Brady Road to provide a safe route to school for children residing in The Farm. Children walking to school can use the Farm Trail instead of walking on County Road 317.



The Farm Trail is on a Town water line easement between two homes. The Public Works Director has approached both homeowners and gotten their agreement for use of the easement for a trail.

The Trails Advisory Board recommends that the Town install signage for this trail matching other Town trails and consisting of boulders at both ends of the trail with the trail name sign attached to the boulder. The funds for this could come from the Trail Construction and Maintenance budget item 03-510-4815 (\$10,000).

**Recommendation 2: Construct a rock stairway from the upper Arkansas Trail to the Whitewater Trail**

The upper Arkansas River Trail has numerous “social trails” created by folks who want to access the river, but do not know where to do that. The social trails are steep and once started, continue to erode into the bank. The trails Advisory Board is working with the Public Works and Recreation Departments on Best Management Practices (BMPs) to avert use of the “trails” and allow for restoration. The first BMP is the to install barriers consisting of posts connected by rope. The barriers will serve as caution that the “trail” should not be used.



**BUENA VISTA TRAILS ADVISORY BOARD  
RECOMMENDATIONS  
for the  
BOARD OF TRUSTEES**



A second BMP is to create another access route that is easier and safer to use to reach the river. The Recreation Department has identified a proposed location for a rock stairway that would provide this additional access and has received a bid to complete the construction. Earl Richmond has obtained a cost estimate of \$4,500 to complete this work.

The Trails Advisory Board recommends that the Town allocate funding for the rock stairway that will provide easy and safe access from the Arkansas River Trail to the river.

**BUENA VISTA TRAILS ADVISORY BOARD  
RECOMMENDATIONS  
for the  
BOARD OF TRUSTEES**



**Recommendation 3: Formally name the new connector trail from the South Main Boulder Park to the Arkansas River Trail the “Logan Connector” and install signage.**

The area between the South Main Boulder Park/parking area and the Arkansas River trail had been a “social road” and was undergoing severe erosion. As his Eagle Scout project Logan Trenkle constructed a connector stair trail using materials on site. His project provides attractive access from the Boulder Park to the Arkansas River Trail and the Whitewater Trail and cures an unsightly erosional scar.

To recognize Logan Trenkle’s effort in improving the Town landscape and trail/river access, the Trails Advisory Board recommends that this connector trail be designated Logan Connector and signage added that is consistent with Town trail designation signage.



Before

After





## ***Minutes***

### **Town Beautification Board Meeting Thursday, January 7, 2020**

The meeting was called to order at 5:05pm at Collegiate Peaks Realty.

Present: Members - Joy Duprey (chairperson), Sue Benes, Bonnie Bailey-Davis, Jan Kitzman, Diane Look, Kim Olinger, Nancy Taylor, Jennifer Wright; Paula Barnett (Town Representative).

#### ***Approval of minutes***

- Minutes for the November meeting were approved.

#### ***Old Business***

##### **Funds**

- 2020 Budget and Funding were discussed. One item from 2019 was carried over. The Christmas tree extension was paid for in 2019 but there was an issue with the shipping cost which ended up being double the amount originally quoted. It was decided to work with the supplier to have the charge adjusted and paid for out of the 2020 funding. Bonnie Davis will follow up on this.
- Beautification funding from Town: \$14,740
  - \$ 3,240 – Annual Flowers
    - (\$3,225) – to Merrifield’s for flower inserts
    - (\$ 339.41) – to Merrifield’s for xeric garden plants
  - \$ 4,000 – Black Metal Benches
    - (\$259.41) – student bench
    - (\$350) – custom linings for student bench
    - (\$1,900) – 2 SixLine benches
    - (\$700 – estimate for Custom Linings coating of Sixline benches)
  - \$ 3,000 – 5 Snowflakes

- (\$641.25) – Novelty Lights for 5 snowflakes plus extra for repair of old snowflakes
    - (\$1,860) – Ed Andreas for welding and painting of 5 snowflakes
    - (\$ 47.45) – 5 extension cords at True Value)
    - (\$128.07) – zip ties, glue, snips at True Value
  - \$ 4,500 – 2 Trash Cans
    - (\$2,250) – job deposit to SixLine for trash cans
    - (\$2,250) final payment to SixLine
  - (348.90) – garland for town tree
  - \$440.51 – Balance in Fund after paying estimated bench coating
- Beautification Fundraised Funds: \$6,104.36
  - (\$ 155.10) – Garden signs
  - \$ 1,085 – Adopt a planter/garden fundraiser
- Regular beautification fund - \$4915
- Grow the Tree Fund - \$1,189.78
- Chaffee County Times ad credit - \$75

### **Grow the Holiday Tree Fundraiser**

- Cost of new base is \$2,425 + \$335 shipping = \$2,760
  - (\$1,639.49) spent from fund on tree base
  - \$1,658.21 in fund from ornament sales
    - \$18.72 balance
    - Note: We have not yet been billed for shipping of the tree base - negotiating with company on shipping charges.
- Ornament sales
  - 500 ornaments purchased (\$1,321.12)
  - Ornaments sold \$2,586
  - Sales tax paid (\$206.67)
  - Donations toward the tree \$600
  - Total \$1,658.21
  - We may branch out to other retailers, such as Souled Out, Cottonwood Hot Springs, wedding planners
  - We'll reduce the price to \$5/each
  - Only 150 ornaments left

### **Holiday Tree**

- Joy will speak with Ryan at Public Works to see what he needs for storage
- We'll invite PW holiday tree guys to our February meeting for a post mortem discussion

### **Snowflakes**

- We had a great snowflake wrapping party
- The newly wrapped snowflakes appear to be much brighter – no dirt on them, etc. We'll see how it looks!

### **Highway 24 Sculpture Total Cost \$7500**

- Budget amount approved by town (\$6190.) combined with Beautification raised funds (\$1310.) will cover cost of sculpture, however there are a few more details to be sorted out:
- Need to check with Public Works about future snow removal from Linderman Ave. which is being plowed onto sculpture island. Need to obtain approval from CDOT on location of sculpture with relation to Hwy 24. Finally need to provide written notice to surrounding neighbors.

### **Utility Boxes Update**

- Postponed this discussion to the next meeting.

### **Second Student Bench**

- Cost to finish 2nd student bench is estimated at \$609.
- John Burt assures us that another student will pick up the project, but we won't have the bench until next summer.
- Diane will speak with John - can use Scheidt's design or other, as long as benches meet specified dimensions

### **SixLine Benches**

- The two we ordered are complete. Public Works has them and will install when they have time.

## ***New Business***

### **Public Art Policy/Donation and Gift Policy Review**

- A draft of the public art/donation policy was presented outlining a plan for the Town of BV. We used the current sculpture project to test against the draft criteria and found that it would pass. There were some suggestions for fine tuning the document which must be approved by both the Trustees and Beautification Advisory Board.

### **Town Update - Paula Barnett**

- Town has completed an inventory of all light posts and their various styles. Sangre de Cristo owns the fixtures so if Town wanted to change out any of the globes to match styles, they would need to purchase, but Sangre would install them.

### **Next Meeting**

- The next meeting will be held on Thursday, February 6th, at 5 p.m. at Collegiate Peaks Realty.

### **Adjournment**

- The meeting was adjourned at 6:35 p.m.

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### ***Projects to keep track of:***

- Cemetery clean up
- Friendship Garden at McPhelemy Park
- Large wreaths gifted from Chamber
- Directional pole in K's park – should we have someone make new placards?
- Solar lights on bridge
- Lamppost globes

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These minutes were approved at the Board's April meeting.

Respectfully submitted by Diane Look, Board Member

*Diane E. Look*



***Minutes***  
**TOWN BEAUTIFICATION BOARD MEETING**  
**Thursday, April 2, 2020**

The meeting was called to order at 5:07 p.m. via online Google Meet conference.

Present: Members - Joy Duprey (chairperson), Sue Benes, Bonnie Davis, Diane Look, Kim Olinger, Nancy Taylor, Jan Wheeler-Kitzman, Jennifer Wright; Town Representative Paula Barnett.

***APPROVAL OF MINUTES***

- Minutes for the February meeting were approved.

***OLD BUSINESS***

**2020 Budget Update**

- Town is expecting less revenue. They won't know for sure until mid to late summer. They're taking precautions now
- No Seasonal Staff, so no town gardener
- Benches are on hold, as is our sculpture
- We'll need to help more with the xeriscape and splash park planters
- Bonnie suggested that new master gardeners need hours, and our planters can count...Sue and Bonnie will check to see if they can help
- Town will water planters on Monday, Tuesday, Thursday and Fridays.
- We'll remove all the small planters in town - kayaks, Police Department, Public Works, Community Center and the depot.
- We may only plant decorative grasses in the planters on Main St., so they are easily maintained. It was suggested that Wave Petunias could be an option - they don't need deadheading, and would only need deer spray about once a month
- Adopt A Planter
  - We could put out a donor letter saying this is a free year, but they could make a donation if wanted.

**Funds**

- Beautification funding from Town: \$14,740 (on hold)
  - \$ 3,750 – Annual flowers for 50 planters
  - \$ 4,800 – Black Metal Benches - 4 priced at \$1,200 each - on hold until further notice

- o \$ 6,190 - Sculpture; this would be a partial cost to be shared with Beautification. Estimated cost is \$7,500; balance to be paid by Beautification - \$1,310 - on hold until further notice
- Total Beautification Fundraised Funds: \$5,122.11 - this balance reconciled with Town January 2020
  - o (\$ 335) – Note: We have not yet been billed for shipping of the tree base. estimate was \$355. Joy has contacted the company one last time 3/30/20, if she does not receive a reply she will notify the company that we will assume we do not owe any money for shipping.
  - o (\$ 1,310) – Committed to BV sculpture
  - o \$ 3,477 - Balance after above items
- Regular beautification fund - \$4915

#### Ornaments Fundraiser

- \$205 was deposited January 20th
- \$245 to be deposited (included in totals below)
  - o 500 ornaments purchased (\$1,321.12)
  - o Ornaments sold \$3,036.00
  - o Sales tax paid ( \$ 243.34)
  - o Total amount fundraised \$2,071.54
  - o Total amount spent on tree (\$2,425.00)
  - o Balance of fundraiser fund ( \$353.46)

#### Second Student Bench

- Given the current Covid-19 situation, we don't expect any student benches this year.

#### Sculpture

- Town assures us that snow plowing won't be an issue - they won't dump snow on the median
- The Board approved the public art policy.
  - o The Board has asked that we go through the Public Art Policy procedures with the Board for the sculpture, even though we've been approved in the past

#### Friendship Garden at McPhelemy Park

- We need to speak with Kurt about whether this is still possible.
- Right now, the planter is overtaken by clover...may need to be restarted; Sue and Bonnie will try Preen this week to see if it might help alleviate the clover

#### Utility Boxes Update

- Postpone this discussion until next meeting

***NEW BUSINESS*****Adjournment**

- The meeting was adjourned at 6:02 p.m.
- 

***Projects to keep track of:***

- Cemetery clean up
  - Large wreaths gifted from Chamber
  - Directional pole in K's park – should we have someone make new placards?
  - Solar lights on bridge?
  - Lamppost globes
- 

These minutes were approved at the May Board meeting.

Respectfully submitted, Diane Look, Town Board Member:





**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 April 2020**

April was a month to remember! We were introduced to COVID-19 & Zoom meetings in the blink of an eye! We understand Zoom is the best solution for now but face to face is so much better!

It has been a scary time for all of law enforcement. The thought of having COVID-19 & taking it home to family always enters our mind. Thanks to the Town for making sure we all have masks & gloves for every officer. We have used so much hand sanitizer & Oxivir Tb Wipes, each & every shift we work. A giant thank you to our fire chief for all the N95 Masks, Tb Wipes & gloves.

Our first Zoom meeting was April 1<sup>st</sup> at 4:00pm with the Chaffee County Commissioners & numerous others. Every Monday, Tuesday, Wednesday & Thursday we meet on Zoom at 4:00pm & Friday's at 2:00pm. This has continued all of April. It is so sad to dream about Zoom meetings!

We have received so many phone calls & some cards from our awesome citizens, thanking us for keeping them safe & having a calm environment in our beautiful town! We are all blessed to live in this valley!

See attached calls for service & stats



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

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

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

Statistics from: 4/1/2020 12:00:00AM to 4/30/2020 11:59:00PM

### Citation Printout Report by Violation

Total Citations of (18-18-403.5 UNLAWFUL POSSESSION 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 (42-4-1101 SPEED LIMITS (EXCEEDING)): 6 Total Mandatory Appearances: 0
Total Citations of (42-4-1301(1)(A) DROVE VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR BOTH): 2 Total Mandatory Appearances: 2
Total Citations of (42-4-1301(2)(A) DROVE VEHICLE WITH BLOOD ALCOHOL CONTENT OF 0.08 OR MORE): 2 Total Mandatory Appearances: 2
Total Citations of (42-4-204(1) FAILED TO DISPLAY LAMPS WHEN REQUIRED): 1 Total Mandatory Appearances: 1

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): 1  
Total Mandatory Appearances: 1

37

Grand Total

Total Number of Citations Reported: 16  
Total Fine Amounts Reported: \$0.00  
Total Money Collected:  
Total Money Still Due: \$0.00  
Total Mandatory Appearances: 9



## Buena Vista Fire Department

P.O. Box 1624

Buena Vista, CO 81211

Phone: 719 395-8098

Fax: 719 395-2046

### Chief Villers April 2020 Report

For the month of April, we are still in the process of purchasing the 2011 Ferrara engine to replace old engine 9.

With the COVID-19 pandemic at full force, we have continued to work through and maintain our staff's safety and health.

Wildland program - we have implemented a new policy for our brush truck to go on incidents for the staff. We are gearing up for fire season and have recently added people to the program. The number of single resources and staff to go out on the brush truck is currently at 16. The different positions that our people go out on incidents range widely. For the brush truck, we carry 1 engine boss and typically 1 to 2 firefighters, our firefighters are currently firefighter type 2 in the wildland world. Our single resource individuals work in various areas, such as, air operations, expanded dispatch and communications, medical, and planning sections. Two of our people are on Type 2 Incident Management Teams in the Rocky Mountain region.

Shawna Martinez, our Wildland Coordinator, actively works with everyone to make sure they are up to date on training and is given every opportunity to get out on incidents. She also works closely with state agencies to make sure qualifications are showing current in the different systems required and any other situations that may arise. During the fire season, she keeps all reimbursements up to date so everyone involved is getting compensation and also goes out on wildland fires and all hazard incidents. Her vision and hope is to make sure the program continues to grow and be successful. We have people from all around the country contacting her on a weekly basis asking for sponsorship. Her goal is to have at least 20 participants in the next year or two that she will supervise.

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: 04/01/2020 | End Date: 04/30/2020

ACTION TAKEN	# INCIDENTS	PERCENTAGE
00 - Action taken, other	1	2.78%
30 - Emergency medical services, other	9	25%
63 - Restore fire alarm system	1	2.78%
70 - Assistance, other	1	2.78%
73 - Provide manpower	5	13.89%
75 - Provide equipment	1	2.78%
81 - Incident command	2	5.56%
86 - Investigate	5	13.89%
87 - Investigate fire out on arrival	1	2.78%
92 - Standby	17	47.22%
<b>TOTAL:</b>	<b>43</b>	

Total Training hours for December - 12 volunteers/staff

Wildland Work Capacity Test 11.5

Driver Training 47

Physical Fitness 12

Total Training Hours 70.5 hours

Station Standby Hours 22.75 hours

**COLORADO RETIREMENT ASSOCIATION  
RETIREMENT PLAN AND TRUST AGREEMENT**

**PARTICIPATION AGREEMENT**

*Association Member / Participating Employer:* Town of Buena Vista

*Association Member Original Participation Date:* January 1, 1988

*Participation Agreement Effective Date:* April 1, 2020

*Prior Participation Agreement Date:* August 10, 2018

Please indicate the effective date of the last Participation Agreement

This agreement applies to Town of Buena Vista employees, excluding Fire and Police whom are covered under FPPA.

**PREAMBLE**

I. **AGREEMENT.** By this Agreement, by and between Colorado Retirement Association (“Association”) and the Association Member specified in this Participation Agreement (“Agreement”), the Association Member adopts as a Participating Employer the Colorado Retirement Association Retirement Plan and Trust Agreement (the “Plan”), as amended and restated effective January 1, 2020, and as further amended or supplemented from time to time, subject to the modifications set forth in this Agreement. This Agreement amends and supersedes any previous Participation Agreement made by and between the Association Member and the Association.

II. **ADOPTION OF THE PLAN.** The Association Member adopts the Plan as a Participating Employer pursuant to the terms of the Plan and this Participation Agreement, effective as of the Participation Agreement Effective Date. The Participating Employer’s participation in the Plan is conditioned on the timely payment by the Participating Employer of its proportional share of contributions under the Plan, and in the case of contributions deducted from a Participant’s Compensation, payment will be transmitted to the Trust as soon as practicable after such amounts would otherwise have been paid to the Participant.

III. **REVIEW OF THE PLAN.** The Participating Employer has reviewed the Plan, and in particular Article 13 of the Plan, addressing Participating Employers. The Participating Employer has consulted, or had opportunity to consult, with its legal and tax advisors with reference to the Plan and this Participation Agreement.

IV. **APPROVAL OF PLAN TRUSTEE AND ADMINISTRATOR.** The Participating Employer approves and confirms the Trustee and Administrator designated by the Association in the Plan to serve in each such capacities.

V. **ASSOCIATION AS AGENT.** The Participating Employer irrevocably designates the Association as its agent as set forth in Article 13 of the Plan addressing Participating Employers for all purposes of the Plan, and authorizes the Association, on behalf of the Participating Employer, to

perform the specific act or acts and to exercise the specific powers granted under the Plan. The Association or its designee has authority to make any and all necessary rules or regulations, binding upon the Participating Employer and its Employees and Officials and their Beneficiaries, to effectuate the purpose of the Plan.

VI. **PARTICIPATING EMPLOYER'S CONTRIBUTIONS.** All contributions made by the Participating Employer under the Plan and this Participation Agreement will be determined separately by each Participating Employer and allocated only among the eligible Participants of the Participating Employer making the contribution in accordance with Section 3.1 of the Plan.



2.5(a)

**REEMPLOYMENT DATE MORE THAN THIRTY (30) DAYS AFTER TERMINATION DATE.**

- Immediate commencement of participation, in accordance with the Participating Employer's election per Section 2.2.

*If this option is selected, skip the remaining options in this Section 2.5(a) and move on to Section 2.6(a). If this option is not selected, specify one option in each of the below categories.*

**Prior Employment with Participating Employer.**

- In accordance with the **default** provisions of Section 2.5(a) of the Plan, in the event an Employee terminates employment with the Participating Employer more than thirty (30) days before his or her Reemployment Date with the Participating Employer, the Participating Employer will not grant prior service credit for purposes of **eligibility**.
- In the event an Employee terminates employment with the Participating Employer more than thirty (30) days before his or her Reemployment Date with the Participating Employer, the Participating Employer will grant service credit for purposes of **eligibility** provided the Employee has a Reemployment Date within \_\_\_\_\_ Plan Months (not to exceed twelve (12) Plan Months) of his or her Termination Date.

**Prior Employment with any Association Member (other than Participating Employer).**

- In accordance with the **default** provisions of Section 2.5(a) of the Plan, in the event an Employee terminates employment with an Association Member more than thirty (30) days before his or her Reemployment Date with a different Participating Employer, the Participating Employer will not grant prior service credit for purposes of **eligibility**.
- In the event an Employee terminates employment with an Association Member more than thirty (30) days before his or her Reemployment Date with another Participating Employer, the Participating Employer will grant service credit for purposes of **eligibility** provided the Employee has a Reemployment Date within \_\_\_\_\_ Plan Months (not to exceed twelve (12) Plan Months) of his or her Termination Date.



3.1(a) **EMPLOYER CONTRIBUTIONS.** The Participating Employer will make an Employer Contribution for each Participant (**no less than three percent (3%)**) for each Plan Month as specified below.

*[Specify one option only.]*

- The Participating Employer will contribute 3% of the Compensation of such Participant for the Plan Month.
- The Participating Employer's contribution for each Participant will equal an amount directed by each Participant, with a minimum of \_\_\_\_% and a maximum of \_\_\_\_% of the Compensation of such Participant.
- The Participating Employer will contribute for each Participant:
- \_\_\_\_% of Compensation based on \_\_\_\_ attained Years of Service
  - \_\_\_\_% of Compensation based on \_\_\_\_ attained Years of Service
  - \_\_\_\_% of Compensation based on \_\_\_\_ attained Years of Service
  - \_\_\_\_% of Compensation based on \_\_\_\_ attained Years of Service
  - \_\_\_\_% of Compensation based on \_\_\_\_ attained Years of Service
- For Participants hired after March 31, 1986, the Participating Employer will contribute the percentage of Compensation of such Participant for the Plan Month corresponding to the rate required of the employer share portion of Social Security (Old Age, Survivors, and Disability) under the Federal Insurance Contributions Act, as defined in C.R.S. Section 24-53-101 for that Plan Month. Employer Contributions will stop once the Participant's earnings have reached the social security annual maximum taxable earnings limit. For Participants hired on or before March 31, 1986, the Participating Employer will contribute the percentage of Compensation of the Participant for the Plan Month corresponding to the rate required for the employer share of both the Social Security and Medicare components of the Federal Insurance Contributions Act, as defined in C.R.S. Section 24-53-101 for that Plan Month. For Participants hired on or before March 31, 1986, the Social Security component of the Employer Contribution will stop once such Participant's earnings have reached the Social Security annual maximum taxable earnings limit.

*Note if this option is selected, it must also be selected below in Section 3.3.*

3.2

**PRIOR SERVICE BENEFIT CONTRIBUTIONS.** The Participating Employer may elect to make a Prior Service Benefit Contribution to each Participant. The Participating Employer will contribute to each Participant the percentage (elected below) of such Participant's annual Compensation for the elected ***Prior Service Period***. The Prior Service Benefits will be contributed to the Plan in equal monthly installments during the ***Pay Out Period*** provided the Participant does not have a Termination Date during the Pay Out Period.

*[Specify one option only.]*

- Not Applicable. Employer is an existing Participating Employer.
- The Participating Employer elects not to make Prior Service Benefit Contributions.
- The Participating Employer will contribute to each Participant \_\_\_\_% (*no less than three percent (3%)*) of the annual Compensation of each Participant during the ***Prior Service Period***.

*[Complete both A and B.]*

- A. The ***Prior Service Period*** is \_\_\_\_ (*number from one to five*) twelve (12) month period(s) of continuous employment of such Participant ending on the Effective Date of this Participation Agreement with the Participating Employer.
- B. Prior Service Benefit Contributions will be made to the Plan in equal monthly installments over \_\_\_\_ (*number from one (1) to thirty-six (36)*) continuous calendar month(s) (the "***Pay Out Period***"). If the Participant has a Termination Date during the Pay Out Period, he or she forfeits his or her right to additional Prior Service Benefit Contributions.

3.3(a) **MANDATORY PARTICIPANT CONTRIBUTIONS.** Each Participant will make a contribution (**no less than three percent (3%)**) for each Plan Month as specified below.

*[Specify one option only.]*

- The Mandatory Participant Contribution will equal 3% of the Compensation of such Participant for the Plan Month.
- The Mandatory Participant Contribution will equal an amount directed by each Participant, with a minimum of \_\_\_\_\_% and a maximum of \_\_\_\_\_% of the Compensation of such Participant for the Plan Month. **Once an election is made, it is an irrevocable election.**
- The Mandatory Participant Contribution will equal:
- \_\_\_\_\_% of Compensation based on \_\_\_\_\_ attained Years of Service
  - \_\_\_\_\_% of Compensation based on \_\_\_\_\_ attained Years of Service
  - \_\_\_\_\_% of Compensation based on \_\_\_\_\_ attained Years of Service
  - \_\_\_\_\_% of Compensation based on \_\_\_\_\_ attained Years of Service
  - \_\_\_\_\_% of Compensation based on \_\_\_\_\_ attained Years of Service
- For Participants hired after March 31, 1986, the Mandatory Participant Contribution will equal the percentage of Compensation of such Participant for the Plan Month corresponding to the rate required of the employer share portion of Social Security (Old Age, Survivors, and Disability) under the Federal Insurance Contributions Act, as defined in C.R.S. Section 24-53-101 for that Plan Month. Mandatory Participant Contributions for a Participant will stop once such Participant's earnings have reached the social security annual maximum taxable earnings limit. For Participants hired on or before March 31, 1986, the Participating Employer will contribute the percentage of Compensation of the Participant for the Plan Month corresponding to the rate required for the employer share of both the Social Security and Medicare components of the Federal Insurance Contributions Act, as defined in C.R.S. Section 24-53-101 for that Plan Month. For Participants hired on or before March 31, 1986, the Social Security component of the Mandatory Participant Contribution will stop once such Participant's earnings have reached the Social Security annual maximum taxable earnings limit.

*Note if this option is selected, it must also be selected below in Section 3.1.*

3.3(a) **MANDATORY PARTICIPANT CONTRIBUTIONS.** Mandatory Participant Contributions will be:

*[Specify one option only.]*

- Pre-tax in accordance with C.R.S. Section 24-54-104(4) and Internal Revenue Code Section 414(h)(2).\*
- After-tax.

5.1(b)(1) **VESTING OF PARTICIPANT'S ACCOUNTS.** In accordance with Section 5.1 of the Plan, an Employee-Participant becomes vested in Employer Contributions and Prior Service Benefit Contributions as follows.

*[Specify one option only.]*

- Immediate Vesting.*** A Participant is 100% vested upon Plan participation.
- Graded Vesting.*** A Participant will vest pro rata monthly at 25 % annual rate. (must be more than 10%).
- Specified Vesting.*** A Participant will vest pro rata monthly according to the following schedule (select the vesting percentage at the completion of the Participant's Years of Service):
- 1<sup>st</sup> Year of Service: \_\_\_\_\_ %
- 2<sup>nd</sup> Year of Service: \_\_\_\_\_ %
- 3<sup>rd</sup> Year of Service: \_\_\_\_\_ %
- 4<sup>th</sup> Year of Service: \_\_\_\_\_ %
- 5<sup>th</sup> Year of Service: \_\_\_\_\_ %
- 6<sup>th</sup> Year of Service: \_\_\_\_\_ %

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\* Note if contributions are being picked up and paid by the Employer in lieu of employee contributions, the contributions will be treated as "picked-up" and paid by the Employer on a prospective basis only, from the date this Participation Agreement is formally adopted. Participants may not opt out of the "pick-up" nor may they receive the contributed amounts directly instead of having them paid by the Participating Employer to the Plan.

5.1(c)

**REEMPLOYMENT DATE MORE THAN THIRTY (30) DAYS AFTER TERMINATION DATE.**

- Service credit for vesting is not applicable, Employer elected Immediate Vesting, per Section 5.1(b)(1).

*If this option is selected, skip the remaining options in this Section 5.1(c) and move on to Section 5.1(e). If this option is not selected, specify one option in each of the below sub-options.*

**Prior Employment with Participating Employer.**

- In accordance with the **default** provisions of Section 5.1 (c) of the Plan, in the event an Employee terminates employment with the Participating Employer more than thirty (30) days before his or her Reemployment Date with the Participating Employer, the Participating Employer will not grant prior service credit for purposes of **vesting**.
- In the event an Employee terminates employment with the Participating Employer more than thirty (30) days before his or her Reemployment Date with the Participating Employer, the Participating Employer will grant service credit for purposes of **vesting** provided the Employee has a Reemployment Date within \_\_\_\_\_ Plan Months (not to exceed twelve (12) Plan Months) of his or her Termination Date.

**Prior Employment with any Association Member (other than Participating Employer).**

- In accordance with the **default** provisions of Section 2.5(a) of the Plan, in the event an Employee terminates employment with an Association Member more than thirty (30) days before his or her Reemployment Date with a different Participating Employer, the Participating Employer will not grant prior service credit for purposes of **vesting**.
- In the event an Employee terminates employment with an Association Member more than thirty (30) days before his or her Reemployment Date with another Participating Employer, the Participating Employer will grant service credit for purposes of **vesting** provided the Employee has a Reemployment Date within \_\_\_\_\_ Plan Months (not to exceed twelve (12) Plan Months) of his or her Termination Date.

5.1(e) **SERVICE WITH PARTICIPATING EMPLOYER PRIOR TO ADOPTION OF PLAN.***[Specify one option only.]*

- Not Applicable. Employer is an existing Participating Employer.
- Past Service Credit.*** At the time this Participation Agreement is executed, all Employees presently employed by the Participating Employer will have all periods of employment credited towards the vesting schedule referenced above in Section 5.1(b)(1).

5.3 **FORFEITURES ACCOUNT.***[Specify one option only.]*

- Not Applicable. Participants are 100% vested in their Accounts.
- Forfeitures will be allocated to reduce future Employer Contributions in accordance with the **default** provisions of Section 11.6 of the Plan.
- Forfeitures will be allocated among the Accounts of active Participants in the Plan.

8.1 **LOANS TO ELIGIBLE BORROWERS.***[Specify one option only.]*

- Participant loans are allowed in accordance with Article 8 of the Plan and loan procedures adopted by the Plan Administrator.
- Participant loans are *not* allowed.

1.9 **DEFINITION OF COMPENSATION.** For purposes of calculating contributions, the Participating Employer **excludes** the following from the definition of Compensation (as defined in Section 1.9 of the Plan):*[Select as many EXCLUSIONS as applicable.]*

- Bonuses.
- Overtime pay.
- Premiums for shift differential.
- Fringe benefits, expense reimbursements, deferred compensation, and welfare benefits.
- Holiday pay.
- Vacation pay.

- Sick pay.
- Paid Time Off (PTO).
- All post-severance compensation.
- Other *[please specify]*: \_\_\_\_\_.  
 (a) Payout of Old Accrued Sick Leave (OASL) upon termination.  
 (b) Payout of accrued vacation leave at termination.  
 (c) On-call pay.  
 \* \* \* \* \*

The Participating Employer and the Colorado Retirement Association have executed this Participation Agreement and have accepted its terms.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Town of Buena Vista  
\_\_\_\_\_  
**Participating Employer**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**COLORADO RETIREMENT ASSOCIATION**  
Plan Sponsor

By: \_\_\_\_\_

Title: CRA Chief Financial Officer

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**COLORADO RETIREMENT ASSOCIATION  
DEFERRED COMPENSATION PLAN**

**PARTICIPATION AGREEMENT**

*Association Member / Participating Employer:* Town of Buena Vista

*Association Member Original Participation Date:* January 1, 1988

*Participation Agreement Effective Date:* April 1, 2020

*Prior Participation Agreement Date:* April 18, 2019

Please indicate the effective date of the last Participation Agreement

**PREAMBLE**

I. **AGREEMENT.** By this Agreement, by and between Colorado Retirement Association (“Association”) and the Association Member specified in this Participation Agreement (“Agreement”), the Association Member adopts as a Participating Employer the Colorado Retirement Association Deferred Compensation Plan and Trust Agreement (the “Plan”), as amended and restated effective January 1, 2020, and as further amended or supplemented from time to time, subject to the modifications set forth in this Agreement. This Agreement amends and supersedes any previous Participation Agreement made by and between the Association Member and the Association.

II. **ADOPTION OF THE PLAN.** The Association Member adopts the Plan as a Participating Employer pursuant to the terms of the Plan and this Participation Agreement, effective as of the Participation Agreement Effective Date. The Participating Employer’s participation in the Plan is conditioned on the timely payment by the Participating Employer of its proportional share of contributions under the Plan, and in the case of contributions deducted from a Participant’s Compensation, payment will be transmitted to the Trust as soon as practicable after such amounts would otherwise have been paid to the Participant.

III. **REVIEW OF THE PLAN.** The Participating Employer has reviewed the Plan, and in particular Article 12 of the Plan. The Participating Employer has consulted, or had opportunity to consult, with its legal and tax advisors with reference to the Plan and this Participation Agreement.

IV. **APPROVAL OF PLAN TRUSTEE AND ADMINISTRATOR.** The Participating Employer approves and confirms the Trustee and Administrator designated by the Association to serve in each such capacities.

V. **ASSOCIATION AS AGENT.** The Participating Employer irrevocably designates the Association as its agent as set forth in Article 12 of the Plan addressing Participating Employers for all purposes of the Plan, and authorizes the Association, on behalf of the Participating Employer, to perform the specific acts and to exercise the specific powers granted under the Plan. The Association

or its designee shall have authority to make any and all necessary rules or regulations, binding upon the Participating Employer and its Employees, to effectuate the purpose of the Plan.

VI. **PARTICIPANT AND PARTICIPATING EMPLOYER CONTRIBUTIONS.** All contributions made by the Participants and Participating Employer under the Plan and this Participation Agreement shall be determined separately by each Participating Employer and shall be allocated only among the eligible Participants of the Participating Employer making the contribution.

\* \* \* \* \*

## **PARTICIPATING EMPLOYER ELECTIONS**

*(Section numbers below correspond to sections of the Plan.)*

### 2.2(d) **DESIGNATED ROTH DEFERRALS.**

*[Specify one option only.]*

- Designated Roth Deferrals are permitted.
- Designated Roth Deferrals are not permitted.

### 2.11 **EMPLOYER CONTRIBUTIONS.**

*[Specify one option only.]*

- The Participating Employer elects not to make Employer Contributions.
- The Participating Employer elects to make Employer Contributions for Eligible Employees, per the Employer 457 Contribution Policy.

### 6.1 **LOANS TO ELIGIBLE BORROWERS.**

*[Specify one option only.]*

- Participant loans are not permitted.
- Participant loans are permitted in accordance with Article 6 of the Plan and loan procedures adopted by the Association.

\* \* \* \* \*

The Participating Employer and the Colorado Retirement Association have executed this Participation Agreement and have accepted its terms.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Town of Buena Vista  
**Participating Employer**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**COLORADO RETIREMENT ASSOCIATION**  
Plan Sponsor

By: \_\_\_\_\_

Title: CRA Chief Financial Officer

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CHAFFEE COUNTY  
DEVELOPMENT SERVICES DEPARTMENT

104 Crestone Ave., Room 125  
P.O. Box 699  
Salida, Colorado 81201  
(719) 539-2124 FAX: (719) 530-9208  
bdepartment@chaffeecounty.org

**May 11, 2020 Board of County Commissioners Work Session Report and Activity Update**

**I. Building Inspection:**

**A. Permit Activity**

- **Permits** issued in April 2020: 399 (BMEP only)  
2019: 406 (BMEP only)
  - \* BMEP = Building, Mechanical, Electrical, & Plumbing permits
- **Total Revenue** collected in April      2020: \$108,460.67 (all divisions)  
2019: \$144,149.10 (all divisions)
- **Total Revenue** collected year-to-date    2020: \$455,536.43 (all div.s)  
2019: \$473,362.90 (all div.s)
- % of Total budgeted revenue collected by year end: 37.96%
- **SFDs** issued in April 2020: 13  
    Salida: 3    BV: 0    Poncha: 0    County: 10
- **2020 year-to-date permit totals:**

Salida:	231	7 SFDs
Buena Vista:	183	13 SFDs
Poncha Springs:	112	14 SFDs
Unincorporated County:	<u>530</u>	<u>34 SFDs</u>
Total Number of Permits Issued:	1,056	*68 SFDs
- **2019 year-to-date permit totals:**

Salida:	382	11 SFDs
Buena Vista:	198	35 SFDs
Poncha Springs:	119	18 SFDs
Unincorporated County:	<u>441</u>	<u>34 SFDs</u>
	1,140	*98 SFDs

\*SFDs include only new detached single-family dwellings and do not include duplexes, ADUs, townhouses, apartment units etc.

**B. New Commercial Projects**

**Salida:**

- **1000 Rush Drive:** Permits were issued for a new laboratory within the hospital.
- **11384 W. Hwy 50:** Permits were issued for an alteration of an existing building.
- **7162 B CR 154:** Permits were issued for a new building that will house an eye doctor on the HRRMC campus.

**Buena Vista:**

- **300 E. Main Street:** Permits were issued for an interior remodel of this building.
- **415 Hwy 24 N:** Mechanical and plumbing plans were approved and permits were issued for the old Shopco building. This will be a LeGree's grocery store.

**County:**

- **8913 W Hwy 50:** Permits were issued for an addition to the Guidestone building on the Hutchison Ranch.
- **13979 Boseman Circle:** A permit was issued for a large horse barn/arena at this address.

**C. Inspection Totals**

- We performed 1,112 field inspections in the month of April.
- We issued 39 certificates of occupancy in April.

**D. Legislative Update**

- Nothing new to report.

**II. Planning & Zoning**

**A. Land Use Code:** The April 7, 14, 21 & 28 Planning Commission & BoCC joint work sessions have been 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. **A joint work session with the County and Buena Vista Planning Commissions is tentatively scheduled for June 9, 2020.**

**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-July.

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

##### Applications Scheduled for Public hearing:

- Centerville Ranch Major Subdivision Final Plat, Phase 1 proposes 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 a special meeting held on September 4, 2019 and approved. This application will be heard by the BoCC on **June 6, 2020**.
- The Lakeside Estates Preserve Minor Subdivision Final Plat of Parcel B at 30095 Teal Run proposes 2 Lots on a 5.3 acre parcel. This application is tentatively scheduled for the Planning Commission on **June 2, 2020** and the BoCC on **June 16, 2020**.
- The Jones Agricultural Subdivision Exemption at 8350 CR 160 proposes the division of 47.3 acres into 2 lots of 8 and 39.3 acres. This application will be before the BoCC on **June 16, 2020**.
- The Arkansas Valley Business Park Phase 2 Preliminary/Final Plat at the Miles Construction yard on CR 317 proposes the division of 12.8 acres into 8 lots and roadway. This application is tentatively scheduled to be before the Planning Commission on **June 30, 2020**.
- The North Fork Ranches Major Subdivision Preliminary/Final Plat at the entrance to Weldon Creek on W. Hwy 50 proposes to divide 150 acres into 17 Lots. This application is tentatively scheduled to be heard by the Planning Commission on **June 30, 2020**.
- The Tipton resubdivision of Lot 25 Glenview Subdivision Filing No. 1 proposes the subdivision of 7.8 acres into 3 Lots. This application will tentatively be heard by the Planning Commission on **June 2, 2020**.
- The Living Waters Heritage Water Subdivision Exemption proposes to divide 35.7 acres into 2 lots of 8.16 and 27.24 acres. This is scheduled to be heard by the BoCC on **June 2, 2020**.
- The Long Boundary Line Adjustment at 7643 and 7645 W. Highway 50 will be heard by the BoCC on **June 2, 2020**.
- 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 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 tentatively scheduled to be before the Planning Commission on **July 7, 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 an appeal on **May 19, 2020**.

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

- 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 was before the BoCC on April 14, 2020 and approved.
- 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 was before the BoCC on April 14, 2020 and approved.
- 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 was before the BoCC on May 12, 2020 and approved.
- 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 was before the BoCC on April 7, 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.
- 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. Nathrop:** Staff has received numerous inquiries regarding the status of the roads and alleys in this Townsite. Staff is researching the resolutions regarding the vacations and will be discussing the findings with legal staff.
- 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. The HOA has consented to paying the taxes and cover the County's cost to prepare the deeds.
- 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. The resolutions and yearly reports are currently published on the County website. The BoCC considered a continuance of this hearing on April 7, 2020, and a hearing date of October 20, 2020 was set.
- 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  
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**

#### **E. Road and Bridge**

1. Staff is negotiating with OTAK and CDOT to specify the scope of the project, regarding the scope of what really is needed in an attempt to reduce the costs. Otak is currently revising their offer and the new bid should arrive in early May.
2. Staff reviewed the final drawing for the Centerville road construction,
3. Staff performed a rough inspection of the Centerville subdivision roads Centerville Way and Rawhide Creek Road.

#### **F. Plan Review**

1. Staff reviewed the following plans:
  - a. Lake side estates,
  - b. Aspire updated information,
  - c. Moonriver commercial access permit.

#### **G. OWTS Program**

1. In April, staff reviewed 9 OWTS designs. Issued 8 OWTS permits and 2 are on hold.
2. Staff performed a site-visit at 10060 A-6, East Highway 50 for a complaint of standing sewage. Staff investigated and confirmed there is standing sewage at many mobile home locations. Staff contacted the Town of Poncha Springs to report the sewage issue. Poncha Springs took action and informed Salida Public works of the issue.

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

1. Staff reviewed 3 fire cisterns and approved 2 of them.
2. Staff performed a site-visit at 16790 CR 110 A regarding a complaint about possible silt from this building location. Staff concluded that there is no silt fence needed because there is no direct drainage or waterway near this building location.
3. 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 90% complete,
    - v. CMU walls are 75% complete,
    - vi. Steel stud framing is 15% complete.
  - c. Phase 3: 0% complete.
  - d. Staff has performed approx. 90 inspections to date.
  - e. To date there has been 3 cases of COVID-19 at the High School. All 3 cases have been masons. Staff has taken safety precautions to only do inspections once the area has been cleared and to only do video inspections on all masonry work.



## I. Engineering Projects

1. Salida Airport Beacon Tower:
  - a. No new news.
2. Fair grounds North building, heating/cooling:
  - a. Staff received bids and has been in negotiations with bidders to reduce costs. Staff expects to have the new bids the first of the month of May.
  - b. Staff contacted a local surveyor to survey the area around the North building and requested that an easement be mapped for the new gas main that will be installed to the North Building.
3. Chaffee County Administration Building:
  - a. Preliminary design is 100% complete,
  - b. The architect and engineering team have resumed the Definite Design after the BOCC gave their GO with the increased size,
  - c. Additional parking is required for the new Administrative Building. A parking area has been designed east of 104 Crestone. In April a protest was started due to the removal of 5 Chinese Elms. Crabtree has been requested to alter the design and add replacement trees to the design, to compensate the removal of the existing trees. The county received 3 bids of prospective contractors for the new parking lot.
4. Public safety Building:
  - a. Due to COVID-19 the review of bid submittals has been postponed indefinitely, staff has contacted all submitters to inform them of the changes in the bid schedule,
5. Sleeping Indian Mobile home park:
  - a. Staff has received the test results from the septic tanks and the leach fields, all locations came back below the minimum safe levels. Chaffee County Landfill has been contacted and given the report and they have confirmed that the levels are acceptable and the septic system components will be accepted.
6. Decker Fire recovery:
  - a. NRCS has approved the funds for flood protection for structures that may be impacted by flooding caused by the Decker Fire.

- b. Staff, including Mark Stacy, have done an initial site visit to all the purposed sites.
- c. Staff revisited all the sites and made concept designs to protect the proposed structures. NCRS has already approved the concept designs. The concept designs need to be discussed with the land owners before further work can be performed.
- d. Staff finished the Plan of Operations, and it has been approved by NRCS.
- e. The surveying of the site locations has started.

**TOWN OF BUENA VISTA**

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

DATE: May 12, 2020  
TO: Mayor and Board of Trustees  
FROM: Michelle Stoke, Town Treasurer  
AGENDA ITEM: Treasurer's Report

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Town Expenditures:

Since the April 28, 2020 report the Town has issued:

- 64 accounts payable checks for a total of \$414,371.05
- ACH withdrawals to the IRS, FPPA, CCOERA and Colorado Department of Revenue for pay period ending 04/04/2020 was \$33,783.72.
- Net payroll was \$73,523.79 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 - \$ 125,879.45
  - Water Enterprise Fund - \$ 29,181.78
  - Capital Improvement Fund - \$ 240,911.32
  - Stormwater Enterprise Fund- \$ 0.00
  - Airport Enterprise Fund - \$ 8,914.59
  - Street Fund \$ 43,267.63
  - TOTAL \$ 448,154.77

Expenditures Over \$2,000.00

- ACA Products for \$5,373.93 for Concrete for Railroad & Dartmouth project
- American Overhead Door for \$3,875.00 for new door and opener at the public safety complex
- Hoffmann, Parker, Wilson & Carberry for \$6,228.05 for March attorney fees
- McFarland Oil for \$3,238.63 for March fuel charges
- Motorola Solutions for \$7,511.24 for police radios
- Olsson for \$33,400.08 for Arizona Trail services through 3/7/2020
- RG and Associates for \$10,991.96 for GIS and development reviews in March
- Davenport Group for \$13,743.00 for computer replacements per schedule
- Delta Dental of Colorado for \$4,278.64 for May dental insurance premiums for employees
- Northern Sonoma County Fire Protection District for \$200,000.00 for 2011 Rescue Pumper
- UMB Bank for \$37,487.50 for the first 2020 interest payment for sales tax revenue bonds for streets

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

Michelle Stoke, CPA  
Treasurer/Finance Director



## TOWN OF BUENA VISTA

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

DATE: May 12th, 2020

TO: Mayor and Board of Trustees

FROM: Earl Richmond, Recreation Director

AGENDA ITEM: Recreation Director Report

Greetings from the Buena Vista Recreation Department. We would like to thank you for your continued support of our town in these most unique times. BV Rec has kept extremely busy preparing for our new norm. Each day is filled with communications, working on capital improvement projects, redesigning programs and offerings, advising special event organizers, and evaluating facility rentals. We are very fortunate to have great leaders here in BV and Chaffee Co to work with and have been in daily communication with support agencies like the Colorado Parks and Recreation Association. Through all this, our team feels confident we will be able to serve our local and regional populations into the summer and we look forward to adapting to changing guidelines and protocols. This, like all things, will pass and when it does, we will still be here for everyone.

### Capital Improvement Projects

- BV Disc Golf Course improvements are happening this spring. Logan Myers is leading the projects and has been working extremely hard on 18 new tee boxes, alternative tee locations and additional signage. He has a strong group of volunteers that are doing a superb job.
- BV Skate Park rehab is in motion and will be complete by May 15th. We will have 1800 square feet of new skate able flat concrete space and a new above ground half pipe. Miles Construction was extremely generous with his willingness to help us with the prep work. It has been a fun project and the kids seem to be very excited. We are too.
- McPhelemy Park Shade Structure- Final design is almost done. Building permit to be submitted next and we plan to be finished by June.
- Youth Baseball Scoreboard- The order is on hold till early fall. We will have it up and done by late September and ready for the 2021 season.
- Volleyball Court sand has been delivered and distributed. In June we will get the nets and lines on order and in place to be ready for summer play once restrictions relax.

### Special Interest Groups

- We continue to meet with UAS- Drone and Pickleball teams to assist with up to date strategies for facility improvements.
- We did receive our scorecard results from the GOCO grant review team relating to the Sunset Vista Park and Trail proposal. Scores and feedback were shared with town staff and the RAB.

Some input from GOCO was very helpful while other areas of feedback seemed to be less clear. We have requested a follow up meeting with our GOCO representative. This additional insight and input will help guide us into 2021 as we plan our priorities for CIPs in next year's budget.

### **Budget**

- BV Rec continues to be extremely frugal with our spending knowing that revenues will be down this spring and summer. While revenue will be down, so will all related expenses. We're also working on our ramp up timeline knowing that we will have opportunities soon as we head towards our "new normal." We are presenting our phased plan to reopening facilities, programs and events to CCPH this week. This plan is a collaboration between BV Rec, Salida Rec and the town of Pancha Springs. We are excited to have a united and county wide document to use as a guidebook moving forward.

### **Communications**

- The Rec team is keeping our participants and the public informed on program delays and facility updates and current opportunities to recreate here in BV.
- BV Rec posts multiple uplifting stories weekly to keep our communities' spirits high.
- CPRA- Colorado Parks and Rec Association continues to host daily meetings to share ideas on what other towns are doing as it related to Parks and Rec, facilities and events. We attend these webinars daily and are happy to hear that BV is doing a lot of good things and our actions are in line with other similar mountain communities.

### **Teamwork**

- BV Rec continues to support all sectors of the town of BV. We understand that it takes a village to keep our town moving forward. We have been building and distributing updated messaging, cleaning, assisting with in field work and helping with repairs and maintenance. We will continue to do whatever it takes to support our town and our community.

### **Program Report**

All recreation programs are currently suspended due to the COVID-19 outbreak. Our two largest spring programs of Adult Coed Volleyball League and Youth Soccer League were canceled for the season. We have processed all the refunds for the participants in these programs. While our budget has been affected by not earning the revenue from these programs, we have also had a considerable decrease in our budgeted expenses, as we are not paying for practice facilitators, referees, or equipment. We are using this time without programs to catch up on paperwork, wrapping up old programs, and preparing for future programs. We have been developing a plan to return to offer programs for our community in a manner consistent with current and future public health guidelines. We are also communicating with recreation professionals around the state to gather more information to inform our decisions. We hope to see everyone back out at our programs as soon as it is safe to do so.

### **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 May 15th. We are continuing to clean and disinfect the building in preparation for returning to business as normal. We are taking reservations for future facility rentals and continue to work with special event organizers.

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:

- May 23-24th: CKS Paddlefest and Spirit Trail Run: Will return in 2021 (only having an online virtual event this year)
- June 6th: Bike Fest: Will return in 2021
- June 12-14th: Collegiate Peaks Rodeo: Will return in 2021
- July 16-19th: Outliving it Fest: Postponed for later this fall (tentatively)
- August 3rd: Trans Rockies Run: Will return in 2021

Upcoming events still planning on happening as normal (as of 04 MAY):

- July 4th: Independence Day Celebration: currently planning to revise parade route for social distancing
- August 1-2nd: Gold Rush Days
- August 6-8th: Contin Trail Gem and Mineral Show
- August 29th: Trail Sisters Run
- September 5th: BV Optimists Club Fishing Derby

#### Facility Rentals

- Everything Postponed until 15 May
- COVID refunds to date: \$1,360
- 2020 Rental Fees (collected/projected): \$4,712.50/ \$8,440

#### 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**  
**Recreation Department**  
 P.O. Box 2002  
 Buena Vista, CO 81211

DATE: Friday, May 1, 2020  
 SUBJECT: Recreation Update - Town of Buena Vista

BV Rec would like to update you on what is open for our community to enjoy and what facilities remain closed to protect the overall health of our community. We are working on a phased approach to potentially reopening our facilities and programming this summer season. Stay tuned for more updates and additional information.

<p>The following facilities are <b>OPEN</b> to local residents:</p> <ul style="list-style-type: none"> <li>• The Buena Vista Dog Park</li> <li>• Pump Track</li> <li>• Disc Golf Course</li> <li>• Town Trail System</li> <li>• Town Fields and General Park Areas</li> </ul> <p>*Permitted usage in these spaces does not include any activities that would violate the six-foot distance requirements, group gatherings or activities that would involve the sharing of any equipment</p>	<p>The following facilities remain <b>CLOSED</b>:</p> <ul style="list-style-type: none"> <li>• All Play Structures Columbine Park, Community Center Park, McPhelemy Park, Millie Crymble Park, Rocks and Ropes Park, South Main Town Square Boulders</li> <li>• All Pavilions and Picnic Areas McPhelemy Park, Forest Square Park, River Park</li> <li>• Tennis, Pickleball and Basketball Courts</li> <li>• BV Skate Park</li> <li>• Splash Park</li> <li>• BV Community Center</li> </ul>
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Buena Vista’s in town open spaces and trails remain open to residents of Buena Vista and Chaffee County, but all playgrounds, pavilions, and courts are currently closed. Please avoid congregating in groups and only recreate with your immediate family or housemates. Expect limited services and bring your own hand sanitizer. Most importantly be safe and have some FUN.

Additionally, BV Rec programs and Community Center rentals are further postponed until at least May 15th. We plan to delay the start of late spring/early summer programming until later in the season. We will reassess future programming and Community Center rentals as May 15th approaches.

**We are working on the BV Skate Park expansion project and the facility remains closed during this process. Please respect the efforts being made to improve our amazing public amenities.**

Our team is here to assist you in any way possible. For assistance, please feel free to call or email us so we can best serve your needs:

Programming	Shane Basford	719-581-0412	<a href="mailto:bvrec@buenavistaco.gov">bvrec@buenavistaco.gov</a>
Rentals / Events	Ben Eichel	719-581-1029	<a href="mailto:events@buenavistaco.gov">events@buenavistaco.gov</a>
Planning	Earl Richmond	719-395-2408	<a href="mailto:recdirector@buenavistaco.gov">recdirector@buenavistaco.gov</a>

Stay Happy, Stay Healthy, Stay Safe! BV Rec [www.buenavistarec.com](http://www.buenavistarec.com) FB @BVParksandRec

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The goal of this working document is to provide general guidelines for Chaffee County municipalities to use when considering a phased-in approach to re-opening rec related facilities, programs, and special events. This is a fluid concept that will be adjusted weekly based on updated information from CCPH and the State of Colorado. The overall goal is to keep Salida, Buena Vista and Poncha Springs in alignment with one another for these public services and offers. Points of contact are:

Diesel Post- City of Salida Parks and Recreation

Brian Berger -Town of Poncha Springs

Earl Richmond- Town of Buena Vista Recreation

## Stage One - May 1, 2020

### Parks and Rec Guidance

#### Programming

- Group programming is not offered.

#### Parks and facilities

- Continued CLOSURES of:
  - All Play Structures
  - All Pavilions and Picnic Areas
  - Tennis and Basketball Courts
  - Skate Parks
  - Splash Parks
  - Restrooms and Showers
- Trails, fields, and open park spaces remain OPEN including:
  - Dog Parks
  - Pump Tracks
  - Disc Golf Courses
  - Town Trail Systems
  - Town Fields and General Park Areas
- Strict social distancing recommended. Be prepared for very limited resources and bring your own hand sanitizer. Face coverings are highly recommended.

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## Community Centers

- Remain closed to the public

## Salida Hot Springs Aquatics Center

- Remains closed

## Special Events

- No permitted Special Events at this time.

## Stage Two - TBD-Not a set date.

COVID19 caseloads flatten or decrease, additional retail and food services are allowed to operate, safer at home guidelines are updated and loosened, travel restrictions are reduced.

## Parks and Rec Guidance

### Programming

- Registration opens for updated summer activities.
- Adjusted plans presented for Community Concerts
- Advertise potential summertime employment opportunities and internships.
- Limited Drop-in programming begins with restrictions (examples below)
  - Discouraging vulnerable population, participants make great efforts for physical distancing, masks/face coverings recommended, participants required to stay home if sick (may be asked to leave if exhibiting symptoms), participants should bring disinfectant, hand sanitizer, and own water bottle, no set times for play, participants must bring their own balls, participants should organize their own games, no registration fees collected, play should be limited to 1hr to allow others the chance to play, no physical contact (handshakes or paddle bumps)

### Parks and facilities

- Social distancing strongly encouraged
- Visitors discouraged from utilizing parks and facilities
- **Select public restroom** facilities reopened, stocked with hygiene products and sanitized daily
- Trails, fields, and open park spaces remain OPEN. Be prepared for very limited resources and bring your own hand sanitizer. Face coverings are highly recommended.
- Continued CLOSURES of:
  - All Play Structures

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- Splash Parks
- COURTS to OPEN that allow for continued social distancing- For direct users only - No congregating allowed. Participate with your direct family or roommates only.
  - Tennis and Pickleball Courts (singles play only)
  - Skate Parks (10 or fewer users at a time)
  - Basketball Courts for individuals shooting hoops, not playing structured games with others.

## Community Centers

- May open to classes, activities, events, and reservations with following restrictions:
  - Consider following 50% capacity as a starting guideline, no to exceed state or county guidance for gatherings
  - Use updated physical distancing protocols
  - Consider only one room rental or event at a time
  - Discourage vulnerable populations from participating
  - Avoid out of county attendees
- Sanitation and disinfection will occur daily in public areas and bathrooms
- Renters will disinfect their desired spaces before and after each rental
- Spacing grids remain in rooms to remind users how to gather.
- Handwashing stations are readily available.
- Face coverings strongly suggested
- Attendees requested to “wash in” and “wash out”

## Salida Hot Springs Aquatics Center

- Remains closed to the public

## Special Events

- Small events could resume with the following restrictions:
  - Should be no more than (TBD 25-50 people?)
  - Use updated physical distancing protocols
  - Events should not attract nonlocal attendees (i.e. widely advertised festivals or gatherings)
  - Must not attract vulnerable populations
- Event coordinators will submit:
  - Social distancing plan
  - Cleaning and disinfecting plan
  - Precautionary plan for guests

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## Stage Three - TBD-Not a set date.

Covid 19 case loads are flat and travel restrictions are lifted, most industries are back in operations and we are entering our new norm (whatever that may be).

### Parks and Rec Guidance

#### Programming

- Begin seasons for summer programming like Youth Baseball, Girls Softball, Adult Softball, on delayed schedules and altered operating plans.
- Outdoor concerts could resume using current distancing protocol.
- Some drop-in programming restrictions lifted, participants wipe down tables and chairs they have used, participants required to stay home if sick (may be asked to leave if exhibiting symptoms)
  - Pickleball & Tennis - doubles play allowed, typical play times reinstated.
- Minor preemptive health measures - Sanitizing of shared equipment for all programs (no borrowing baseball/softball gloves, wipe down bats & helmets at the end of game or practice). Participants asked to stay home if sick.
- Baseball / Softball games and other organized sports cannot be played until “Safer at Home” guidelines change including, team sports (allow), increased group sizes (30 for teams only, 90 for teams & spectators) and distance between participants (under 6’)

#### Parks and facilities

- All parks, fields, and courts open to groups and individuals
- Select play structures could open
- Splash parks could open
- Visitors are allowed to utilize parks and facilities
- Social distancing is still encouraged
- Public restroom facilities remain open, stocked with hygiene products and sanitized daily (some restrictions may apply)

#### Community Centers

- Open to classes, activities, events, and reservations with following restrictions:
  - Capacity returns to normal levels (unless Chaffee Co guidelines are different)
  - Recommend limited physical distancing protocols
  - Multiple rentals at one time could occur
  - Discourage vulnerable populations from participating
  - Open to out of county attendees
- Sanitation and disinfection will occur once daily of public areas and bathrooms

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- Guidance signs posted in public areas

## Salida Hot Springs Aquatics Center

- Open to classes, activities, events, and reservations:
  - Limited to 50% capacity or 10 people or less with guidance from CCPH
  - Guidance for Lifeguards to perform their duties from national or local health officials
  - Pre-registration required
  - 1 person per lap lane
  - TBD set capacity for the leisure pool
  - Strict accountability for documenting who enters the facility and when
  - Possibly limit locker room access
  - Recommend physical distancing protocols
  - Discourage vulnerable populations
  - Open to out of county attendees
- Sanitation and disinfection will occur at least once daily
- Guidance signs posted in public areas

## Special Events

- Events may resume with following restrictions:
  - Gathering size TBD by CCPH
  - Use updated physical distancing protocols
  - Open to out of county attendees
  - Should not attract vulnerable population without adequate social distancing protocols
- Event coordinators should submit:
  - Social distancing plan
  - Cleaning and disinfecting plan
  - Precautionary plan for guests

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## SAFE BUSINESS OPENING TIMELINE

### PHASE 1

**MAY 1 Opening**  
**50% capacity**

#### *businesses that can open:*

- Personal Services including: salons, tattoo parlors, dog grooming, personal training, massage therapists
- Non-permitted construction
- Libraries
- Retail
- Personal Trainers (less than 4 people)
- Art Galleries
- Real Estate
- Offices - Up to 50% of staff can work in person with social distancing in place starting May 4, 2020 Offices encouraged to continue telecommuting through PHASE II

### PHASE 2

**MAY 16 Opening**  
**50% capacity**

#### *businesses that can open:*

*Upon receiving approval and guidance from State and Chaffee County Public Health Officials*

- Retail Food Establishments
- Spas and Hot Springs
- Gyms and Fitness Facilities

### PHASE 3

**JUNE 1 Opening**

#### *businesses that can open:*

- Short term lodging
- Guiding and Outfitter related businesses
- Camgrounds/RV Parks

**More guidance to come regarding Phase 3**

**If you own or operate a PHASE 1, PHASE 2 or PHASE 3 business please [CLICK HERE](#) to fill out the SAFE BUSINESS CHECKLIST**



Limited Drop-in programming begins with restrictions (examples below)

- Pickleball & Tennis- discouraging vulnerable population, participants make an effort for physical distancing, masks/face coverings recommended, extra space between participants - singles play only (include description for skinny singles). Participants required to stay home if sick (may be asked to leave if exhibiting symptoms), participants should bring disinfectant, hand sanitizer, and own water bottle, no set times for play, Participants must bring their own balls, participants should organize their own games, no registration fees collected, play should be limited to 1hr to allow others the chance to play, no physical contact (handshakes or paddle bumps)
- Scheduled batting practice
- Possible Basketball court rentals for approved activities

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In the fall of 2019, the Town of Buena Vista applied for a GOCO (Great Outdoors Colorado) grant to support the development of a community park in the Sunset Vista area on the west side of town. Unfortunately, we did not receive the required funding to support this capital improvement project for our residents. The proposed public park would have been first in this area with a connected trail system and true ADA access. The Sunset Vista Park and Trail concept included many unique play features and amenities requested by the Town's residents over the past years. GOCO has helped to fund numerous parks (River Park, Skate Park, Splash Park, Highschool Baseball Field, Millie Crymble Park, Columbine Park) and recreational facilities in Buena Vista over the past 20 years. We are so grateful for what they have brought to our community. This year was a very competitive grant cycle with numerous communities asking for support for a myriad of very worthy projects.

We have a dedicated team that is digesting the feedback from GOCO and will be making an updated plan and priority list for park projects as we get closer to the 2021 grant opportunities. Even though we did not secure the grant this year, we want to assure our community that the Town owns these four donated lots in Sunset Vista and they will be used only for future park development. In addition to the land, the Town has set aside \$50,201 to be used for the public park and trail project.

Continued community input and support is a key ingredient to our overall success as a rural mountain town. If you have any questions, comments, or concerns relating to the GOCO grant process, this park, or other recreational projects, please feel free to contact us anytime. We always appreciate your ideas and feedback.

Stay Happy. Stay Healthy.

*Earl Richmond*

*Buena Vista Recreation Director*

719 395 2408

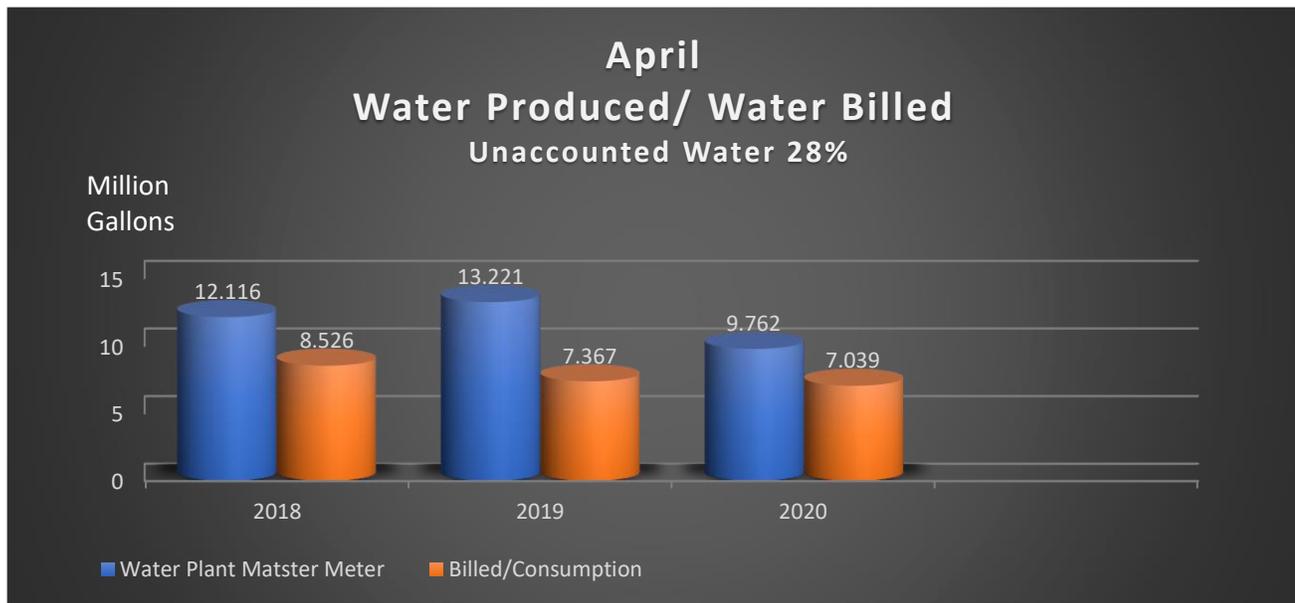
[recdirector@buenavistaco.gov](mailto:recdirector@buenavistaco.gov)



# TOWN OF BUENA VISTA PUBLIC WORKS

**MEETING DATE:** May 12th, 2020  
**TO:** Mayor and Board of Trustees  
**FROM:** Shawn Williams, Public Works Director  
**AGENDA ITEM:** Staff Report

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Construction; 50,000 gal. (estimated)	Fill Station; 28,000 gal.	Fire Hydrant Flushing; 10,000 gal.
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**Water:**

- Normal Operations
- Performing fire hydrant maintenance and flushing
- Monthly Sampling, No Issues
- Irrigation water at the meadow is active
- Repaired water main break on Oak Street and S. Gunnison

**Streets:**

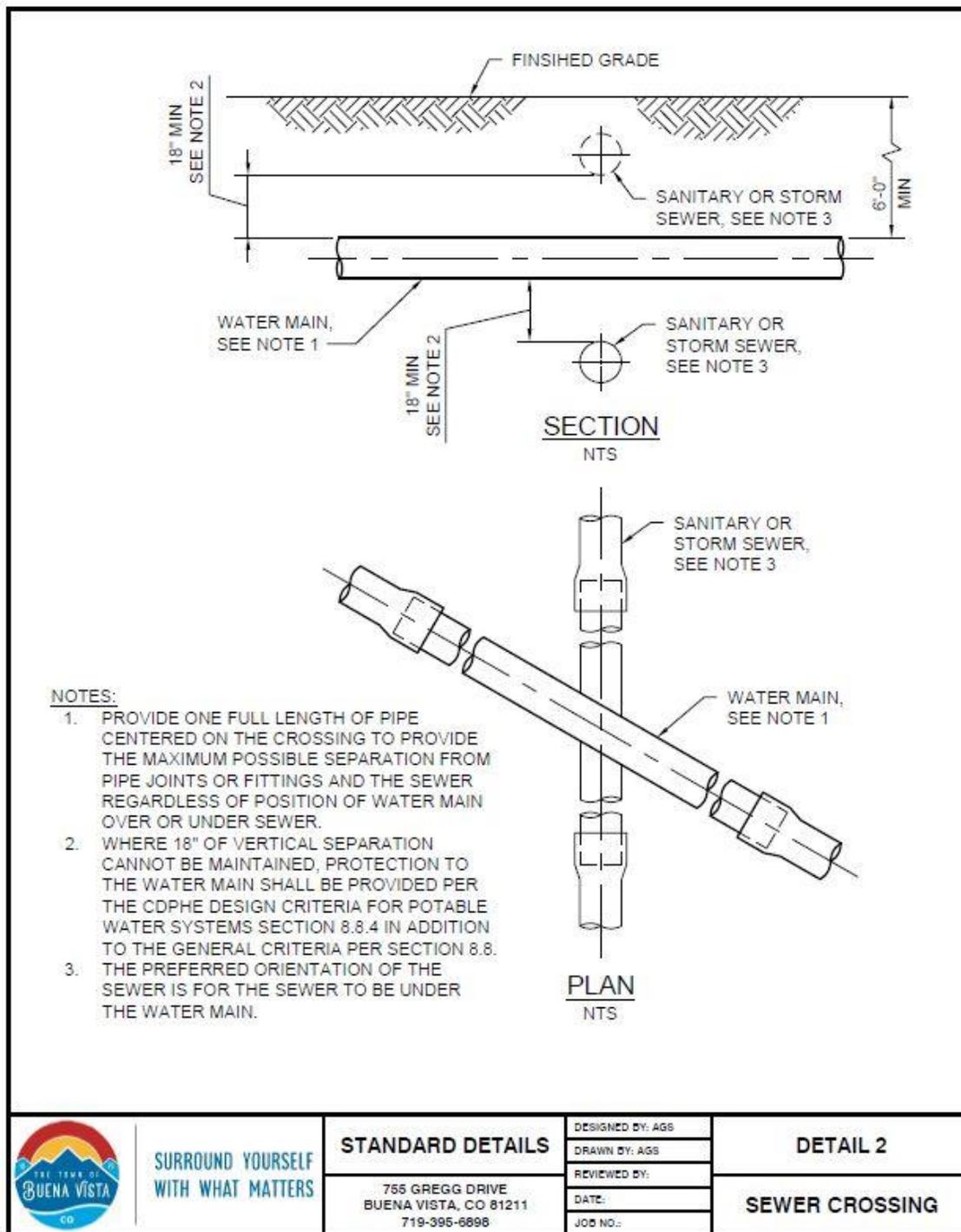
- Working on Main Street Painting
- Crack sealing scheduled tentatively last week in May
  
- Railroad St./Collegiate Heights side walks and curb & gutter installation continue
- Pothole repair and patching

- Sign installation and maintenance
- Alley grading
- Town staff removed silt and sand build up at the Town Lake

Engineering Projects:

- Continue updating and modifying the Town’s Standards and Specification

Examples of Standard Details with Town Branding and Standards and Specifications Table of Contents



SURROUND YOURSELF  
WITH WHAT MATTERS

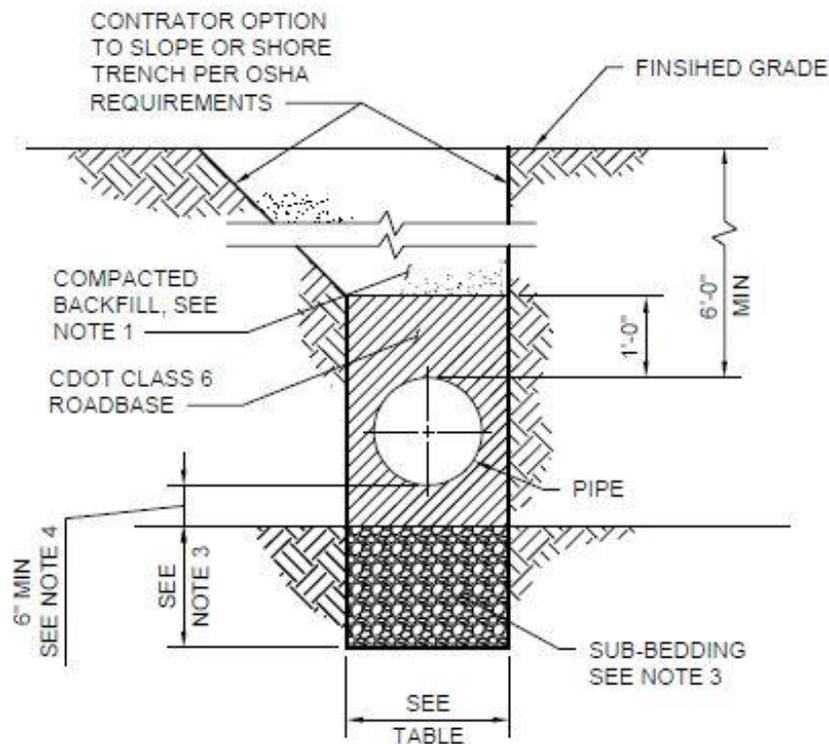
STANDARD DETAILS

755 GREGG DRIVE  
BUENA VISTA, CO 81211  
719-395-6898

DESIGNED BY: AGS
DRAWN BY: AGS
REVIEWED BY:
DATE:
JOB NO.:

DETAIL 2

SEWER CROSSING



**SECTION**  
NTS

BEDDING ZONE DIMENSIONS		
PIPE Ø (IN)	MIN WIDTH	MAX WIDTH
4	1'-4"	2'-4"
6	1'-6"	2'-6"
8	1'-8"	2'-8"
12	2'-0"	3'-0"
16	2'-4"	3'-4"
18	2'-6"	3'-6"
20	2'-8"	3'-8"
24	4'-0"	5'-0"

**NOTES:**

1. COMPACTED TRENCH BACKFILL SHALL CONTAIN NO ROCKS OR STONES LARGER THAN 4" IN DIAMETER.
2. COMPACTION REQUIREMENTS PER TOWN OF BUENA VISTA ENGINEERING DEVELOPMENT STANDARDS.
3. IF GROUND WATER IS PRESENT OR UNSTABLE/UNSATURABLE SOIL CONDITIONS EXIST, TRENCH SHALL BE OVER-EXCAVATED TO A DEPTH OF 1'-6". SUB-BEDDING AND GEOTEXTILE FABRIC SHALL BE REQUIRED.
4. IF BEDROCK OR CLAYSTONE IS ENCOUNTERED, THE MINIMUM BEDDING UNDER PIPE SHALL BE 1'-0".



**SURROUND YOURSELF  
WITH WHAT MATTERS**

**STANDARD DETAILS**

755 GREGG DRIVE  
BUENA VISTA, CO 81211  
719-395-6898

DESIGNED BY: AGS

DRAWN BY: AGS

REVIEWED BY:

DATE:

JOB NO.:

**DETAIL 1**

**UTILITY TRENCH**

**1.0 General Requirements**

Permitting Requirements and Fee Schedule  
 Summary of Work  
 Plan Submittals  
 Planning and Engineering Review  
 Material Submittals  
 Pre-Construction Meeting  
 Scheduling of Work  
 Site Inspections  
 Materials Testing  
 Execution of Work  
 Project Warranty  
 Project Close-Out and Acceptance

**2.0 Concrete**

Precast Concrete Structures  
 Cast-in-Place Concrete  
 Aggregate

**3.0 Sitework**

Protection of Existing Facilities  
 Demolition  
 Clearing and Grubbing  
 Erosion Control  
 Excavation  
 Backfill  
 Trenching  
 Seeding and Revegetation

**4.0 Streets and Sidewalks**

Asphalt  
 Public Streets  
 Public Trails  
 Right-of-Ways  
 Alleys  
 Curb and Gutter  
 Attached Sidewalks  
 Detached Sidewalks  
 Cross Walks

**5.0 Utilities**

Water Distribution System  
 Sewer Collection System  
 Storm Drainage System

**6.0 Material Specifications**

Ductile Iron Pipe  
 PVC Pressure Pipe  
 Polyethylene Service Line Pipe  
 Resilient Seat Gate Valves  
 Tapping Valves – Mechanical Joint Type  
 Fabricated Carbon Steel and Stainless Steel Tapping Sleeves  
 Pressure Regulating Valves  
 Air-Release and Vacuum Breaker Valves  
 Cast Iron Valve Boxes  
 Dry-Barrel Fire Hydrants  
 Polyethylene Encasement Material  
 Normal Weight and Precast Concrete  
 Controlled Low Strength Backfill Material  
 Concrete Reinforcement  
 Brass and Bronze Goods  
 Meter Pits Domes and Lids  
 Concrete Vaults  
 Mechanical Joint Restraints  
 Bolted Sleeve-Type Couplings  
 Manhole Rings Covers and Risers  
 Tunneling Materials  
 Concrete Manholes  
 Flanged Joint Accessories  
 Street Signs (based off of MUTCD – add one-way street specs)

<p><b>7.0 Standard Details</b></p> <p>ADA Curb Ramp – Type 1  ADA Curb Ramp – Type 2  Driveway Cut Detail  Typical Street Section  Typical Curb and Gutter  Attached Sidewalk Detail  Detached Sidewalk Detail  Sidewalk Drainage Detail  Cross Walk Detail  Asphalt Patching Detail  Cross Pan and Gutter Pan  Water Valve Collar Detail  Water Service Tap Detail  Fire Hydrant Plan and Section  Typical Trench Section  Sanitary Sewer Crossing  Bore Casing Detail  Valve Box Detail</p>	<p>Valve Operator Extension  Concrete Thrust Blocks Bearing Surfaces and Installation  Concrete Thrust Blocks Requirements for Water Main and Tap Size Combinations  Stud Nut Tightening Sequence  Length of Restrained Pipe Detail  Polyethylene Pipe Wrap Detail  Tracer Wire Installation for PVC Water Mains  Traffic Bollard  Temporary Blow-Off Installation for 12” and Smaller Pipe  General Meter and Service Notes  Outside Meter Setting  Inside Meter Setting  Typical Culvert Detail  Typical Dry Well Detail  Typical Swale Detail  Typical Rock Infiltration Swale Detail  Traffic Rated Barrier Detail  Street Sign Details</p>
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**Parks:**

- Cemetery irrigation system installation continues
- Opened the River Park Bathrooms
- Parks leaf raking and clean-up
- Turf maintenance and aeration continues
- Recycle Center Sign installation scheduled for June
- Hand watering trees and Main Street plants continue
- Trash removal as needed
- Main Street and Parks spring cleaning continues

**Facilities and Building Maintenance:**

- Normal Operations
- Community Center showers and bathroom painting complete

**Fleet:**

- Normal Operations and Vehicle Maintenance and Repair
- Parks mowers and equipment checks

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**Highlights:**

- The Johnson's Village wayfinding sign repairs are complete
- Street Projects RFP is online and advertising

**Respectfully Submitted,**

*Shawn Williams*

**Shawn Williams, Public Works Director**



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

May 12, 2020

From: Jack Wyles / Airport Manager

**Subject: Airport Report**

- **Staffing:** Airport manager and Operations alternate teleworking from home until further notice.
- **Operations:** Starting to see an increase in operations.  
Agusta 169 Testing: ETA 11May-31May 2020.  
Agusta 139 Testing: ETA late July early August.  
Army MH6 Testing: ETA late July early August.
- **Runway Rehab Estimated Project Dates:** Contract Trustee Approval: 23 June 20  
 - Project Start Date: 6 July 2020  
 - Runway Closure: 6-19 July / Operational: 20-26 July / Closure: 27-28 July  
 - Re-Open- / Operational: 29 July 2020.
- **Equipment / Vehicles:** Vehicles status = green.  
 - Quarterly AWOS Inspection completed. Good-To-Go

April 2020 / Airport Ops	MTD	YTD
Total Based Aircraft	20	68
Total Transient Aircraft	28	191
Total Piston Aircraft	44	192
Total Jet/Turbine Aircraft	7	55
<b>Total Aircraft</b>	<b>51</b>	<b>247</b>
<b>Total Operations</b>	<b>111</b>	<b>615</b>
<b>Total Persons Using Airport</b>	<b>188</b>	<b>1160</b>
<b>Total Military Ops</b>	<b>1</b>	<b>17</b>
<b>Total Helicopter Ops</b>	<b>0</b>	<b>15</b>
<b>Total Ops over 12,500 lbs</b>	<b>0</b>	<b>14</b>
<b>Day W/O Ops</b>	<b>7</b>	<b>33</b>

April 2019 / Airport Ops	MTD	YTD
Total Based Aircraft	26	96
Total Transient Aircraft	48	184
Total Piston Aircraft	51	169
Total Jet/Turbine Aircraft	23	102
<b>Total Aircraft</b>	<b>74</b>	<b>280</b>
<b>Total Operations</b>	<b>155</b>	<b>584</b>
<b>Total Persons Using Airport</b>	<b>167</b>	<b>729</b>
<b>Total Military Ops</b>	<b>7</b>	<b>19</b>
<b>Total Helicopter Ops</b>	<b>14</b>	<b>48</b>
<b>Total Ops over 12,500 lbs</b>	<b>2</b>	<b>28</b>
<b>Days W/O Ops</b>	<b>5</b>	<b>30</b>

**Fuel Sales**

**April 2020 Fuel Sales**

**April 2019 Fuel Sales**

<b>Jet A fuel sold:</b>	443 gal	<b>YTD: 5,514 gal</b>	<b>Jet A fuel sold:</b>	1,666 gal	<b>YTD: 9,638 gal</b>
<b>100LL fuel sold:</b>	544 gal	<b>YTD: 2,470 gal</b>	<b>100LL fuel sold:</b>	343 gal	<b>YTD: 2,725 gal</b>

Thank you,  
Jack Wyles



## TOWN OF BUENA VISTA

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

DATE: May 12, 2020

TO: Mayor and Board of Trustees

FROM: Melanie Jacobs, Deputy Town Clerk

AGENDA ITEM: New Cemetery Ordinance and Proposed Modifications to Cemetery Fee Schedule

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### Request

To approve/disapprove a new cemetery ordinance and to amend the fees associated with Mt. Olivet Cemetery to bring them more in line with those charged by comparable rural Colorado cemeteries.

### Overview

#### Ordinance

A cemetery ordinance follows this memo; it incorporates the changes suggested at the April 28, 2020 Board of Trustees meeting, along with a definition of 'indigency' that matches the income limits used to determine eligibility for the 'senior discount' on town water bills.

#### Fees

The current price a Buena Vista resident will pay for a grave site at Mt. Olivet is \$250, plus a one-time maintenance fee of \$50; a non-resident will pay \$500 plus the maintenance fee. For purposes of comparison, a short list of fees charged by other cemeteries follows. This list includes only municipal cemeteries that are of interest because the community is similar in size to Buena Vista (with between 2,000 and 4,000 residents), and/or because it is relatively rural and located within a 100-mile radius of BV.

Municipality	Population	Charge for grave site	Perpetual care fee
Cañon City	16,750	\$800	included
Crested Butte	1,697	\$300	No maintenance performed by town
Frisco	3,342	Resident: \$100/\$125 In-county: \$1,500/\$1,800 Out-of-county: \$2,500/\$3,000	included
Gunnison	6,594	Resident: \$300 Non-resident: \$750	included

Municipality	Population	Charge for grave site	Perpetual care fee
Monument	8,010	\$800	included
Palisade	2,698	\$1,000 + \$300 'development fee'	\$700
Silt	3,270	Resident: \$250 Non-resident: \$400	Resident: \$300 Non-resident: \$400
Woodland Park	7,785	Resident: \$400 In-county: \$550 Out-of-county: \$700	included

Staff would recommend that town residents be charged \$500 per site, in-county residents be charged \$750 per site, and out-of-county residents be charged \$1,000 per site. Trustees might consider charging out-of-county residents even more, if they would like to use a significant hike in prices to discourage those who do not reside locally from buying sites at Mt. Olivet. For the sake of simplicity, staff additionally recommends that the maintenance fee be rolled into these prices rather than treated as a separate fee.

Year	# Sales - Residents	# Sales – Non-Residents	Interments
2015	11	In-county: 2 Out-of-county: 1	24
2016	27	In-county: 1 Out-of-county: 3	21
2017	16	In-county: 3 Out-of-county: 5	28
2018	20	In-county: 3 Out-of-county: 1	23
2019	10	In-county: 0 Out-of-county: 4	18
2020	1	In-county: 10 Out-of-county: 3	6

From 2015-2020, site sales at the cemetery brought in \$39,250. The maintenance fee brought in an additional \$6,050 during that time period, for a total of \$45,300. Using the suggested fee schedule, the same time period would have brought in \$73,750 (assuming the increase in prices did not lead to fewer sales). If the out-of-county rate were increased to \$1,250/\$1,500, the number would have been \$78,000/\$82,250.

If the Board approves an increase in site prices, staff feels it behooves the Town, in light of the pandemic, to allow anyone purchasing a site because they have lost a loved one to COVID-19 to do so at the current rate.

#### **BOT Action**

Approve or disapprove (1) the cemetery ordinance and (2) implementation of increases to site prices at Mt. Olivet Cemetery.

**TOWN OF BUENA VISTA, COLORADO  
ORDINANCE NO. 07  
(SERIES OF 2020)**

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO,  
AMENDING ARTICLE VIII OF CHAPTER 11 OF THE BUENA VISTA  
MUNICIPAL CODE REGARDING THE RULES AND REGULATIONS  
FOR MT. OLIVET CEMETERY**

**WHEREAS**, the Board of Trustees desires to update the Rules and Regulations for Mt. Olivet Cemetery.

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

**Section 1.** Paragraphs (b) and (c)(2) of Section 11-133 of the Town of Buena Vista Municipal Code are hereby repealed and reenacted to read as follows:

(b) Upon presentation to the Town Clerk of the above-listed information and any payment due for the sale of a plot to any person, the Town Clerk shall cause an interment agreement to be executed to the named grantee(s) of such plot, containing a description of the plot and signed by the Town Clerk. The burial rights transferred shall be limited to the right of interment. All other property rights remain with the Town.

(c)(2) For persons proven to be indigent at their time of death, the burial plot fee may be waived by the Town Clerk. A person shall be considered 'indigent' if their total household income is at or below one hundred and thirty percent (130%) of the Gross Federal Poverty level based on household size.

**Section 2.** Paragraphs (f) and (g) of Section 11-140 of the Town of Buena Vista Municipal Code are hereby repealed and reenacted to read as follows:

(f) The Town reserves the right to remove trees, shrubs, or other plantings on gravesites which become dangerous or detrimental to the adjacent grounds because of encroachment of roots or branches.

(g) All grave decorations of a temporary nature are subject to regular removal by Town staff. All grave decorations intended to be permanent (including benches, flower pots, etc.) must be approved by the Town Clerk prior to installation.

**INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED** this 12<sup>th</sup> day of

May, 2020.

**THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM PUBLICATION.**

TOWN OF BUENA VISTA, COLORADO

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

ATTEST:

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

**TOWN OF BUENA VISTA, COLORADO  
ORDINANCE NO. 2  
(SERIES OF 2016)**

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO,  
ADDING A NEW ARTICLE VI TO CHAPTER 6 OF THE BUENA VISTA  
MUNICIPAL CODE CONCERNING THE REGULATION OF RETAIL  
MARIJUANA ESTABLISHMENTS**

**WHEREAS**, on November 6, 2012, the voters of the State of Colorado approved Amendment 64, legalizing the possession, use, display, transport, transfer and consumption of marijuana accessories or one ounce or less of marijuana by persons twenty-one years of age or older within the State of Colorado;

**WHEREAS**, during the 2013 legislative session, the Colorado Legislature adopted the Retail Marijuana Code, C.R.S. § 12-43.4-101 *et seq.*;

**WHEREAS**, the Board of Trustees finds and determines that the Colorado Retail Marijuana Code now provides a statutory framework for the regulation of retail marijuana establishments;

**WHEREAS**, the Board of Trustees desires to permit retail marijuana stores and retail marijuana cultivation facilities and regulate such operations in order to mitigate the negative impacts that retail marijuana stores and cultivation facilities might have on surrounding properties;

**WHEREAS**, the Town desires to prohibit retail marijuana products manufacturing facilities and retail marijuana testing facilities; and

**WHEREAS**, the Board of Trustees finds and determines that through this Ordinance it intends to establish a nondiscriminatory mechanism by which the Town can control, through appropriate regulation, the location and operation of retail marijuana stores and cultivation facilities within the Town.

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

**Section 1.** Chapter 6 of the Buena Vista Municipal Code is hereby amended by the addition of a new Article VI as follows:

**ARTICLE VI  
RETAIL MARIJUANA**

**Sec. 6-120. Purpose and incorporation of state law**

(a) The purpose of this Article is to implement the provisions of the Colorado Retail Marijuana Code, C.R.S. § 12-43.4-101, *et seq.*, which authorizes the licensing and regulation of retail marijuana establishments and affords local governments the option to determine whether to

allow retail marijuana establishments within their respective jurisdictions and to adopt licensing requirements that are supplemental to or more restrictive than the requirements set forth in state law.

(b) The provisions of the Colorado Retail Marijuana Code and any rules and regulations promulgated thereunder as the same may be amended from time to time, are incorporated herein by reference except to the extent that more restrictive or additional regulations are set forth in this Article. In addition to the regulations set forth in this Article, the Town may enforce any provision of the Retail Marijuana Code and any rules and regulations promulgated thereunder applicable to licensees.

### **Sec. 6-121. Definitions**

(a) For purposes of this Article, the following terms shall have the following meanings:

*Applicant* means a person twenty-one (21) years of age or older who has submitted an application for a license or renewal of a license issued pursuant to this Article. If the applicant is an entity and not a natural person, *applicant* shall include all persons who are the members, managers, partners, officers or directors of such entity.

*Colorado Retail Marijuana Code* means Article 43.4 of Title 12, Colorado Revised Statutes.

*Consumer* means a person twenty-one (21) years of age or older who purchases marijuana or marijuana products for personal use by a person twenty-one (21) years of age or older, but not for resale to others.

*Cultivation* or *cultivate* means the process by which a person grows a marijuana plant.

*Dual operation* means a business that operates as both a licensed medical marijuana business and a licensed retail marijuana establishment in accordance with this Article.

*Industrial Hemp* means the plant of the genus *cannabis* and any part of such plant, whether growing or not, with a Delta-9 tetrahydrocannabinol concentration that does not exceed three-tenths percent on a dry weight basis.

*Good cause* means: (1) the licensee has violated, does not meet, or has failed to comply with any of the terms, conditions or provisions of this Article or the Colorado Retail Marijuana Code and any rule and regulation promulgated pursuant to this Article or the Colorado Retail Marijuana Code; (2) the licensee has failed to comply with any special terms or conditions that were placed on its license at the time the license was issued, or that were placed on its license in prior disciplinary proceedings or that arose in the context of potential disciplinary proceedings; or (3) the licensee's retail marijuana establishment has been operated in a manner that adversely affects the public health, welfare or safety of the immediate neighborhood in which the retail marijuana establishment is located. Evidence to support such a finding can include: (i) a continuing pattern of offenses against the public peace, as defined in Chapter 10, Article VIII of the Buena Vista Municipal Code; (ii) a continuing pattern of drug-related criminal conduct

within the premises or in the immediate area surrounding the premises arising out of the operation of the establishment; or (iii) a continuing pattern of criminal conduct directly related to or arising from the operation of the retail marijuana establishment.

*License* means a document issued by the Town officially authorizing an applicant to operate a retail marijuana store or retail marijuana cultivation facility pursuant to this Article.

*Licensee* means the person to whom a license has been issued pursuant to this Article.

*Licensed premises* means the premises specified in an application for a license under this Article, which is owned or in possession of the licensee and within which the licensee is authorized to distribute, sell or test retail marijuana or retail marijuana products in accordance with state and local law.

*Local licensing authority* means the Board of Trustees of the Town of Buena Vista.

*Marijuana* means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. *Marijuana* does not include industrial hemp, nor does it include fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.

*Marijuana accessories* means any equipment, products, or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing marijuana, or for ingesting, inhaling, or otherwise introducing marijuana into the human body.

*Medical marijuana business* means a medical marijuana center, optional premises cultivation operation, or medical marijuana-infused products manufacturer as defined in the Colorado Medical Marijuana Code.

*Person* means a natural person, partnership, association, company, corporation, limited liability company or organization.

*Retail marijuana* means marijuana that is cultivated, manufactured, distributed or sold by a licensed retail marijuana establishment.

*Retail marijuana cultivation facility* means an entity licensed to cultivate, prepare, and package marijuana and sell marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.

*Retail marijuana establishment* means a retail marijuana store, a retail marijuana cultivation facility, a retail marijuana products manufacturing operation or a retail marijuana testing facility.

*Retail marijuana products* means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients that are intended for use or consumption, such as but not limited to, edible products, ointments and tinctures.

*Retail marijuana product manufacturing facility* means an entity licensed to purchase marijuana; manufacture, prepare, and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.

*Retail marijuana store* means an entity licensed to purchase marijuana from marijuana cultivation facilities and marijuana and marijuana products from marijuana product manufacturing facilities and to sell marijuana and marijuana products to consumers.

*Retail marijuana testing facility* means an entity licensed by the Town and State of Colorado to analyze and certify the safety and potency of marijuana.

*School* means a public or private preschool or a public or private elementary, middle, junior high or high school.

*State licensing authority* means the authority created by the Colorado Department of Revenue for the purpose of regulating and controlling the licensing of the cultivation, manufacture, distribution, sale and testing of retail marijuana in the State of Colorado pursuant to C.R.S. § 12-43.4-201.

(b) In addition to the definitions provided in subsection (a) hereof, other terms used in this Article shall have the meaning ascribed to them in Article XVIII, § 16 of the Colorado Constitution, or the Colorado Retail Marijuana Code, and such definitions are hereby incorporated into this Article by reference.

#### **Sec. 6-122. License Required.**

The Town hereby authorizes the operation of retail marijuana stores and retail marijuana cultivation facilities in the Town as set forth in this Article. It shall be unlawful for any person to establish or operate a retail marijuana store or retail cultivation facility in the Town without first having obtained a license for such establishment from the local licensing authority. Such license shall be kept current at all times and a failure to maintain a current license shall constitute a violation of this Section. Retail marijuana product manufacturing facilities and retail marijuana testing facilities are prohibited.

#### **Sec. 6-123. Requirements of application for license; payment of application fee; denial of license.**

(a) A person seeking a license or renewal of a license issued pursuant to this Article shall submit an application to the local licensing authority on forms provided by the Town Clerk. At the time of application, each applicant shall pay a nonrefundable fee to the Town in an amount to be determined by the Town by separate Resolution to defray the costs incurred by the Town for costs including but not limited to inspection, administration, and enforcement of retail

marijuana stores and cultivation facilities. In addition, the applicant shall present one (1) of the following forms of identification:

- (1) a driver's license issued by the State of Colorado;
- (2) an identification card, issued by any state for purpose of proving age using requirements similar to those in C.R.S. §§ 42-2-302 and 42-2-303;
- (3) a United States military identification card;
- (4) a valid passport;
- (5) a valid alien registration card; or
- (6) an enrollment card issued by the government authority of a federally recognized tribe located in the state of Colorado.

(b) The applicant shall also provide the following information on a form approved by, or acceptable to the Town, which information shall be required for the applicant, all employees, including the proposed manager of the retail marijuana store or cultivation facility and all persons having a ten percent (10%) or more financial interest in the retail marijuana store or cultivation facility that is the subject of the application or, if the applicant is an entity, having a ten percent (10%) or more financial interest in the entity:

- (1) name, address, date of birth;
- (2) an acknowledgment and consent that the Town will conduct a background investigation, including a criminal history check, and that the Town will be entitled to full and complete disclosure of all financial records of the retail marijuana store or cultivation facility, including records of deposit, withdrawals, balances and loans;
- (3) suitable evidence of proof of lawful presence, residence, if applicable, and good moral character and reputation that the Town may request;
- (4) if the applicant is a business entity, information regarding the entity, including, without limitation, the name and address of the entity, its legal status, and proof of registration with, or a certificate of good standing from, the Colorado Secretary of State, as applicable;
- (5) the name and complete address of the proposed retail marijuana store or cultivation facility, including the facilities to be used in furtherance of such establishment, whether or not such facilities are, or are planned to be, within the territorial limits of the Town;
- (6) a copy of any deed, lease, contract or other document reflecting the right of the applicant to possess the proposed licensed premises along with the conditions of occupancy of the premises, and if by leasehold or similar means, the lease shall specifically recognize and authorize the applicant's use of the premises for the licensed

purposes; provided that if the lease does not specifically authorize the use of the premises for the licensed purposes, the applicant shall provide a notarized statement from the owner of such property authorizing the use of the property for the licensed purposes;

(7) evidence of a valid sales tax license for the establishment;

(8) a "to scale" diagram of the premises, showing, without limitation, a site plan, building layout,

(9) if applicable, all entry ways and exits to the marijuana establishment and, loading zones and all areas in which retail marijuana will be stored or dispensed;

(10) any additional information that the local licensing authority reasonably determines to be necessary in connection with the investigation and review of the application.

(11) a comprehensive business operation plan for the retail marijuana store or cultivation facility which shall contain, without limitation, the following:

a. a security plan meeting the requirements of Section 6-139 of this Article and other applicable provisions of the Colorado Retail Marijuana Code and all rules and regulations promulgated thereunder;

b. a description by category of all products to be sold;

c. a signage plan that is in compliance with all applicable requirements of Section 6-138 and other applicable provisions of the Buena Vista Municipal Code, as well as the Colorado Retail Marijuana Code and all rules and regulations promulgated thereunder; and

d. a plan for the disposal of marijuana and related byproducts meeting the requirements of Section 6-144 of this Article.

(c) A license issued pursuant to this Article does not eliminate the need for the licensee to obtain other required permits or licenses related to the operation of the retail marijuana store or cultivation facility, including, without limitation, a license from the state licensing authority and any development approvals or building permits required by this Article and any other applicable provisions of the Buena Vista Municipal Code.

(d) Upon receipt of an application for a new license, the local licensing authority shall schedule a public hearing on the application to be held not less than thirty (30) days after the date of the completed application. The local licensing authority shall cause a notice of such hearing to be posted in a conspicuous place upon the proposed licensed premises and published in a newspaper of general circulation within the Town not less than ten (10) days prior to the hearing. Such posted notice given by posting shall include a sign of suitable material in dimensions and with lettering as required by the Planning Department. Both the posted and the published notice shall state the type of license applied for, the date of the hearing, the name and address of the

applicant, and such other information as may be required to fully apprise the public of the nature of the application.

(e) Not less than five (5) days prior to the date of the public hearing for a new license, the local licensing authority shall cause its preliminary findings based on its investigation to be known in writing to the applicant and other parties in interest. The local licensing authority shall deny any application that does not meet the requirements of this Article. The local licensing authority shall also deny any application that contains any false, misleading or incomplete information. The local licensing authority shall also deny or refuse to issue a license for good cause. Denial of an application for a license shall not be subject to further administrative review but only to review by a court of competent jurisdiction. At any time prior to commencement of the public hearing, licensee may withdraw its application, and the public hearing shall be cancelled.

(f) Before entering a decision approving or denying the application for a local license, the local licensing authority may consider, except where this Article specifically provides otherwise, the facts and evidence adduced as a result of its investigation, as well as any other facts pertinent to the type of license for which application has been made, including the number, type and availability of retail marijuana stores or cultivation facilities located in or near the premises under consideration, and any other pertinent matters affecting the qualifications of the applicant for the conduct of the type of business proposed. The local licensing authority shall issue its decision within ninety (90) days of the receipt of the complete license application. Such decision shall be by Resolution and shall state the reasons for the decision. The Resolution shall be sent via certified mail to the state licensing authority and the applicant at the address shown in the application.

(g) The Town shall, prior to issuance of the license, perform an inspection of the proposed licensed premises, including, without limitation, any associated dual operation facility, if applicable, to determine compliance with any applicable requirements of this Article or other applicable requirements of the Buena Vista Municipal Code.

#### **Sec. 6-124. Retail marijuana stores**

(a) A licensed retail marijuana store may sell retail marijuana or retail marijuana products to persons twenty-one (21) years of age or older in the following quantities:

(1) Up to one (1) ounce of retail marijuana or its equivalent in retail marijuana products during a single sales transaction to Colorado residents; or

(2) Up to one-quarter (1/4) ounce of retail marijuana or its equivalent in retail marijuana products during a single sales transaction to a non-Colorado resident.

(b) The following forms of identification may be accepted for purposes of determining Colorado residency: a valid state of Colorado Driver's license; a valid state of Colorado identification card; or any other valid government-issued picture identification that demonstrates that the holder of the identification is a Colorado resident.

(c) The retail marijuana offered for sale and distribution must be packaged and labeled in accordance with state law.

(d) Retail marijuana store licensees are prohibited from selling, soliciting or receiving orders for retail marijuana or retail marijuana products over the internet.

(e) Retail marijuana store licensees are prohibited from selling or giving away any consumable product that is not a retail marijuana product, including but not limited to cigarettes or tobacco products, alcohol beverages, and food products or non-alcohol beverages that are not retail marijuana products.

#### **Sec. 6-125. Retail marijuana cultivation facility**

(a) Licensed retail marijuana cultivation facilities may propagate, cultivate, harvest, prepare, cure, package and label retail marijuana, whether in concentrated form or otherwise. Licensed retail marijuana cultivation facilities may sell retail marijuana that they cultivate to a person licensed to operate a retail marijuana store, retail marijuana products manufacturing facility or another retail marijuana cultivation facility. Licensed retail marijuana cultivation facilities are prohibited from selling retail marijuana to any consumer.

(b) A retail marijuana cultivation facility license shall only be issued to a person who has also been issued a retail marijuana store license within the Town.

(c) All retail marijuana products shall be sealed and conspicuously labeled in compliance with state law.

#### **Sec. 6-126. Limitation on licenses**

(a) No more than two active licenses for retail marijuana stores are permitted within the Town at any given time.

(b) No more than four active licenses for retail marijuana cultivation facilities are permitted within the Town at any given time. A retail marijuana store licensee may only have two cultivation facility licenses at any given time.

(c) During the nine months after the effective date of this Article, a person who is operating in good standing a licensed medical marijuana business within the Town, may apply for a license under this Article.

(d) Nine months after the effective date of this Article, any person who did not meet the requirement of Sec. 6-126(c), may apply for a license under this Article.

(e) If the maximum number of retail marijuana store or cultivation facility licenses has been issued, the Town shall not accept any further applications for such uses until an existing license is either revoked or expires. When the number of licensed retail marijuana stores or cultivation facilities is less than this limit for any reason, including the cessation of operation of a retail marijuana store or cultivation facility either by license revocation or expiration, notice shall be posted on the Town's website indicating that applications for the applicable retail marijuana

use shall be accepted for a sixty-day period. At the end of the sixty-day period, the Town shall review the applications by a random selection process. The first complete application randomly selected will be reviewed, and if it is denied, then the local licensing authority shall review the next complete application randomly selected. Only fully complete applications will be eligible for review. Once a license has been issued, all unselected or rejected applications shall be discarded. The Town shall notify each applicant that is not selected for formal review by the local licensing authority, and shall refund the operating fee, but not the application fee.

### **Sec. 6-127. Dual operations**

(a) A licensed medical marijuana business may share its existing licensed premises with a retail marijuana establishment as follows:

(1) An optional premises cultivation operation and a retail marijuana cultivation facility may share a licensed premises in order to operate a dual cultivation business operation if the two operations are commonly owned.

(2) A medical marijuana center that does not authorize patients under the age of twenty-one (21) years to be on the premises may hold a retail marijuana store license and operate a dual operation retail business at the same licensed premises if the two operations are commonly owned.

(b) Licensees operating dual cultivation operations must maintain either physical or virtual separation of the facilities, marijuana plants and marijuana inventory. Record keeping for the business operations and labeling of products must allow the Town to clearly distinguish the inventories and business transactions of medical marijuana from retail marijuana.

(c) Provided that a medical marijuana center licensee posts signage that clearly conveys that persons under the age of twenty-one (21) years may not enter, such licensee may share the same entrances and exits to the shared premises with the retail marijuana store and medical and retail marijuana may be separately displayed on the same floor. Record keeping for the business operations of both businesses must allow the Town to clearly distinguish the inventories and business transactions of medical marijuana and medical marijuana-infused products from retail marijuana and retail marijuana products.

(d) Licensees who operate a medical marijuana business and a retail marijuana establishment dual operation shall maintain separate and distinct inventory tracking processes for medical and retail marijuana inventories. The inventories must be clearly tagged or labeled so that the products can be reconciled to a particular medical or retail business.

(e) A medical marijuana center that authorizes medical marijuana patients under the age of 21 years to be on the premises is prohibited from sharing its licensed premises with a retail marijuana store. Even when the two are commonly owned, the two shall maintain distinctly separate licensed premises; including, but not limited to, separate sales and storage areas, separate entrances and exits, separate inventories, separate point-of-sale operations, and separate record-keeping.

**Sec. 6-128. Location criteria**

Prior to the issuance of a license for a retail marijuana store or cultivation facility, the local licensing authority shall determine whether the proposed location of the retail marijuana store or cultivation facility complies with the requirements of this Section. Failure to comply with the requirements of this Section shall preclude issuance of a license.

(a) Retail marijuana stores or cultivation facilities physically adjacent to a retail store may only be located in the B1, B2, and I-1 Zone Districts. Cultivation facilities which are not physically adjacent to a retail marijuana store may only be in the I-1 Zone District.

(b) No retail marijuana store or cultivation facility shall be located at the following locations:

- (1) within 1,000 feet of any educational institution or school, whether public or private or any library;
- (2) within 1,000 feet of a licensed child care facility;
- (3) within 1,000 feet of any alcohol or drug rehabilitation facility;
- (4) within 1,000 feet of any medical marijuana business unless the medical marijuana business is part of a dual operation with that retail marijuana store;
- (5) within 1,000 feet of any other retail store or cultivation facility;
- (6) within any building or structure that contains a residential unit;
- (7) within the same licensed location as a retail food establishment or wholesale food registrant; or
- (8) upon any Town of Buena Vista owned property.

(c) Although there is no minimum distance standard from the following locations, when reviewing an application, the proximity and compatibility with the following uses shall be considered:

- (1) The exterior boundary of any residential zone district; and
- (2) Any public community center, park, designated recreation trail, hotel or recreation center, or any publicly owned or maintained building open for use to the general public.

(d) The distances described this Section shall be computed by direct measurement from the nearest property line of the land used for the above purposes to the unit within a building or structure housing the retail marijuana store or cultivation facility.

(e) Each retail marijuana store or cultivation facility shall be operated from a permanent location. No retail marijuana store or cultivation facility shall be permitted to operate from a moveable, mobile or transitory location or structure.

(f) The suitability of a location for a retail marijuana store or cultivation facility shall be determined at the time of the issuance of the first license for such establishment. The fact that changes in the neighborhood that occur after the issuance of the first license might render the site unsuitable for a retail marijuana store or cultivation facility under this Section shall not be grounds to suspend, revoke or refuse to renew the license for such store or cultivation facility so long as the license for the establishment remains in effect.

**Sec. 6-129. Persons prohibited as licenses and employees**

(a) No license shall be issued to, held by, or renewed by any of the following:

(1) Any corporation, any of whose officers, directors or stockholders are not of good moral character satisfactory to the local licensing authority;

(2) Any partnership, association or company, any of whose officers are not of good moral character satisfactory to the local licensing authority;

(3) Any person employing, assisted by, or financed in whole or in part by any other person who is not of good moral character and reputation satisfactory to the local licensing authority;

(4) Any sheriff, deputy sheriff, police officer, prosecuting officer, and state or local licensing authority or any of its members, inspectors or employees;

(5) Any natural person under twenty-one (21) years of age;

(6) Any person for a licensed location that is also a retail food establishment or wholesale food registrant;

(7) Any person who has not been a resident of Colorado for at least two (2) years prior to the date of the application;

(8) Any person who has discharged a sentence for a felony conviction within the past five (5) years;

(9) Any person who, at any time, has been convicted of a felony for drug possession, distribution or use, unless such felony drug charge was based on possession or use of marijuana or marijuana concentrate that would not be a felony if the person were convicted of the offense on the date he or she applied for the license;

(10) Any entity whose directors, shareholders, partners or other persons having a financial interest in said entity do not meet the criteria set forth above;

(11) Any person who employs another person at a retail marijuana store or cultivation facility who has not submitted fingerprints for a criminal record history check or whose criminal record history check reveals the employee is ineligible; or

(12) Any person who has made a false, misleading or fraudulent statement on his or her application.

(b) No licensee shall employ or contract with any person to perform work functions directly related to the possession, cultivation, dispensing, selling, serving or delivering of marijuana for a licensed retail marijuana store or cultivation facility, any of the following:

(1) Any person who is not of good moral character satisfactory to the local licensing authority;

(2) Any person who is under twenty-one (21) years of age;

(3) Any person who is not currently a resident of Colorado;

(4) Any person who has discharged a sentence for a felony conviction within the past five (5) years;

(5) Any person who, at any time, has been convicted of a felony for drug possession, distribution or use, unless such felony drug charge was based on possession or use of marijuana or marijuana concentrate that would not be a felony if the person were convicted of the offense on the date he or she applied for the license; or

(6) Any sheriff, deputy sheriff, police officer, prosecuting officer, and state or local licensing authority or any of its members, inspectors or employees.

(c) Jurisdiction.

(1) In investigating the qualifications described herein, the local licensing authority may have access to criminal history record information furnished by a criminal justice agency subject to any restrictions imposed by such agency. In the event the local licensing authority takes into consideration information concerning the applicant's criminal history record, the local licensing authority shall also consider any information provided by the applicant regarding such criminal history record, including but not limited to evidence of rehabilitation, character references, and educational achievements, especially those items pertaining to the period of time between the applicant's last criminal conviction and the consideration of the application for a license.

(2) By filing an application with the Town, applicants consent to the Town accessing all information possessed by the Colorado Marijuana Enforcement Division relating to their application for a license to operate a retail marijuana store or cultivation facility and consent to the release of such information to the Town.

**Sec. 6-130. Issuance of license; duration; renewal.**

(a) Upon issuance of a license, the Town shall provide the licensee with one (1) original of such license for each retail marijuana store or cultivation facility to be operated by the licensee in the Town. Each such copy shall show the name and address of the licensee, and the address of the facility at which it is to be displayed.

(b) Each license issued pursuant to this Article shall be valid for one (1) year from the date of issuance and may be renewed only as provided in this Article. All renewals of a license shall be for no more than one (1) year. An application for the renewal of an existing license shall be made to the local licensing authority not more than sixty (60) days and not less than thirty (30) days prior to the date of expiration of the license. A licensee may submit to the local licensing authority a late renewal application on the prescribed forms and pay a non-refundable late application fee in an amount set by the Board of Trustees via resolution for a renewal application made less than thirty (30) days prior to the date of the expiration of the license. All other provisions concerning renewal applications apply to a late renewal application. The timely filing of a completed renewal application or a late renewal application shall extend the current license until a decision is made on the renewal.

(c) A licensee whose license expires shall not distribute or sell retail marijuana or retail marijuana products until all necessary new licenses have been obtained.

**Sec. 6-131. Authority to impose conditions on license.**

The local licensing authority shall have the authority to impose such reasonable terms and conditions on a license as may be necessary to protect the public health, safety and welfare, and to obtain compliance with the requirements of this Article and applicable law.

**Sec. 6-132. Annual operations fee.**

Upon issuance of a license or any renewal of a license, the licensee shall pay to the Town a fee in an amount determined by the local licensing authority to be sufficient to cover the annual cost of inspections conducted by the Buena Vista Police Department, and such other departments of the Town as may be designated by the local licensing authority, for the purpose of determining compliance with the provisions of this Article and any other applicable state or local laws or regulations.

**Sec. 6-133. Display of license.**

(a) Each license shall be limited to use at the premises specified in the application for such license.

(b) Each license shall be continuously posted in a conspicuous location at the marijuana establishment facility.

**Sec. 6-134. Management of licensed premises.**

Licensees who are natural persons shall either manage the licensed premises themselves or employ a separate and distinct manager on the premises and report the name of such manager

to the local licensing authority. Licensees that are entities shall employ a manager on the premises and report the name of the manager to the local licensing authority. All managers must be natural persons who are at least twenty-one (21) years of age. No manager shall be a person who has discharged a sentence for a felony conviction within the past five (5) years, or who has been convicted of a felony for drug possession, distribution or use, unless such felony drug charge was based on possession or use of marijuana or marijuana concentrate that would not be a felony if the person were convicted of the offense on the date he or she applied for the license.

**Sec. 6-135. Change in manager; Change in financial interest.**

(a) Each licensee shall report any change in managers to the local licensing authority within thirty (30) days after the change. Such report shall include all information required for managers under Section 16-134 of this Article.

(b) Each licensee shall report in writing to the local licensing authority any transfer or change of financial interest in the license holder or in the retail marijuana store or cultivation facility that is the subject of the license. Such report must be filed with the local licensing authority within thirty (30) days after any such transfer or change. A transfer application shall be required for any transfer of the capital stock of a corporation or any other interest totaling more than ten percent (10%) of the stock in any one (1) year, as well as any transfer of a controlling interest in the corporation whenever a sufficient number of shares have been transferred to effectuate the transfer of a controlling interest. No person having or acquiring a financial interest in the retail marijuana store or cultivation facility that is the subject of a license shall be a person who has discharged a sentence for a felony conviction within the past five (5) years, or who has been convicted of a felony for drug possession, distribution or use, unless such felony drug charge was based on possession or use of marijuana or marijuana concentrate that would not be a felony if the person were convicted of the offense on the date he or she applied for the license.

(c) Whenever any licensee causes a change in its officers, directors or manager, and a license addendum is required to be filed with the State that does not require a transfer application in accordance with subsection (b) above, an application fee in the amount of one hundred dollars (\$100.00) shall be paid to the Town at the time of filing the addendum with the Town.

**Sec. 6-136. Transfer of ownership; change of location.**

(a) Transfer of ownership. For a transfer of ownership, a license holder shall apply to the local licensing authority on forms provided by the state licensing authority. In considering whether to permit a transfer of ownership, the local licensing authority shall consider only the requirements of this Article, the Colorado Retail Marijuana Code, and the regulations promulgated in conformance therewith. The local licensing authority may hold a hearing on the application for a transfer of ownership, but such hearing shall not be held until a notice of such hearing has been posted on the premises of the licensed retail marijuana store or cultivation facility for a period of at least ten (10) days prior to such hearing, and the applicant has been provided at least ten (10) days prior notice of such hearing.

(b) Change of location. Licensees from other jurisdictions may not transfer their licenses to a location within the Town of Buena Vista without approval by the local licensing

authority. Licensees with a permanent retail establishment in the Town may transfer their license to another location within the Town so long as the applicant and the new location conform to the requirements of this Article.

**Sec. 6-137. Hours of operation.**

A retail marijuana store may open no earlier than 9:00 a.m. and shall close no later than 7:00 p.m. the same day. A retail marijuana store may be open seven (7) days a week.

**Sec. 6-138. Signage and advertising.**

All signage and advertising for a retail marijuana store or cultivation facility shall comply with all applicable state laws as well as the provisions of this Article and other applicable provisions of this Code. No off site premises signage is permitted. Advertisements, signs, displays or other promotional material depicting retail marijuana uses or symbols shall not be shown in any manner which is visible to the public from roadways, pedestrian sidewalks or walkways, or from other public areas. No signage associated with a retail marijuana store or cultivation facility shall use the word "marijuana," "cannabis," or any other word or phrase commonly understood to refer to marijuana unless such word or phrase is immediately preceded by the word "retail"; provided that no signage shall contain words such as "reefer," "ganga," "weed" or other similar slang references to marijuana or cannabis.

**Sec. 6-139. Security requirements.**

(a) Security measures at retail marijuana store or cultivation facility shall include at a minimum the following:

- (1) security surveillance cameras installed to monitor all entrances, along with the interior and exterior of the premises, to discourage and facilitate the reporting of criminal acts and nuisance activities occurring at the premises;
- (2) robbery and burglary alarm systems which are professionally monitored and maintained in good working condition;
- (3) a locking safe permanently affixed to the premises that is suitable for storage of all marijuana and cash stored overnight on the licensed premises except that marijuana that is being processed or dried need not be stored in the locking safe and perishable retail marijuana products must be stored with adequate refrigeration; provided; however, all marijuana and marijuana products must be stored in a limited access area;
- (4) exterior lighting that illuminates the exterior walls of the licensed premises and complies with applicable provisions of this Article and other applicable provisions of this Code; and
- (5) deadbolt locks on all exterior doors.

(b) All security recordings shall be preserved for at least forty (40) days by the licensee and shall be in a format that can be easily accessed for viewing by Buena Vista Police Department upon request for inspection.

**Sec. 6-140. Required notices.**

(a) There shall be posted in a conspicuous location inside each retail marijuana store or cultivation facility, at least one legible sign containing the following warnings:

(1) that on-site consumption of marijuana is illegal;

(2) that the open and public consumption of marijuana in the Town is illegal, and that individuals consuming marijuana within the Town in parks, on sidewalks and streets, or at other public locations will risk criminal prosecution;

(3) that the use of marijuana or marijuana products may impair a person's ability to drive a motor vehicle or operate machinery, and that it is illegal under state law to drive a motor vehicle or to operate machinery when under the influence of or impaired by marijuana;

(4) that loitering in or around a retail marijuana store or cultivation facility is prohibited by law;

(5) that possession and distribution of marijuana is a violation of federal law; and

(6) that no one under the age of twenty one (21) years is permitted on the premises.

(b) There shall be posted in a conspicuous location at the exterior of each retail marijuana store or cultivation facility near the entrance, one legible sign warning that the facility is monitored by video cameras.

**Sec. 6-141. On-site consumption of marijuana.**

The use, consumption, ingestion or inhalation of retail marijuana or retail marijuana products on or within the premises of a retail marijuana store or cultivation facility is prohibited.

**Sec. 6-142. Cultivation, growing and processing by licensees.**

(a) Subject to the limitations set forth in this Article and C.R.S. § 12-43.4-403 and other applicable laws, the growing, cultivation or processing of marijuana shall be allowed contiguous or not contiguous to the licensed premises of a retail marijuana store that submitted an application to the Town pursuant to Section 6-124 of this Code.

(b) The cultivation, growing, processing, display or storage of marijuana plants by a licensee shall be conducted only at the cultivation facility shown on the licensee's application.

(c) Access to any cultivation facility that is located in the same building as a retail marijuana store shall be secured so as to render the cultivation facility inaccessible to any unauthorized persons during all hours of operation of the establishment facility.

(d) To the extent permitted by law, the Town shall keep confidential the location of all cultivation facilities.

**Sec. 6-143. Visibility of activities; paraphernalia; control of emissions.**

(a) All activities of retail marijuana store or cultivation facility shall be conducted indoors.

(b) Devices, contrivances, instruments and paraphernalia for inhaling or otherwise consuming marijuana, including, but not limited to, rolling papers and related tools, water pipes, and vaporizers may lawfully be sold at a retail marijuana store. No retail marijuana or paraphernalia shall be displayed or kept in a retail marijuana store so as to be visible from outside the licensed premises.

(c) Sufficient measures and means of preventing smoke, odors, debris, dust, fluids and other substances from exiting a retail marijuana store or cultivation facility must be provided at all times. In the event that any odors, debris, dust, fluids or other substances exit a retail marijuana store or cultivation facility, the owner of the subject premises and the licensee shall be jointly and severally liable for such conditions and shall be responsible for immediate, full clean-up and correction of such condition. The licensee shall properly dispose of all such materials, items and other substances in a safe, sanitary and secure manner and in accordance with all applicable federal, state and local laws and regulations.

**Sec. 6-144. Disposal of marijuana byproducts.**

The disposal of marijuana, marijuana products, byproducts and paraphernalia shall be done in accordance with plans and procedures approved in advance by the local licensing authority.

**Sec. 6-145. Sales and business license required.**

At all times while a license is in effect the licensee shall possess a valid business license as required by Article II of Chapter 6 of this Code.

**Sec. 6-146. Sales tax.**

Each licensee shall collect and remit Town sales tax on all retail marijuana, retail marijuana products, paraphernalia and other tangible personal property sold by the licensee.

**Sec. 6-147. Required books and records.**

(a) Every licensee shall maintain an accurate and complete record of all retail marijuana purchased, sold or dispensed by the retail marijuana store or cultivation facility in any usable form. Such record shall include the following:

- (1) the identity of the seller involved in each transaction;
- (2) the total quantity of, and amount paid for, the retail marijuana and/or the retail marijuana product(s); and
- (3) the date, time and location of each transaction.

(b) All transactions shall be kept in a numerical register in the order in which they occur.

(c) All records required to be kept under this Article must be kept in the English language in a legible manner and must be preserved and made available for inspection for a period of three (3) years after the date of the transaction. Information inspected by the Buena Vista Police Department or other Town departments pursuant to this Article shall be used for regulatory and law enforcement purposes only and shall not be a matter of public record.

**Sec. 6-148. Inspection of licensed premises.**

During all business hours and other times of apparent activity, all licensed premises shall be subject to inspection by the local licensing authority, the Buena Vista Police Department, by law enforcement officers, or such other departments or individuals duly authorized by the Town for the purpose of investigating and determining compliance with the provisions of this Article and any other applicable state and local laws or regulations. Said inspection may include, but need not be limited to, the inspection of books, records and inventory. Where any part of the licensed premises consists of a locked area, such area shall be made available for inspection, without delay, upon request.

**Sec. 6-149. Nonrenewal, suspension or revocation of license.**

(a) The local licensing authority may, after notice and hearing, suspend, revoke or refuse to renew a license for good cause, including suspension or revocation of the licensee's license. The local licensing authority is authorized to adopt rules and procedures governing the conduct of such hearings.

(b) The local licensing authority may, in its discretion, revoke or elect not to renew any license if it determines that the licensed premises has been inactive, without good cause, for at least three (3) months.

**Sec. 6-150. Violations and penalties.**

In addition to the possible denial, suspension, revocation or nonrenewal of a license under the provisions of this Article, any person, including, but not limited to, any licensee, manager or employee of a retail marijuana store or cultivation facility, or any customer of such

establishment, who violates any of the provisions of this Article, shall be subject to the following penalties:

(a) Any person convicted of having violated any provision of this Article shall be punished as set forth in Section 1-72 of the Buena Vista Municipal Code.

(b) The operation of a retail marijuana store or cultivation facility without a valid license issued pursuant to this Article may be enjoined by the Town in an action brought in a court of competent jurisdiction, including the Buena Vista Municipal Court.

(c) The operation of a retail marijuana store or cultivation facility without a valid license issued pursuant to this Article is also deemed to be a nuisance pursuant to Article I, Chapter 7 of the Buena Vista Municipal Code.

**Sec. 6-151. No Town liability; indemnification.**

(a) By accepting a license issued pursuant to this Article, the licensee waives and releases the Town, its officers, elected officials, employees, attorneys and agents from any liability for injuries, damages or liabilities of any kind that result from any arrest or prosecution of retail marijuana store or cultivation facility owners, operators, employees, clients or customers for a violation of state or federal laws, rules or regulations.

(b) By accepting a license issued pursuant to this Article, all licensees, jointly and severally if more than one (1), agree to indemnify, defend and hold harmless the Town, its officers, elected officials, employees, attorneys, agents, insurers and self-insurance pool against all liability, claims and demands on account of any injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever arising out of or in any manner connected with the operation of the retail marijuana store or cultivation facility that is the subject of the license.

**Sec. 6-152. No waiver of governmental immunity.**

In adopting this Article, the Board of Trustees is relying on and does not waive or intend to waive by any provision of this Article, the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, C.R.S., as from time to time amended, or any other limitation, right, immunity, or protection otherwise available to the Town, its officers or its employees.

**Sec. 6-153. Other laws remain applicable.**

(a) To the extent the State has adopted or adopts in the future any additional or stricter law or regulation governing the sale or distribution of retail marijuana or retail marijuana products, the additional or stricter regulation shall control the establishment or operation of any retail marijuana store or cultivation facility in the Town. Compliance with any applicable state law or regulation shall be deemed an additional requirement for issuance or denial of any license

under this Article, and noncompliance with any applicable state law or regulation shall be grounds for revocation or suspension of any license issued hereunder.

(b) Any licensee may be required to demonstrate, upon demand by the local licensing authority, the Buena Vista Police Department, by law enforcement officers, or such other departments or individuals duly authorized by the Town, that the source and quantity of any marijuana found upon the licensed premises are in full compliance with any applicable state law or regulation.

(c) If the State prohibits the sale, cultivation or other distribution of marijuana through retail marijuana store or cultivation facility, any license issued hereunder shall be deemed immediately revoked by operation of law, with no ground for appeal or other redress on behalf of the licensee.

(d) The issuance of any license pursuant to this Article shall not be deemed to create an exception, defense or immunity to any person in regard to any potential criminal liability the person may have for the cultivation, possession, sale, distribution or use of marijuana.

**Sec. 6-154. Rules and regulations.**

The Town Administrator shall have the authority from time to time to adopt, amend, alter and repeal administrative rules and regulations, and file the same with the Town Clerk, as may be necessary for the proper administration of this Article.

**Sec. 6-155. Judicial review.**

In accordance with Article 18, § 16 of the Colorado Constitution, decisions by the local licensing authority are subject to judicial review pursuant to C.R.S. § 24-4-106.

**Section 2.** Article XV of Chapter 16 of the Buena Vista Municipal Code is hereby repealed.

**Section 3.** Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or part or parts be declared unconstitutional or invalid.

**Section 4.** Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

**INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED** this \_\_\_\_ day of \_\_\_\_\_, 2016.

**THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM PUBLICATION.**

TOWN OF BUENA VISTA, COLORADO

By: \_\_\_\_\_  
Mayor, Joel Benson

ATTEST:

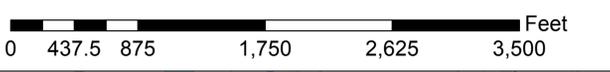
\_\_\_\_\_  
Janell Sciacca, Town Clerk

(SEAL)

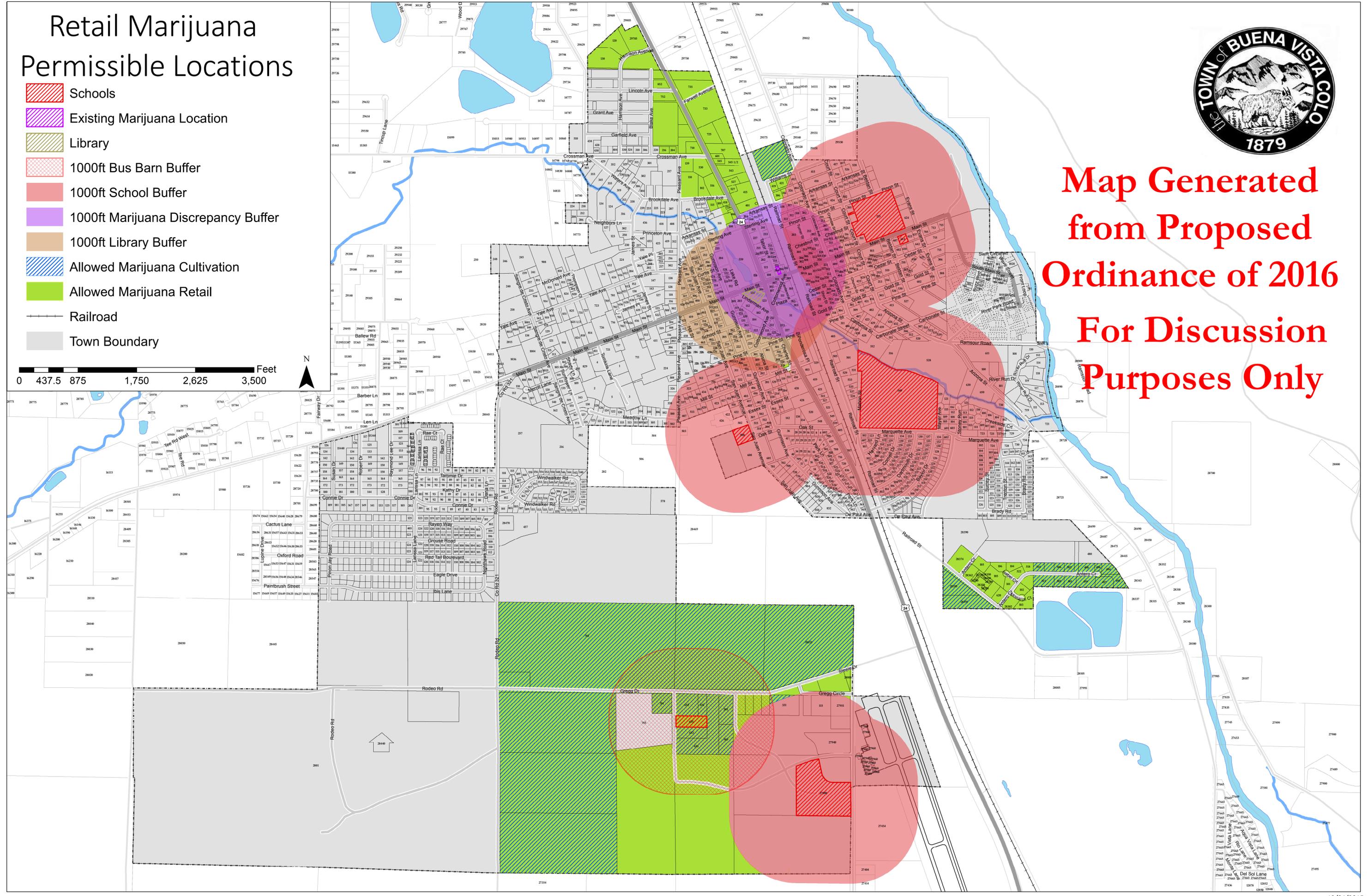
DRAFT

# Retail Marijuana Permissible Locations

-  Schools
-  Existing Marijuana Location
-  Library
-  1000ft Bus Barn Buffer
-  1000ft School Buffer
-  1000ft Marijuana Discrepancy Buffer
-  1000ft Library Buffer
-  Allowed Marijuana Cultivation
-  Allowed Marijuana Retail
-  Railroad
-  Town Boundary



**Map Generated from Proposed Ordinance of 2016 For Discussion Purposes Only**





**AGENDA  
FOR THE BOARD OF TRUSTEES  
OF THE TOWN OF BUENA VISTA, COLORADO  
May 26, 2020**

**Work Session at 6:00 PM – Discussion on Housing and Short-Term Rentals**

**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: Password:**

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

**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 – May 12, 2020
- 2.
- 3.
- 4.

**B. Town Clerk Report**

**VI. STAFF REPORTS**

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

**VII. BUSINESS ITEMS**

**A. Public Hearing**

**B. Sangre de Cristo Electric Annexation**

*The Board will consider accepting the Annexation Application Petition for Sangre de Cristo Electric Association Headquarters Parcel A.*

**C. Sangre de Cristo Electric Annexation**

*The Board will consider accepting the Annexation Application Petition for Sangre de Cristo Electric Association Headquarters Parcel B.*

**This Agenda may be Amended**

Posted at Buena Vista Town Hall, Post Office, and [www.buonavistaco.gov](http://www.buonavistaco.gov) on Friday, May 22, 2020

**D. Tri-State Buena Vista Substation Annexation**

*The Board will consider accepting the Annexation Application Petition for Tri-State Buena Vista Substation, and property associated with the functioning of Sangre de Cristo Electric Association.*

- E. Should the Board of Trustees approve adoption of Ordinance No. X, Series 2020. entitled, **AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING THE BUENA VISTA MUNICIPAL CODE CONCERNING Code update for School and Park Fees and Fee Schedule....** Mark – Public Notice

**F. Improvements on East Main Street**

- G. Should the Board of Trustees approve adoption of Ordinance No. X, Series 2020, entitled, **“ORDINANCE APPROVING A LEASE PURCHASE AGREEMENT WITH FORD MOTOR CREDIT COMPANY, LLC FOR A TOWN POLICE VEHICLE.”?**

*The Trustees will consider approving a lease purchase agreement for a police vehicle.*

**H. Final review of strategic projects and goals for the next five years****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**