



**AGENDA
FOR THE BOARD OF TRUSTEES
OF THE TOWN OF BUENA VISTA, COLORADO
August 11, 2020**

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

To participate in Public Comment and/or Public Hearings you must connect to the video conference.
 Conferencing Access Information: <https://zoom.us/j/81443752791> Password: 540373
 Listen via phone at 1-346-248-7799 Meeting ID: 814 4375 2791 Password: 540373

**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 – July 28, 2020

B. Police Chief Report

C. Fire Chief Report

D. Code Enforcement – Second Quarter Update

E. Chaffee County Housing Directors Report – July 2020

F. Chaffee County Development Services Department Activity Report – July 2020

G. Adoption of Resolution No. 44, Series 2020 entitled “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPOINTING WAYNE LEE AS AN ALTERNATE MEMBER OF THE AIRPORT ADVISORY BOARD.”

H. Adoption of Resolution No. 45, Series 2020 entitled “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPOINTING DOROTHY DISTEL AS AN ALTERNATE MEMBER OF THE BEAUTIFICATION ADVISORY BOARD.”

VI. PUBLIC COMMENT

*Citizen participation where the public can sign up prior to the start of the meeting in order to speak up to 3 minutes for matters not on the agenda or for agenda items not scheduled for Public Hearing. Enter your name, address, and subject to be discussed in the Zoom Chat box, or when Mayor Lacy asks for Public Comment, select the More button, click Participants, and raise your hand. By phone press *9 to raise your hand and *6 to mute/unmute your phone, or you may email the information to 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.*

This Agenda may be Amended

Posted at Buena Vista Town Hall, Post Office, and www.buenavistaco.gov on Friday, August 7, 2020

VII. BUSINESS ITEMS

- A. Update from UAS on Drone Park Project** *(Estimated time - 15 minutes)*
Honora Roberts and Taylor Albrecht with Central Colorado UAS will present to the Trustees a proposal and plan for the Drone Flying Park.
- B. Family Youth Initiatives Program** *(Estimated time - 15 minutes)*
The Board will receive an update from Samantha Barron and Tom McConaghy on the Family Youth Initiatives Program which includes Communities That Care and Chaffee County Youth Alliance programs.
- C. Retail Cannabis** *(Estimated time – 45 minutes)*
Staff will provide the Board with updates on a draft ordinance and ballot question for a special use tax on retail cannabis.
- D.** Should the Board of Trustees approve adoption of Resolution No. 46, Series 2020, entitled, **“A RESOLUTION OF THE TOWN OF THE OF BUENA VISTA, COLORADO, APPROVING AN AGREEMENT WITH AvFUEL CORPORATION FOR THE SUPPLY OF AVIATION FUEL AND A REFUELER TRUCK AT THE CENTRAL COLORADO REGIONAL AIRPORT.”?**
(Estimated time – 5 minutes)
The Board will consider adopting a resolution approving the AvFuel Aviation Fuel Supply Agreement.
- E.** Should the Board of Trustees approve adoption of Resolution No. 47, Series 2020, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, IN SUPPORT OF FAIR, DIRECT FEDERAL EMERGENCY SUPPORT TO REOPEN AND REBUILD LOCAL AMERICAN ECONOMIES.”?** *(Estimated time – 5 minutes)*
The Board will consider a Resolution supporting direct Federal COVID relief fund municipalities.

VIII. STAFF REPORTS *(Estimated time – 20 minutes)*

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

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
REGULAR MEETING
TUESDAY, July 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 – Water 101/Projects

In attendance for the Work Session were Mayor Duff Lacy, Trustees Amy Eckstein, Libby Fay, Norm Nyberg, Devin Rowe, Cindie Swisher, and David Volpe. Also present were Trish Flood and Adam Kremers with Wright Water Engineers Inc. and Town Administrator Phillip Puckett, Public Works Director Shawn Williams, Town Engineer Al Smith, Special Projects Manager Joel Benson, Principal Planner Mark Doering, Planning Tech Doug Tart, and Town Clerk Paula Barnett.

Trish Flood reviewed with the Board the water rights the Town presently holds, and current and future water supply. Adam Kremers discussed the water rights and the relationship that the Town currently has with the Upper Arkansas Water Conservation District.

The Trustees, Staff, Flood, and Kremers discussed current and future use of existing wells, projected new wells, water rights and usage, and impacts a long-term drought could have on the town's water supply.

Public Works Director Shawn Williams and Town Engineer Al Smith reviewed with the Trustees the water projects that have been completed, as well as ongoing and future improvements to existing infrastructure, water treatment plant, tracking of water use, number of active and inactive taps, and housing and business developments which directly impacts the water system and supply.

A virtual/public regular meeting of the Board of Trustees was called to order by Mayor Duff Lacy, at 7:00 pm, Tuesday, July 28, 2020 having been previously noticed in accordance with the Colorado Open Meetings Law.

ROLL CALL

Attendee Name	Title	Status
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
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Town Staff Present:

Town Administrator Phillip Puckett
Principal Planner Mark Doering
Public Works Director Shawn Williams
Special Projects Manager Joel Benson
Recreation Director Earl Richmond

Town Attorney Jeff Parker
Town Treasurer Michelle Stoke
Sergeant Dean Morgan
Town Clerk Paula Barnett

PLEDGE OF ALLEGIANCE

Mayor Lacy led the pledge of allegiance.

OATH OF OFFICE

Police Chief Dean Morgan read a brief speech sharing that it was an honor to stand here tonight in front of the Board of Trustees to take this oath of office, and a privilege to join his brothers and sister in blue as they advance in their career...men and women who have held the line with him and have shown that they represent the ideals and values of the Buena Vista Police Department (BVPD).

Morgan stated the men and women of the BVPD are highly trained and serve with integrity and honor, and the path of a police officer has never been an easy one. They sometimes deal with people at their worst, and often enter into people's lives when they are in the midst of tragedy. They are called on to not just enforce the law, investigate crimes, or make arrests, but are also put in situations where they must be counselors, a shoulder to cry on, or a friend in someone's darkest hour. They are expected to make split-second decisions in situations and circumstances that will be debated at length by legal experts. They must be able to recognize those suffering with mental illness and provide appropriate support. They try to resolve civil disputes between neighbors, playing the role of peacekeeper, work with our youth in the schools, and train and prepare to keep our schools a safe environment for learning. They see the best and worst in our community, sometimes the things they see and deal with are difficult, and at times, people fight and try to hurt them. Today, perhaps more than any other time in history, police are facing increasing hatred toward our profession and at a time when more and more is being asked of us.

Morgan stated that he and his officers know that the road forward will be difficult at times, but take heart in the support of the Buena Vista community and in the fraternity of police, and quoted Theodore Roosevelt: "Far better is it to dare mighty things, to win glorious triumphs even though checkered by failure, than to rank with those poor spirits who neither enjoy much nor suffer much because they live in the grey twilight that knows neither victory nor defeat."

Town Clerk Paula Barnett administered the following Oaths of Office: Chief of Police Dean Morgan, Sergeant Ben Adair, Sergeant Shane Garcia, Corporal Jesse Mitchell, and Investigator Amber Lee.

PROCLAMATION

Mayor Lacy read the Proclamation declaring August 9th thru the 15th as National Health Care Week.

Tanah Wagenseller, Director of Operations at the new Buena Vista Valley-Wide Health Systems Center reviewed with the Trustee's the services Valley-Wide Health Systems will offers, and extended the invitation to the Trustees to tour the center.

AGENDA ADOPTION

MOTION NO. 1:

MOVE TO APPROVE THE AGENDA.

RESULTS	CARRIED
MOVER:	Trustee Nyberg
SECONDER:	Trustee Fay
AYES:	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 – July 7, 2020
2. Beautification Advisory Board – June 4, 2020
3. Recreation Advisory Board – June 3, 2020
4. Planning & Zoning Commission – April 1, 2020
5. Planning & Zoning Commission – May 20, 2020
6. Airport Advisory Board Minutes – June 16, 2020

B. Town Clerk Report

C. Chaffee County Development Services Department Activity Update

- D. Adoption of Resolution No. 42, Series 2020 entitled **"A RESOLUTION EXTENDING THE DECLARATION OF A LOCAL DISASTER EMERGENCY IN AND FOR THE TOWN OF BUENA VISTA, COLORADO THROUGH DECEMBER 31, 2020."**

Approve extending the Order declaring a local disaster emergency.

Trustee Eckstein requested the wording "in collecting tax revenue to complete much needed improvements and projects" be deleted from her comment on page 5 of the minutes.

MOTION NO. 2:

MOVE TO APPROVE THE CONSENT AGENDA AS AMENDED.

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

PUBLIC COMMENT

Liz Sielatycki, 554 Park Lane, Buena Vista, stated that she coordinates the countywide coalition to prevent youth substance abuse through a partnership with Chaffee County Family and Youth Initiatives (FYI) and Chaffee County Public Health. Sielatycki stated the state and national numbers on youth using drugs does not accurately reflect the use in Chaffee County which is at 31%, or 1 out of 3 teenagers having tried or regularly using marijuana. Sielatycki stated the coalition works with the Buena Vista and Salida School districts, and Chaffee County High School to provide robust education and training to students and staff on the impacts of drug use, as well as with law enforcement on drug intervention programs for youth charged with the possession of alcohol and/or drugs.

Sielatycki stated youth will be receiving conflicting messages when at school they are being told of the dangers and harmful effects of drugs, and in the community setting it is being stated that it is acceptable. Sielatycki stated FYI would like the ordinance to address drug abuse prevention and education.

Tom McConaghy, 114 Linderman, Buena Vista, Community Prevention Specialist with Chaffee County Family and Youth initiatives (FYI) reviewed with the Board the signs of marijuana use and its impacts on brain development. McConaghy stated he feels the main issue regarding retail cannabis in Buena Vista is access, and having the product available in town makes it easier for the youth to have a buyer purchase marijuana locally versus driving to nearby towns.

BUSINESS ITEMS**Multijurisdictional Housing Authority (MJHA)**

Becky Gray, Chaffee County Director of Housing provided the Trustees with an update on the history and creation of the MJHA, which has a nine-members Board of Directors comprised of three representatives from Chaffee County, and two representatives from each municipality, and one alternate per jurisdiction.

Gray reviewed the next steps of the Multijurisdictional Housing Authority that include:

- Approval of IGA document by each of the jurisdictions that creates the MJHA
- Jurisdictions appoint Board members
- Authority convenes and elects Board officers (Fall 2020)
- Approval of Related Funding Agreement by jurisdictions (3 years)
- Authority creates Strategic Plan for 2021 and forward (Fall 2020)
- MJHA Contract with County for staff and administration (Fall 2020 to begin January 1, 2021)

Retail Cannabis

Mayor Lacy reviewed that Staff has provided the Board with a revised draft ordinance and ballot question for a special use tax on retail cannabis, and is seeking input to proceeding forward with adopting an ordinance allowing retail cannabis, and presenting voters with a special sales tax question in November.

Marjorie Fahrney, 211 S. Railroad Street, Buena Vista, requested permission from Mayor Lacy to speak since she was unable to comment during Public Comment due to technical issues, Lacy granted the request. Fahrney stated that she feels the motive to sell retail marijuana in Buena Vista is money to the businesses and promised tax revenues. Fahrney stated in 2016 the people voted down allowing retail marijuana, it should not be a decision of the Trustees in 2020, an election should be held to let the residents decide, and if necessary, a Recall of Trustees should take place.

The Board and Staff reviewed the 2016 draft ordinance with annotation of considerations, policy questions, and maps regarding to retail cannabis, and after lengthy conversation, the Board directed Staff to revise the draft ordinance and maps to encompass the following discussion points for review at the August 11, 2020 Trustee meeting:

- Create a new 2020 draft ordinance with applicable statute references and Trustee comments/recommendations
- Only retail (no other operations such as cultivation, testing, manufacturing, or hospitality areas)
- No delivery
- Limit to 2 active retail licenses. Both can be dual operations with Medical (but not required)
- Six month initial application period -Ensure Ascend Cannabis has an opportunity to secure a retail cannabis license
- Hours of operation between 8:00 am – 9:00 pm
- Sign and color limitations - Discreet, aligning with surrounding buildings, minimal signage
- Adjust the distance buffers on maps: 1,000 feet from other retail cannabis stores, no buffer from playgrounds and hotels, 1,000 feet from schools, 500 feet from alcohol/drug rehab centers
- Update ballot language for an additional special sales tax
- Research if the Town could acquire Bonds against a special sales tax
- Research application and licensing process

Intergovernmental Agreement with Chaffee County

Puckett reviewed with the Board that the County Commissioners approved the IGA that has been in the works for nearly 20 years which will direct and manage the growth in the Town's Municipal Services Area and Area of Designated Growth.

Joel Benson, Special Projects Manager reviewed with the Trustee's as per state statute, the Town of Buena Vista annually adopts a 3-Mile Growth Plan that identifies three basic areas:

- The boundary for potential growth of Buena Vista, extending up to three miles from town limits.
- The Area of Desired Growth, namely that portion of the 3-Mile Growth Plan where Buena Vista would advantageously grow over time.
- The Municipal Services Area, which are the areas abutting Town's boundary where water service lines are available and annexation could take place immediately.

Benson stated County regulations for development are different from the Town's resulting in creating the IGA to work together so development in the various parts of the 3-Mile Growth Area can happen in conjunction with future development patterns of Buena Vista, in line with the Town's Comprehensive Plan and the upcoming County Master Plan. Benson stated the Town's and County's legal teams and staff have worked on the IGA which the Board of County Commissioners approved and signed July 21, 2020, and the final step is approval by the Trustees.

MOTION NO. 3:

MOVE TO APPROVE ADOPTION OF RESOLUTION NO. 43, SERIES 2020 APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF BUENA VISTA AND CHAFFEE COUNTY CONCERNING DEVELOPMENT WITHIN THE 3-MILE GROWTH AREA OF BUENA VISTA.

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

GOCO (Great Outdoors Colorado) Resilient Communities Grant Application

Recreation Director Earl Richmond discussed with the Trustee opportunities and strategies to obtain potential grant funding to support the development of trails, pickleball courts, and additional restroom facilities in the River Park region. Richmond stated after attending a GOCO training webinar, and speaking with the Senior Project Officer and the Parks and Planning Program Officer, staff feels they have a good understanding of the grant application process for 2021. This year Town will submit a collaborative Request for Proposal (RFP) for the Resilient Communities Grant by the October 16th deadline to support upgrades and additions to town park facilities.

Richmond stated that Staff will be working with the Peak to Peak Pickleball Club and Buena Vista Trails Advisory Board to gather the information and data needed to support the grant writing process. This team approach will give support towards our collaborative grant and inform the GOCO review panel that we are all very interested in improving this sector of BV Recreation for everyone.

The Board agreed to have Staff move forward in applying for the Great Outdoors Colorado (GOCO) Resilient Communities Grant to support the development of trails, pickleball courts, and additional facilities in the River Park region.

2nd Quarter 2020 Financial Report

Treasurer Michelle Stoke reviewed with the Trustees the 2020 2nd Quarter Financial Report which included Sales Tax revenues, Remote Sellers Chart, Balance Sheet for all funds, Fund Balance report, Investment Register, and the Budget Reports for all departments and funds.

STAFF REPORTS

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

TRUSTEE/STAFF INTERACTION

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

Trustee Swisher stated the Trustees received numerous emails from individuals requesting the opportunity to vote on allowing retail marijuana, and asked how the Board should proceed in response to the emails. Mayor Lacy stated it is up to Trustee Swisher how she chooses to respond to the emails.

Puckett reviewed with the Board that the Salida and Buena Vista School Districts have worked very hard preparing to open school this fall, and have requested a Letter of Support from the municipalities and the county supporting that decision. Puckett stated the Letter of Support had to be signed by Mayor Lacy, and submitted on or before July 27th. The Trustees discussed the opening of the schools, and all the Trustees except for Trustee Rowe agreed with supporting the opening of the schools in the fall.

EXECUTIVE SESSIONS

An executive session to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), concerning the potential future annexation of Meadows Property.

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

MOTION NO. 4:

MOVE TO GO INTO EXECUTIVE SESSION.

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

The Board went into Executive Session at 10:54 pm. Present for the Executive Session were Mayor Duff Lacy, Trustees Amy Eckstein, Libby Fay, Norm Nyberg, Devin Rowe, Cindie Swisher, and Dave Volpe, as well as Town Administrator Phillip Puckett, Town Attorney Jeff Parker, and Special Projects Manager Joel Benson.

MOTION NO. 5:

MOVE TO ADJOURN FROM EXECUTIVE SESSION AT 11:26 PM.

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

Mayor Lacy announced that he, and Trustees Eckstein, Fay, Nyberg, Rowe, Swisher, and Volpe, the Town Administrator Phillip Puckett, Town Attorney Jeff Parker, and Special Projects Manager Joel Benson were present for the Executive Session.

MOTION NO. 6:

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THAT THE MEETING BE ADJOURNED AT 11:27 PM.

RESULTS	CARRIED
MOVER:	Trustee Volpe
SECONDER:	Trustee Rowe
AYES:	Eckstein, Fay, Nyberg, Rowe, Swisher, Volpe

Respectfully submitted:

Duff Lacy, Mayor

Paula Barnett, Town Clerk



Buena Vista Police Department



*713 E. Main St. / P.O. Box 1310 Buena Vista, CO 81211
(719) 395-5457 (office), (719) 395-8655 (fax)*

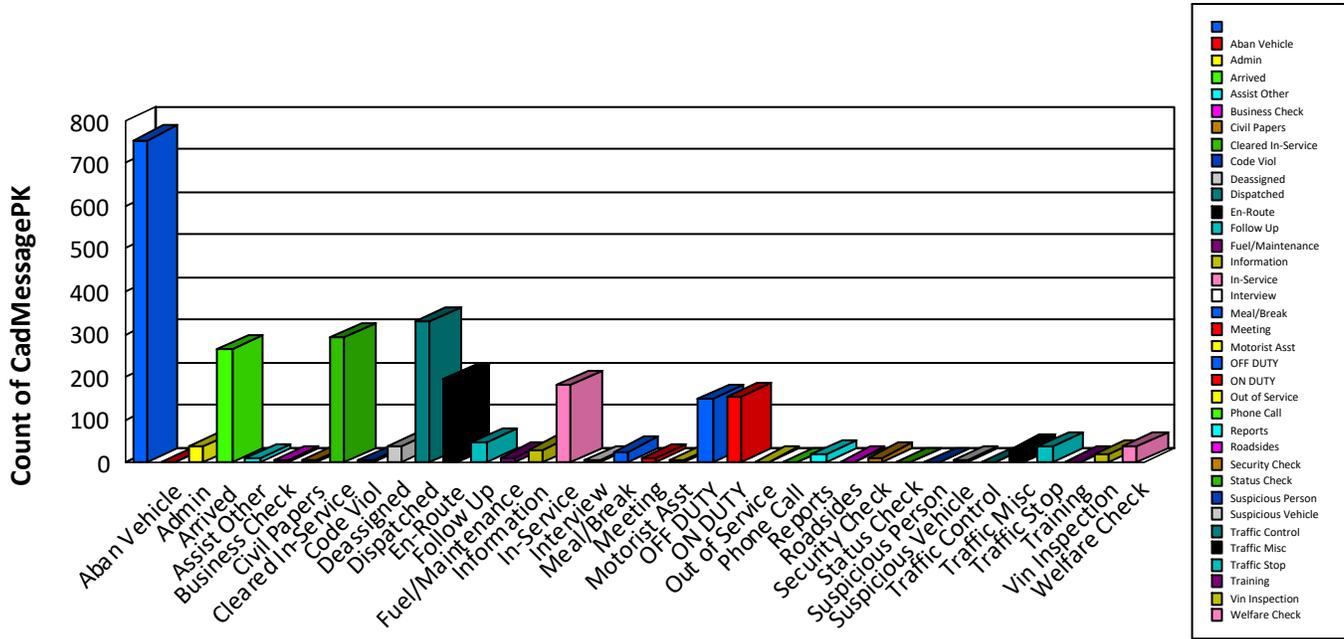
Police Department Chief's Report for August 11th Town Council Meeting:

- Chief Tidwell's retirement events went very well. Everything was very honoring to Chief Tidwell and he and his family were very appreciative.
- On July 29th we conducted a vehicle and uniform inspection. We then conducted felony stop training and Stop Stick training.
- Starting to meet with the schools for discussions and trainings on the Standard Response Protocol. Met with the new principal at DPCA, and Ofcr. DiGirolamo has been working with the new principal at BVHS. I'm also reaching out to the schools to see if we can start a reading program, where officers stop in on occasion to read to some of the elementary age kids.
- We're short staffed which is a strain on our schedule and providing adequate shift coverage. We've put out a hiring notice to fill two current openings. We have a couple really good applicants, but none of them are POST certified. Other local agencies are now paying to send officers through an academy, and I've been in talks with Phillip about this to make this an option for the BVPD, too. Also have been working with the town attorney on developing a contract for this.

Messages by Date

7/1/2020 - 7/31/2020
00:00:00 - 23:59:59

Agency - BVPD
Group By: Message Type



	07/2020	Total
	755	755
Aban Vehicle	1	1
Admin	36	36
Arrived	265	265
Assist Other	10	10
Business Check	4	4
Civil Papers	4	4
Cleared In-Service	293	293
Code Viol	4	4
Deassigned	38	38
Dispatched	331	331
En-Route	194	194
Follow Up	45	45
Fuel/Maintenance	12	12

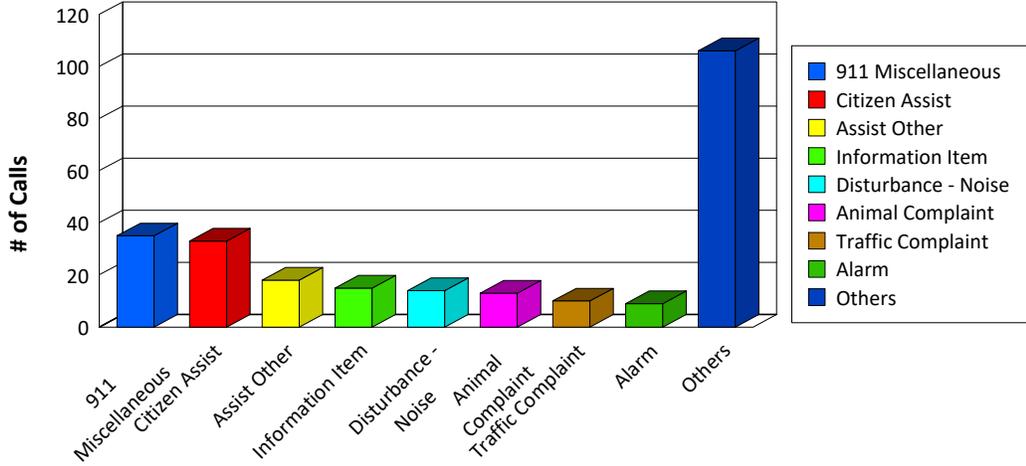
	07/2020	Total
Information	30	30
In-Service	180	180
Interview	4	4
Meal/Break	25	25
Meeting	9	9
Motorist Asst	4	4
OFF DUTY	149	149
ON DUTY	152	152
Out of Service	2	2
Phone Call	1	1
Reports	20	20
Roadsides	2	2
Security Check	12	12
Status Check	1	1
Suspicious Person	1	1
Suspicious Vehicle	4	4
Traffic Control	1	1
Traffic Misc	30	30
Traffic Stop	37	37
Training	2	2
Vin Inspection	19	19
Welfare Check	38	38
Total	2,715	2,715

Calls Statistics by Type Summary

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7/1/2020 - 7/31/2020
00:00:00 - 23:59:59

Agency - BVPD



	7/2020	Total
911 Miscellaneous	35	35
Abandoned Vehicles	2	2
Accident	8	8
Aircraft Crash/Incident	1	1
Alarm	9	9
Animal Complaint	13	13
Assault	3	3
Assist Other	18	18
Citizen Assist	33	33
Civil Dispute	2	2
Civil Standby	3	3
Code Violation	3	3
Criminal Mischief	4	4
Disturbance - Fight	5	5
Disturbance - Noise	14	14
Domestic	4	4
Fire-Structure	1	1
Forgery/Fraud	1	1
Found Property	8	8

	7/2020	Total
Harassment	3	3
Hazard - General	1	1
Information Item	15	15
Livestock	1	1
Lost Property	3	3
Medical Assist	5	5
Parking	1	1
REDDI Report	3	3
Sexual Assault	1	1
Suicide Attempt	2	2
Suspicious Incident	4	4
Suspicious Person	4	4
Suspicious Vehicle	1	1
Theft	5	5
Traffic Complaint	10	10
Traffic Violation	4	4
Trespass	4	4
Violation Prot Order	1	1
Voided Call	4	4
Warrant Arrest	2	2
Weapons - Gun	1	1
Welfare Check	9	9
Wildlife	2	2
Total	253	253

Statistics from: 7/1/2020 12:00:00AM to 7/31/2020 11:59:00PM

Citation Printout Report by Violation

Total Citations of (18-3-204 ASSAULT IN THE THIRD DEGREE): 1
Total Mandatory Appearances: 1

Total Citations of (18-3-206 MENACING): 1
Total Mandatory Appearances: 1

Total Citations of (18-6-801 DOMESTIC VIOLENCE): 2
Total Mandatory Appearances: 2

Total Citations of (42-2-101(1) DROVE MOTOR VEHICLE WITHOUT VALID DRIVERS LICENSE): 1
Total Mandatory Appearances: 1

Total Citations of (42-4-1101 SPEED LIMITS (EXCEEDING)): 11
Total Mandatory Appearances: 0

Total Citations of (42-4-1211 LIMITATIONS ON BACKING): 1
Total Mandatory Appearances: 0

Total Citations of (42-4-1301(1)(A) DROVE VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR BOTH): 1
Total Mandatory Appearances: 1

17

Total Citations of (42-4-1301(2)(A) DROVE VEHICLE WITH BLOOD ALCOHOL CONTENT OF 0.08 OR MORE): 1
Total Mandatory Appearances: 1

Total Citations of (42-4-703 ENTERING THROUGH HIGHWAY - STOP OR YEILD INTERSECTION): 2
Total Mandatory Appearances: 0

Total Citations of (7-136 RUNNING AT LARGE): 1
Total Mandatory Appearances: 1

Total Citations of (VOID): 1
Total Mandatory Appearances: 0

Grand Total

Total Number of Citations Reported: **23**
Total Fine Amounts Reported: **\$0.00**
Total Money Collected:
Total Money Still Due: **\$0.00**
Total Mandatory Appearances: **8**



Buena Vista Fire Department

PO Box 1692
Buena Vista, CO 81211
Phone: 719-395-8098
Fax: 719-395-2046

Chief Viller's July 2020 Report

For the month of July, we finished up purchasing tools for Engine 8.

We helped on the July 4th fireworks show.

We are continuing work on implementing a reserve program. We also have several new volunteers and are training with them.

The wildland program was busy with 8 resources out on different incidents throughout the month. We still currently have 4 people out on or returning home from incidents.

We are hiring for a new supervisory firefighter for one of our shifts.

Please see our call volume and training for the month of July.



Buena Vista Fire Department

PO Box 1692
Buena Vista, CO 81211
Phone: 719-395-8098
Fax: 719-395-2046

Start Date: 07/01/2020 | End Date: 07/31/2020

ACTION TAKEN	# INCIDENTS	PERCENTAGE
00 - Action taken, other	3	7.5%
10 - Fire control or extinguishment, other	2	5%
22 - Rescue, remove from harm	1	2.5%
30 - Emergency medical services, other	19	47.5%
31 - Provide first aid & check for injuries	2	5%
32 - Provide basic life support (BLS)	2	5%
70 - Assistance, other	1	2.5%
73 - Provide manpower	6	15%
74 - Provide apparatus	1	2.5%
81 - Incident command	2	5%
86 - Investigate	2	5%
90 - Fill-in, standby, other	1	2.5%
92 - Standby	6	15%
93 - Cancelled en route	1	2.5%
TOTAL:	49	

Total Training hours for July – 11 staff/volunteers

Physical Fitness	1
Pre-Fire Plans	4
Doll House Fire Burn	10.5
Driver Training	11.5
Bunker Training	4
SCBA Refill Operations	3
Standby	4.75
Total Hours	38.75



Code Enforcement Report

2020
Half Year
January - June

Case Work				
Stage	Opened	Closed	Moved to Next Stage	Violations & Comments
Investigation	19	3	16	(11) 6-123 – Short Term Rental Permit Required (5) 7-2 – Nuisance as Defined
Courtesy Notice (CN)	16	14*	0	(11) 6-123 – Short Term Rental Permit Required (5) 7-2 – Nuisance as Defined * 2 remain open
Notice of Violation (NOV)	0	0	0	
Municipal Court	0	0	0	\$0 Fines

Short Term Rentals				
Activity	2019*	1Q	2Q	Full Year
New Licenses	8	7	11	26
Renewal Licenses	74	19	5	98
Total Licenses	82	26	16	124
License Revenue	\$6,140.00	\$2,170	\$1,670	\$9,980

*2019 refers to the licenses issued for 2020 but were applied for and awarded in 2019

Updates

- Board of Trustees
 - o Passed Ordinance 01-2020
 - Allows seasonal camping in Industrial zone with a Temporary Use Permit
 - Bans camping on Public Property unless with a Town issued Special Event Permit
 - Limits camping vehicle use on private property

- Unless with a Town issued permit
 - Limited to 21 user days per calendar quarter
 - Worked with Recreation Department on fees and Special Event code changes
 - Ordinance 02-2020
 - Gives Town staff better guidelines to help with events
 - Held a work session with BoT to discuss current status of STRs
- Short Term Rentals
 - Cost analysis
 - Fee for new \$120
 - Staff time \$70 = 3.5 hours @ \$20.00 per hour
 - Application processing
 - Data collection
 - Compliance inspections
 - Communication with STR owner
 - \$50 inspection fee
 - Counts the time to log inspections
 - Offsets Fire Departments time
 - Renewal is \$70 is the same as new
 - COVID-19
 - Shut down STRs from March 20, 2020 – June 1, 2020
 - No violations during that time
 - Created a communication avenue with all STR owners
 - Worked with Chaffee County regarding the reopening of STRs
 - Helped develop process used County-wide
 - Was able to use this process to find STRs that were unlicensed and get them licensed (2)
- Projects
 - Participated with four hiring committees
 - Town Prosecutor
 - Municipal Judge
 - Planning Tech
 - Police Chief
 - Helped with a Government Module with Chaffee County High School
 - Informed them on the role local government plays
 - Took questions from the students
 - Working with property owner and Realtor for 246 S San Juan on abatement of an ongoing nuisance violation. Building has existed unfinished without a building permit.
 - Working with 3D tire and Auto Glass on maintaining compliance regarding their tires

- Worked with the Tree Board on Tree Cutters Permit
 - They would like to see a qualifying statement
 - A way to prove they know what they are doing
 - Industry standard of International Society of Arborist (ISA) Basic
 - If not carrying the certification then a written test
 - Conceived by the Tree Board
 - Graded by the Tree Board
 - Looking at insurance standards
- Worked on and implemented Seasonal Camping with Performance Tours and Brown's Canyon Rafting from Ordinance 1 Series 2020
 - Had the two companies help develop application and process
 - Came up with a simple process that gathers what we need but not too burdensome on the applicant
- Worked with Buena Vista School District to organize graduation exercises during the pandemic
 - Chaffee County High School
 - Small parade from South Main to East Main and Beldan
 - Ensured safe and best practices were being followed
 - Buena Vista High School
 - Helped organize procession from Avery Parsons to the Drive-in
 - Worked with CDOT to block traffic on the highway
 - Worked with Chaffee County Sheriff's Office to organize a procession crossing jurisdictional lines
 - Ensured safe and best practices were being followed
 - Helped organize banners on light poles and signs in Town Parks recognizing the graduating class
- Worked with Town Company LLC (South Main) to move the Beach Stage to the Lawn
 - Temporary Use application
 - End date agreed upon at which point the stage will either be moved back to its former location or go up for a building permit to get a certificate of occupancy on new location



OFFICE OF HOUSING

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

- Multi-Jurisdictional Housing Authority
 - The Intergovernmental Agreements that are proposed to create a MJHA continue to be edited and refined, including input from every jurisdictions legal teams. Presentations of the Steering Committees progress and agreements have been made per the following schedule:
 - July 14, 2020: Board of the County Commissioners
 - July 20, 2020: Salida City Council
 - July 27, 2020: Poncha Springs Trustees
 - July 28, 2020: Buena Vista Trustees

- Salida Housing Development Corporation
 - Serving on the Board of Directors for the SHDC, I continue to act as a liaison between Cardinal Capital, the Low Income Tax Credit developer, DOLA-DOH, and CHFA.
 - We are working with Prior & Associates on obtaining a Market Study to be submitted with the LITC application. There are several areas of the market study that are not reflective of our actual economic situation and I am working to provide better data sources as well as connect the Analyst with Wendell Pryor of the EDC.
 - A letter of intent to apply will be submitted in December 2020; the final application will be submitted in February 2021. I am working with CHFA representatives to be certain that the recently awarded Confluent Park LITC project in Salida wont preclude this application from being considered. Typically, CHFA prefers to see a project built out and leased up before awarding another in the same Primary Market Area.

- Rental Deposit Guarantee Program:
 - This program is continuing to see an increase in inquiries and activities. Moreover, some tenants are reporting difficulty in payment due to loss of income from COVID. I am working with them to revise their repayment agreements.

- Health Disparities Grant Program
 - The first year of this program has wrapped up, and a final report has been submitted to the HDGP Grants Manager. The Core Team (comprised of all paid professional planners within Chaffee County governments, Economic Development Corporation, and Envision Chaffee County) reviewed the report and recommendations on July 10, 2020 and offered their approval. The report will be

presented to and distributed to Planning Commissions, per the following schedule:

- August 25, 2020: Chaffee County Planning Commission
- September 8, 2020: Salida Planning Commission
- September 14, 2020: Poncha Springs Planning Commission
- TBD: Buena Vista Planning Commission
- All HDGP Grantees within the state are coordinating a training event this fall, and a celebration of completion event for the spring of 2021. I am participating in the planning of the spring celebration.
- The HDGP Grant Manager notified us that much of the FY 21 budget has been restored, bringing our total budget amount up to \$201,165.00. I will be revising our Statement of Work and Budget to reflect the increase, and have it submitted by July 13th.
- FY21 HDGP Statement of Work: Our budget and statement of work for FY21 have been approved, and includes the following activities:
 - Two community-wide education events
 - Convening of a Planning Collaborative among all of the jurisdictions within the county.
 - Offering at least four training and technical assistance events for the Planning Collaborative.
 - Contracting the evaluation of a collaborative GIS tool, shared among the Planning Collaborative.
 - Contracting the creation of additional GIS layers, if possible.
- Salida Land Use Code Update:
 - July 15, 2020 the consultants Salida hired offered an update on their progress; most efforts were focused on the administrative portion of the document, with a goal to make it easier to understand and use.

Community Partnerships

- I continue to develop working relationships with a myriad of service providers within Chaffee County, often centering around the Rental Deposit Guarantee Program.
- Chaffee County Community Foundation:
 - I am participating in “Pivot 2020,” the CCCF’s virtual conference for nonprofits, focusing on how organizations might respond to disruptions, such as the pandemic. This is also an excellent networking opportunity and a way to identify or strengthen community partnerships.
 - I have worked with Executive Director Joseph Teipel to conduct pre-development evaluation of a small scale affordable housing development in Salida. We are

poised to engage the land owner in a conversation about land acquisition on July 31, 2020.

- **Public Private Partnerships:**
 - I am working with several land owners who desire to build multiple units of housing, and are voluntarily working to keep a few of their units affordable. These conversations are all indicating that deed restrictions and the community guidelines that support them are going to take more of a priority in my work over the next year. These guidelines will likely reflect that the owners of these homes will be required to be employed in Chaffee County, as trying to reach prices affordable to 100% AMI and below is extremely difficult without public subsidy to the build.
 - I've been working with Brian Morrison of TKMorrison Construction, who is building an RV Resort in Salida on the river and is subject to Salida's Inclusionary Ordinance. We have determined how to calculate the rent cost for permanently affordable RV sites and the administrative mechanisms that my office will need to create to verify eligibility, establish yearly rents and utility standards, and conduct reporting.

- **CHFA:**
 - **The CHFAReach:** This is the training and technical assistance of CHFA, focusing largely on rental management and LITC Compliance. I am working to bring more training opportunities to Chaffee County, particularly those intended for landlords.
 - **Private Activity Bonds:** On July 14th, working through the Board of County Commissioners, Chaffee County's \$1,063,156 PAB Authority was assigned over to CHFA for use on multifamily projects in Chaffee County or an adjacent county.
 - **Asset Management Team**
 - **First Look Program:** I have joined the "First Look" program, which is a regular distribution from CHFA containing all of the single family, owner occupied homes in their loan portfolio that are about to fall into foreclosure. This program offers qualified entities, such as a multijurisdictional housing authority, the first opportunity to acquire these properties before they go public on the foreclosure market.
 - **Salida Apartments:** The CHFA Asset Management Team connected me with the owners of the Salida Apartments, Interpacific Advantage, a multifamily LITC development and property management company, as well as the entity who originally constructed the project and currently serve as the regional property manager. We addressed the following:

- Complaints from tenants; they assured me they would reach out to the onsite property manager to offer guidance and professional development.
 - Expiration of the Land Use Restriction Agreement maintaining affordability on December 31, 2021. I was informed that they had a USDA loan on the property, which ensures affordability for another 20 years. Moreover, they were pleased to hear Chaffee County has PAB's and are interested in renovating the complex within the next couple of years.
- DOLA DOH: PAB Allocation Committee:
July 17th, 2020 was the last convening of the PAB Allocation Committee for DOLA's Statewide Balance of Private Activity Bond CAP. The function of allocation the SWB of PAB CAP is going to transfer to the State Housing Board. This was done with the intention of reducing overhead and streamlining processes for efficiencies. The State Housing Board will be looking for members with PAB allocation understanding and experience.
- Chaffee County Office of Emergency Management: I was invited to sit in on a Wildfire Coordination Tabletop Exercise on July 13, 2020. While I did not contribute, I did learn where housing/sheltering people could come into play during an actual emergency situation, and will continue to work with Director Atkins to identify how my position might be helpful during future events.

Professional Development

- Housing Colorado
 - As a Housing Colorado member, I attended their virtual legislative briefing on July 9th. The state has worked tirelessly to figure out how to equitably distribute COVID funds throughout the state. Two statewide agencies are responsible for distributing funds in Chaffee County: Brothers Redevelopment and Salvation Army. These funds are primarily for homeless prevention, and can be accessed by tenants and landlords.
 - I attended the virtual Eagle Awards ceremony on July 30, 2020.
we
- Go Cultivate!: Go Cultivate! Is a podcast hosted by Verdunity, an organization founded by Kevin Shepherd, who was one of the subject matter experts participating in the Housing+Health Speaker Series funded by the HDGP. His focus was on the fiscal implications of different development patterns. I was asked to be a guest on this podcast, and was interviewed on July 22, 2020. Here is a link to the podcasts landing page: <https://www.verdunity.com/go-cultivate>



CHAFFEE COUNTY
DEVELOPMENT SERVICES DEPARTMENT

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bdepartment@chaffeecounty.org

August 10, 2020 Board of County Commissioners Work Session Report and Activity Update

I. Building Inspection:

A. Permit Activity

- **Permits** issued in July 2020: 334 (BMEP only)
2019: 365 (BMEP only)
 - * BMEP = Building, Mechanical, Electrical, & Plumbing permits
- **Total Revenue** collected in July 2020: \$131,261.98 (all divisions)
2019: \$182,863.50 (all divisions)
- **Total Revenue** collected year-to-date 2020: \$770,049.97 (all div.s)
2019: \$989,398.94 (all div.s)
 - % of Total budgeted revenue (original) collected by year end: 77% (\$1.2 M)
 - % of Total Covid amended revenue collected by year end: 63.9% (\$1 M)
- **SFDs** issued in July 2020: 29
Salida: 9 BV: 9 Poncha: 2 County: 9
- **2020 year-to-date permit totals:**

Salida:	426	22 SFDs
Buena Vista:	274	29 SFDs
Poncha Springs:	185	19 SFDs
Unincorporated County:	<u>1,028</u>	<u>58 SFDs</u>
Total Number of Permits Issued:	1,913	*128 SFDs
- **2019 year-to-date permit totals:**

Salida:	643	19 SFDs
Buena Vista:	370	54 SFDs
Poncha Springs:	250	34 SFDs
Unincorporated County:	<u>1,011</u>	<u>85 SFDs</u>
	2,274	*192 SFDs

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

B. New Commercial Projects

Salida:

- **1 Old Stage Road:** A permit was issued for a covered parking structure with PV solar panels.
- **148 E. 1st Street:** A permit was issued for a climbing wall gym at this address.

Poncha Springs:

- **1010 Tailwinds:** Permits were issued for several four-plex buildings as this address.
- **405 Quarry Station:** A permit was issued for a pavilion structure at this address.

Buena Vista

- **501 Antero Circle:** A permit was issued for a storage building at this address.
- **707 N. Hwy 24:** Permits were issued for parking lot lighting at the Valley Wide Health Medical Clinic.
- **328 E. Main Street:** A permit was issued for a minor remodel of the Asian Palette building.

C. Inspection Totals

- We performed 1,098 field inspections in the month of June.
- We issued 61 certificates of occupancy in June.

D. Legislative Update

- On July 15, 2020 the Colorado Electrical Board adopted the 2020 National Electric Code. We are evaluating the changes now and it will be automatically adopted 12 months after the state with the resolution that is currently in place in accordance with state statute.

II. Planning & Zoning

A. Land Use Code: The July 7 Planning Commission & BoCC joint work session was devoted to review of the draft comprehensive plan. The following Land Use Code items are pending discussion:

- An amendment to LUC Article 1.1.8 to include the Buena Vista Intergovernmental Agreement was heard by the Planning Commission on July 28, 2020 and recommended for approval. The item will be before the BoCC on **August 11, 2020**.
- 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 at a date to be determined.
- 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. A hearing has yet to be scheduled.
- 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 a future work session.

B. Buena Vista Intergovernmental Agreement: A joint work session with the County and Buena Vista Planning Commissions was held on June 9, 2020. Further discussion and a recommendation to approve the plan was heard at the June 30, 2020 Planning Commission meeting. **The Chaffee County BoCC approved the**

plan on July 21, 2020. The Town of Buena Vista Trustees approved the plan on July 28, 2020. A formal signing of the document by both parties is being scheduled.

- C. Comprehensive Plan:** Staff continues to meet with Cushing Terrell on a bi-weekly basis on the comp plan project. The Planning Commission has held weekly meetings for discussion of the plan through the beginning of July. The new draft plan is anticipated in 2 phases; on July 10, 2020 for internal review with edits and comments due July 17, 2020 for values, vision, goals and strategies, and then on July 31, 2020 for internal review with edits and comments due on August 9, 2020 for future land use plan and implementation strategies.

D. Land Use Current / Pending / in progress:

Applications Scheduled for Public hearing:

- Rio Frio Minor Subdivision Final plat 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. The final plat was before the PC on July 28, 2020 and continued at the request of the applicant to August 25, 2020. The application will be before the BoCC on **August 11, 2020** and presumably will be continued until after PC hears the application.
- The High Country Village Major Subdivision Planned Development at the intersection of CR's 313 & 314 in Johnson Village proposes the conversion of the manufactured home spaces created by the Swisher Manufactured Home Park into Lots served by a private water system and BV Sanitation District sewer. This application was heard by the PC on July 28, 2020 and was recommended for approval. The application will be before the BoCC on **August 11, 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 16 Lots. This application was before the Planning Commission on June 30, 2020 and was recommended for approval. The application was before the BoCC on July 14, 2020 and continued to **August 4, 2020** with the understanding that a new title report would be delivered to planning staff at least 1 week prior to the meeting. The title report was received by staff on Monday, August 3, 2020 and the applicant's representatives have agreed to continue the August 4 hearing to **August 11, 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 was before the Planning Commission on July 7, 2020 and further **continued to a date uncertain** to allow the applicant to provide a water supply study and traffic study of the property.
- 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 heard an appeal on May 19, 2020 and this was continued to July 7, 2020 at which time the applicant's representative requested continuance to a face-to-face meeting. The BoCC will visited the application on August 4, 2020 to consider a date for further continuance.

Recently Approved, Denied or Withdrawn Applications:

- 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 was before the Planning Commission on June 30, 2020 and was recommended for approval. The application was before the BoCC on July 14, 2020 and approved.
- The Tipton resubdivision of Lot 25 Glenview Subdivision Filing No. 1 proposes the subdivision of 7.8 acres into 3 Lots. This application was heard by the Planning Commission on June 2, 2020 and was recommended for approval. The application was before the BoCC on July 28, 2020 and was approved.

Applications Requiring Applicant Action:

- The DAO Minor Subdivision sketch plan on CR 270, North of the Kalivoda ROSI, proposes the division of 13.6 acres into 3 Lots. This application was before the PC on July 28, 2020 and approved for agency review.
- 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.
- 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. 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.**
- F. 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. **An application has been submitted and this was heard by the BoCC on August 4, 2020.**
- G. 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 47-49 and 52-55, Filing 4. Developer has entered into an escrow agreement with the County (\$3520) for completion of road grading and road swales.
 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. Construction is complete. **The landscaping of the property has been completed and staff inspected the improvements on July, 16 2020 at which time it was**

noted that the irrigation system was not functional and that some of the plantings did not look healthy or were dying. The release of funds was before the BoCC on July 21 and this item was continued to August 11, 2020 to allow the applicant to repair the irrigation system, attend to the plantings and allow staff to do another site visit.

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.

H. 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/Hirsche Property – 11341 CR 206. Building and Zoning violations. This property is being platted as Whispering Pinons Acres Major Subdivision, see items requiring applicant action. Staff is working with the applicant toward resolution of the building and land use violations.
3. Staff is reviewing 3 properties in Trout Creek Meadows on Singletree Road for possible camping violations.
4. Nathrop Properties – white metal Junk
5. Staff is investigating a junk and waste tire complaint at 27396 CR 314

III. Engineering

A. Road and Bridge

1. Staff has approved Centerville Phase 1 subdivision roads. The connection to HYW 285 has been completed.
2. CR 101 was damaged by flooding, in days following the flooding, Road and Bridge repaired the road for local traffic.
3. Granite Bridge: See section E. Engineering projects

B. Plan Review

1. Staff reviewed the following plans:
 - a. Tipton minor subdivision,
 - b. Rio Frio minor subdivision.

C. OWTS Program

1. In July staff reviewed 13 OWTS designs, issued 10 OWTS permits and 5 are on hold.
2. Staff investigated overflowing sewage at the Maysville KOA. Staff concluded that the septic systems are operating properly but the sewer lines are not flowing properly and sewage was backing up and coming out a manhole. The owners have been contacted and have had the sewer line cleaned.
3. Staff received a concern about the Comanche Drive-in Septic system. Staff has contacted the owners but staff has not succeeded in scheduling a time to do a site-investigation.

D. Regional engineering plan review and inspection

1. Army Corp Of Engineers, "Waters of the USA", violations:
 - a. Cr 221- the owner is working with the ACOE to resolve the violation and has started remediation of the damaged area. The county has informed the owner

that no county permits will be issued until the remediation has been completed.

- b. 30450 CR 371; Nothing new to report.
- 2. Staff received a complaint that a skid steer loader was parked close to the Arkansas on CR 301A. Th complainant was concerned about possible pollution of the Arkansas. Staff could find no EPA or USACE regulation forbidding this. Staff contacted the owner and they graciously removed the machinery away from the river.
- 3. Buena Vista High School: Phase 2 and 3 is under construction.
 - a. Phase 1: 100% complete
 - b. Phase 2 and 3:
 - i. The existing school is 100% demolished,
 - ii. The foundations are 100% complete,
 - iii. Prefab concrete walls are 100% complete,
 - iv. Steel structure is 100% complete,
 - v. CMU walls are 100% complete,
 - vi. Steel stud framing is 100% complete,
 - vii. Drywall is 90% complete,
 - viii. Road/parking is 90% complete,
 - ix. Finishing is 0% complete,
 - c. Staff has performed approx. 256 different inspections to date.
 - d. 1 new case of Covid-19 was reported.



E. Engineering Projects

- 1. Salida Airport Beacon Tower:
 - a. Staff wrote and published an RFP for the construction, repair and installation of the airport beacon tower. Submittals were due August 3, 2020.
- 2. Fair grounds North building, heating/cooling:
 - a. DSI has been awarded the contract for the installation of the heating and cooling units,
 - b. Atmos will be installing the new gas main after the end of the county fair.
- 3. Chaffee County Administration Building:
 - a. Preliminary design is 100% complete,
 - b. A parking/lot coverage variance has been approved by the City of Salida and Salida added new diagonal parking to Crestone Ave.
- 4. Public safety Building:
 - a. On HOLD
- 5. Granite Bridge rehabilitation:
 - a. Structural steel analysis:
 - i. Preliminary analysis is currently being performed, the first conclusions are that the bridge will have to be removed and strengthened with new girders. A temporary bridge will be placed on the existing abutments allowing local traffic and emergency vehicles to cross,
 - b. Abutments:

- i. Preliminary analysis is currently being performed, the results are not yet available.
 - c. ROW (Right Of Way):
 - i. The first surveys have been performed and it appears that the county has the ROW in of the SE side of the bridge, which probably means that a temporary easement during construction from UPRR (Union Pacific Rail Road) will not be needed. This needs to be confirmed by CDOT and UPRR.
- 6. Decker Fire recovery:
 - a. The surveying of the site locations is complete.
 - b. Construction started on June 22, 2020,
 - c. Site specific status:
 - i. The Hosman property: NRCS approval, construction 0% complete,
 - ii. The Short property: NRCS approval, construction 100% complete,
 - iii. The Fontana property: NRCS approval, construction 20% complete,
 - iv. The Ricci property: NRCS approval, construction 0% complete,
 - v. The Graves/Stables property: NRCS approval, construction 0% complete,
 - vi. The Byars property: NRCS approval, construction 0% complete,
 - vii. The Chick property: After the flood the property has been temporarily protected with sandbags, and plastic flood barriers. Due to the recent flooding the design will altered to better protect the house. The owner is aware and agrees to the new changes, NRCS preliminary approval, construction 0% complete.
 - viii. The Speaker property: NRCS preliminary approval, construction 0% complete,



Terrace ln, Short Property, Completed

TOWN OF BUENA VISTA, COLORADO

RESOLUTION NO. 44
(Series of 2020)

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPOINTING WAYNE LEE AS AN ALTERNATE MEMBER OF THE AIRPORT ADVISORY BOARD.

WHEREAS, Article VIII, Chapter 2, Sec. 162 of the Buena Vista Municipal Code authorizes the Board of Trustees to appoint individuals to serve as members of the Town of Buena Vista Airport Advisory Board by a majority vote of all members of the Board; and

WHEREAS, the Board of Trustees desires to make the appointment set forth herein, which is as recommended by the respective advisory board.

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

Section 1. The following appointment is made to the Airport Advisory Board:

Wayne Lee, alternate member, to serve out a vacated, unexpired term ending December 2021.

Section 2. Each advisory board member so appointed shall hold his or her appointment until his or her term expires, or he or she is removed or resigns, or as otherwise provided for in accordance with the ordinances of the Town of Buena Vista.

RESOLVED, APPROVED, AND ADOPTED this 11th day of August, 2020.

TOWN OF BUENA VISTA

BY: _____
Duff Lacy, Mayor

ATTEST:

Paula Barnett, Town Clerk



Central Colorado Regional Airport

27960 County Road 319
 Buena Vista, Colorado 81211
 Phone: (719) 395-3496
 Fax: (719) 395-3497



August 2, 2020

Buena Vista Board of Trustees
 PO Box 2002
 Buena Vista, CO 81211

Re: Airport Advisory Board Member

Dear Mayor, Lacy and Trustees:

The current Airport Advisory Board Members:

	<u>term expires December</u>
➤ Dennis Heap, Chair	2020
➤ Malcom Sillars, Vice Chair	2021
➤ Taylor Albrecht, Secretary	2020
➤ Jerry Steinauer	2020
➤ Daniel Courtright	2020
➤ Mark Muller	2020
➤ Bob Dimmit,	2022
➤ Mark Godonis, Alternate	2021
➤ Jack Wyles, Airport Manager, ex officio member	
➤ Dave Volpe, Trustee Liaison, ex officio member	

Guidelines suggest two alternate board members as a way of insuring a quorum.

Wayne Lee submitted an Airport Advisory Board Application to the Town and is willing to serve as an Airport Advisory Board Member. Wayne is a sailplane pilot and retired Air Traffic Control manager, which makes him an excellent candidate of an Airport Advisory Board Member.

Therefore, the Airport Advisory Board by electronic means is unanimous in recommending that Wayne Lee be appointed by the Trustees to serve as an alternate Airport Advisory Board member.

Sincerely,

Dennis R Heap
 Chair, Airport Advisory Board

TOWN OF BUENA VISTA, COLORADO

RESOLUTION NO. 45
(Series of 2020)

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPOINTING DOROTHY DISTEL AS AN ALTERNATE MEMBER OF THE BEAUTIFICATION ADVISORY BOARD.

WHEREAS, Article VIII, Chapter 2, Sec. 262 of the Buena Vista Municipal Code authorizes the Board of Trustees to appoint individuals to serve as members of the Town of Buena Vista Beautification Advisory Board by a majority vote of all members of the Board; and

WHEREAS, the Board of Trustees desires to make the appointment set forth herein, which is as recommended by the respective advisory board.

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

Section 1. The following appointment is made to the Beautification Advisory Board:

Dorothy Distel, alternate member, with a three (3) year term ending December 2022.

Section 2. Each advisory board member so appointed shall hold his or her appointment until his or her term expires, or he or she is removed or resigns, or as otherwise provided for in accordance with the ordinances of the Town of Buena Vista.

RESOLVED, APPROVED, AND ADOPTED this 11th day of August, 2020.

TOWN OF BUENA VISTA

BY: _____
Duff Lacy, Mayor

ATTEST:

Paula Barnett, Town Clerk

Introducing



Drone Flying Park

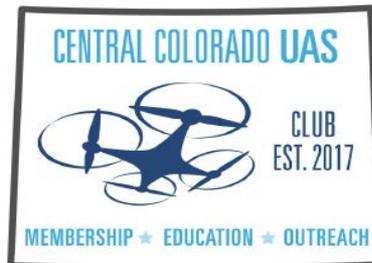
A presentation for the
Board of Trustees

August 11, 2020

By

Taylor Albrecht and Honora Roberts

Central Colorado UAS



Agenda

- Background
- The Vision
- The Plan

UAS in the Upper Arkansas Valley

- Unmanned aircraft systems or UAS have long been on the radar for Chaffee County
- The Chaffee County UAS Advisory Board was started by the County Commissioners in 2015.
- With the advent of Part 107 UAS pilot licensing in August 2016, the Advisory Board was dissolved by the Commissioners and folded into the Central Colorado UAS Club.

Who is Central Colorado UAS

- A 501(c)3 started in 2017
- Our Mission:
Public outreach, education and fellowship of unmanned pilots and small unmanned aircraft owners (most often referred to as drones) in the proper and safe use of drones.
- Over 40 members from all over the state of Colorado and other states as well
- Monthly meetings provide education and the opportunity to fly together

Club initiatives

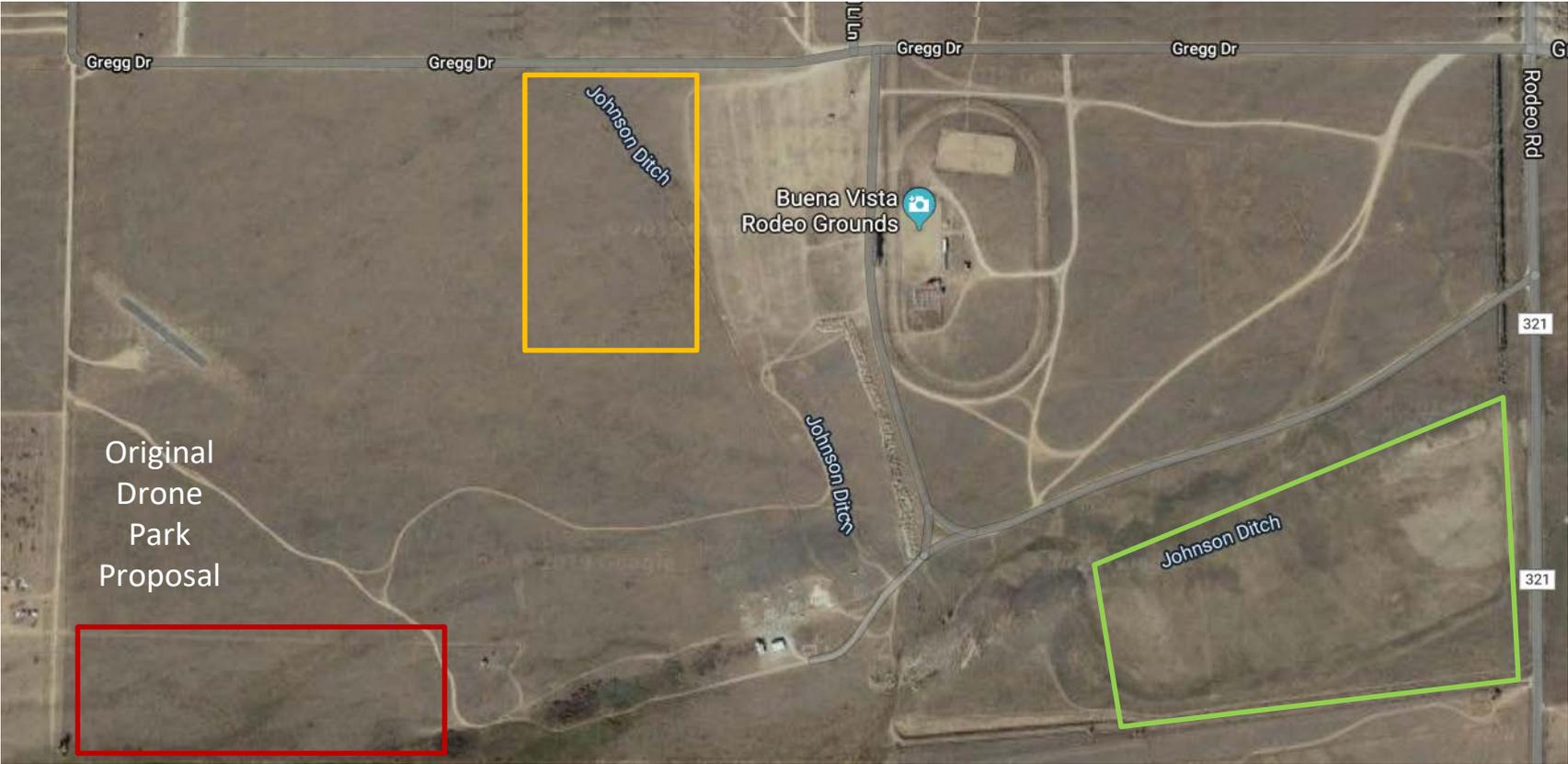
Seek opportunities to make a difference in our community:

- Host an annual conference for emerging trends and technology in unmanned aviation
- Assist with selection and implementation of UAS curriculums in local high schools and Colorado Mtn College
- Build a flying park to support practical piloting skills
- Establish a drone flying corridor between BV and Salida for research primarily between HRRMC facilities.

How we got here

- Started at the RC field for our group flights last year
- The idea was born to perhaps expand the RC field to include drone flight zones
- Met with Earl Richmond, the Rec Board, as well as RC flyers
- Reviewed several alternatives after consulting with area stakeholders.
- We believe we have found the best alternative for all involved

Alternatives Explored



Original
Drone
Park
Proposal

Johnson Ditch

Buena Vista
Rodeo Grounds

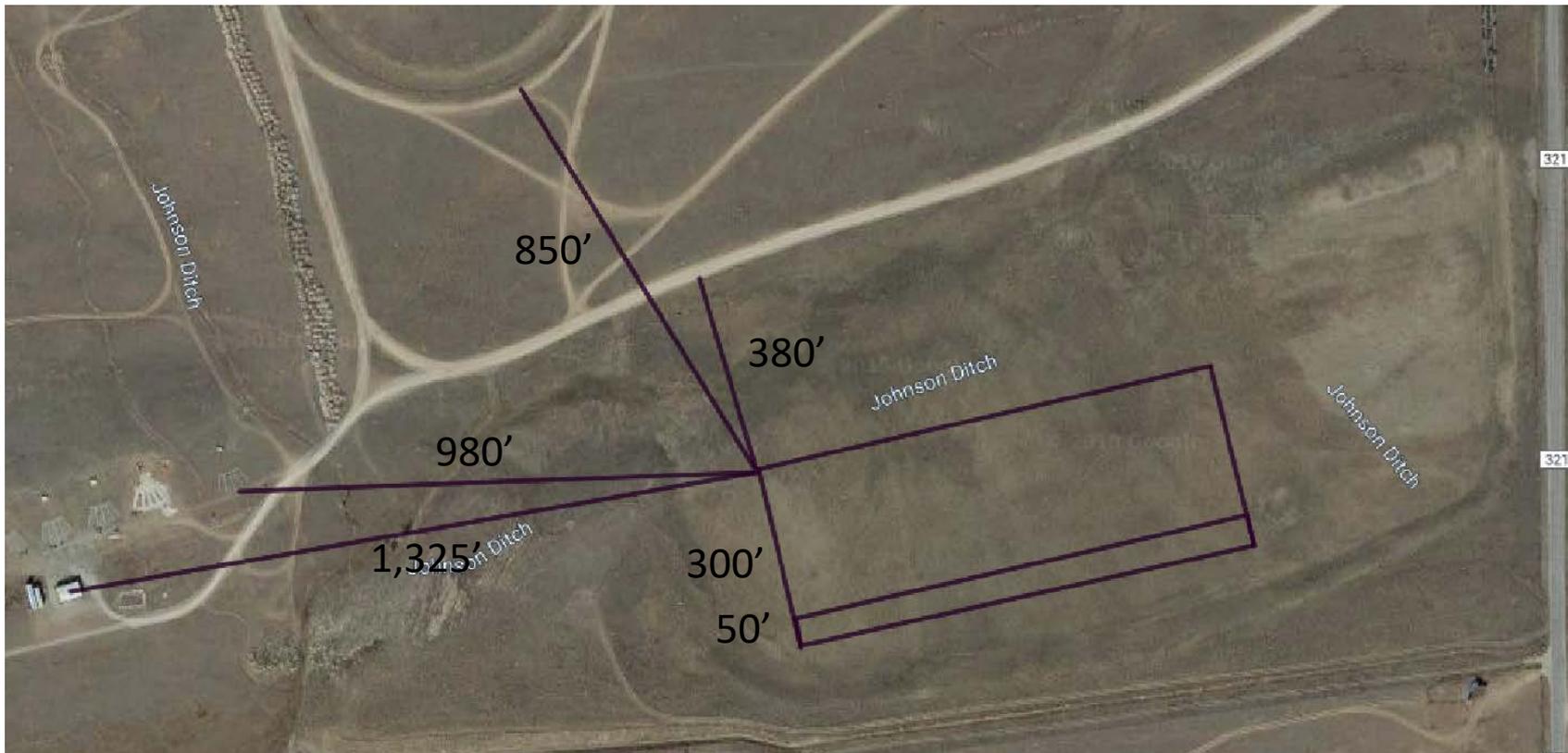
Johnson Ditch

Johnson Ditch

321

321

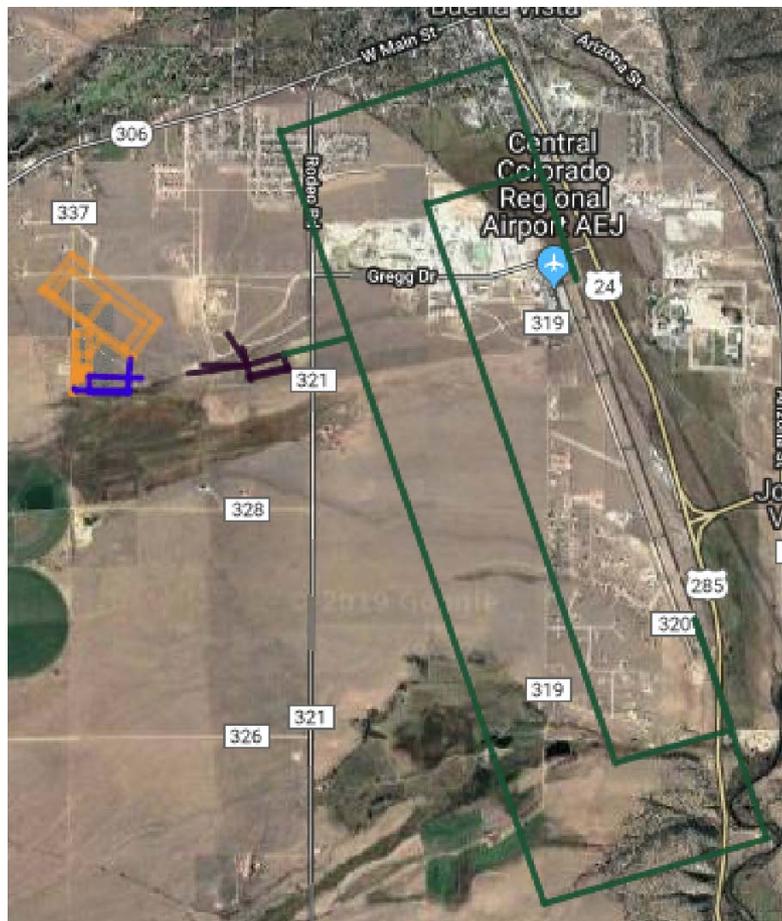
Option 3



- Easy access from Rodeo Road
- Good, level topography
- Ample parking
- Propose parking on top and having trails down to park
- Possible access from Sportsman's Club for loading/unloading of gear
- Closer to Sportsman's Club but shielded by ridge

Option 3 Proximity to KAEJ

- Closer to airport traffic pattern
 - Right pattern to R33, Left to R15
- “Normal” downwind pattern is about 1/2 s.m. from the runway at 1,000’ AGL for piston aircraft. Edge of park is about 4,154’ from this pattern
- “Normal” turbine pattern is about 1 s.m. at 1,500’ AGL. Edge of park is about 1,525’ from this pattern
- Since sUAS operations are limited to 400’ AGL in this area without a waiver, potential for interference of aircraft in the “normal” traffic pattern should be nil.
- Emergency and low-level helicopter operations are possible and sUAS pilots must be aware.
- See letter of support from Jack Wyles, Central Colorado Regional Airport Manager.



Imagine Buena Vista at the center of unmanned aerial excellence...

- Where both professional and recreational pilots can learn to safely operate unmanned aircraft
- Where first responders can go to practice complicated maneuvers and become certified in the use of unmanned aircraft
- Where pilots can compete for standing in the racing circuit
- Where students have a safe place to develop practical knowledge of drone operations

Road to the Sportsman's Club

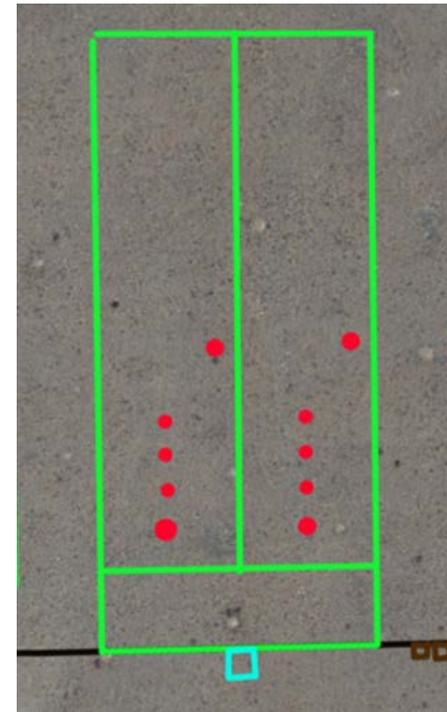
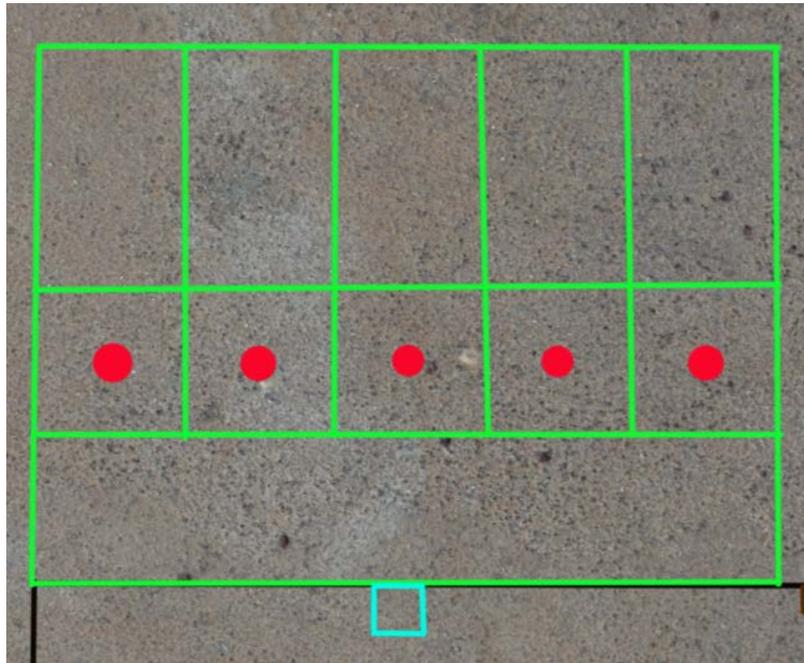


The logo for 'THE TOWN OF BUENA VISTA CO' features a stylized mountain range with a sun rising behind it. The numbers '18' and '73' are on either side of the mountains, and 'co' is at the bottom. To the right of the logo, the text 'Drone Flying Park' is written in a blue, sans-serif font.



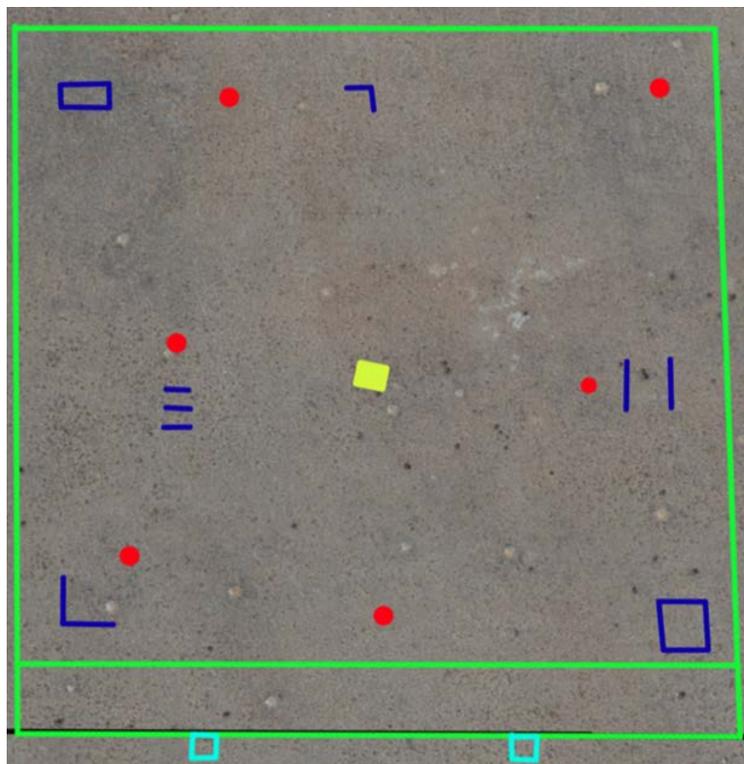
Phase 1 – Flight Deck & Certification Zones (2020)

- Secure sponsors for zones
- Construct road into the Flying Park
- Build Flight Deck and Certification Zones
- Develop and install signage
- Launch at the 2020 UAS Roundup September 20th



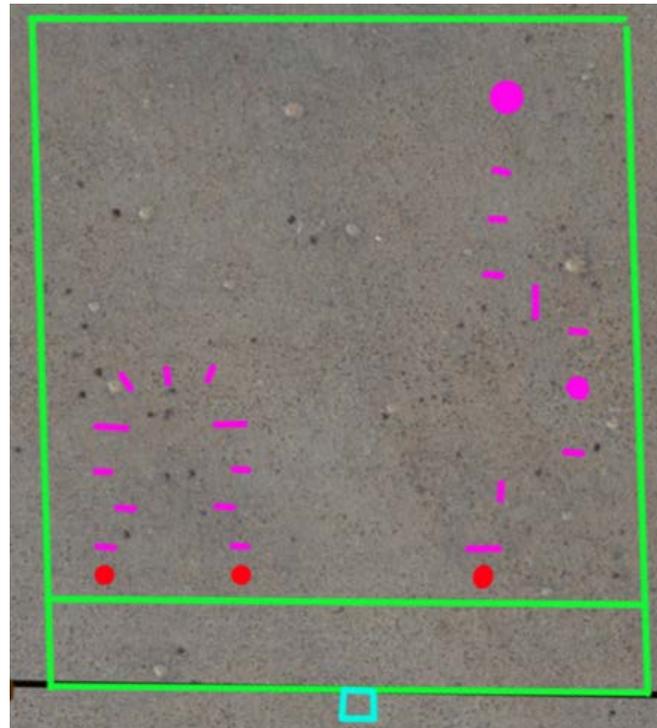
Phase 2 – Obstacle Zone (2021)

- Secure sponsors for zone
- Build the Obstacle Zone
- Provide Porta Potties for area (could we put in Phase 1?)
- Erect shelters for first two zones.



Phase 3 – Racing Zone (2022)

- Secure sponsor for the zone
- Build the Racing Zone
- Erect shelter for zone.
- Host the first sanctioned race.



Proposed Budget/Responsibility - Phase 1

Activity	Responsible Party	Expense	Timeframe
Grant permission to CCUASC for land use and any inkind services.	Town of Buena Vista (BV)	NA	August 2020
Secure sponsors for the zones.	CCUASC	NA	August – September 2020
Purchase road materials	CCUASC	\$1837.00	September 2020
Construct roadway and parking area.	BV	In-kind	September 2020
Build flight zones.	CCUASC	Club volunteers	September 2020
Develop and install signage.	BV and CCUASC	\$ TBD	September 2020
Provide Porta Potty.	BV	In-kind	September 2020

Proposed Budget/Responsibility - Phase 2

Activity	Responsible Party	Expense	Timeframe
Secure sponsor for Obstacle Zone	CCUASC	NA	January – February 2021
Construct Obstacle Zone	CCUASC	Club volunteers	March – April 2021
Erect two steel shelters for the area	CCUASC	\$3800	May 2021
Install picnic tables in the shelters	BV	In-kind	May 2021

Proposed Budget/Responsibility - Phase 3

Activity	Responsible Party	Expense	Timeframe
Secure sponsor for Racing Zone	CCUASC	NA	January – February 2022
Construct Racing Zone	CCUASC	Volunteers	March – April 2022
Erect final steel shelter for the area	CCUASC	\$2000.00	May 2022
Install picnic table in the shelter	BV	In-kind	May 2022
Conduct first sanctioned race.	CCUASC	\$ TBD	TBD 2022

Community Support

We've received letters of support from:

- Central Colorado Regional Airport Manager
- Collegiate Peaks Stampede Rodeo
- Anderson Law Group
- Leidos
- BV Chamber of Commerce
- BV Circus
- University of Denver
- Buena Vista High School

Final thoughts

- Request the Board of Trustees approve the proposed flying park and in-kind services.
- CCUASC is financially strong and able to fund the materials for the roadway as proposed.
- CCUASC will seek additional sponsors and funding to complete the other phased items once agreement has been reached with the Town.
- Letters of support from wide variety of stakeholders included in the board packet.

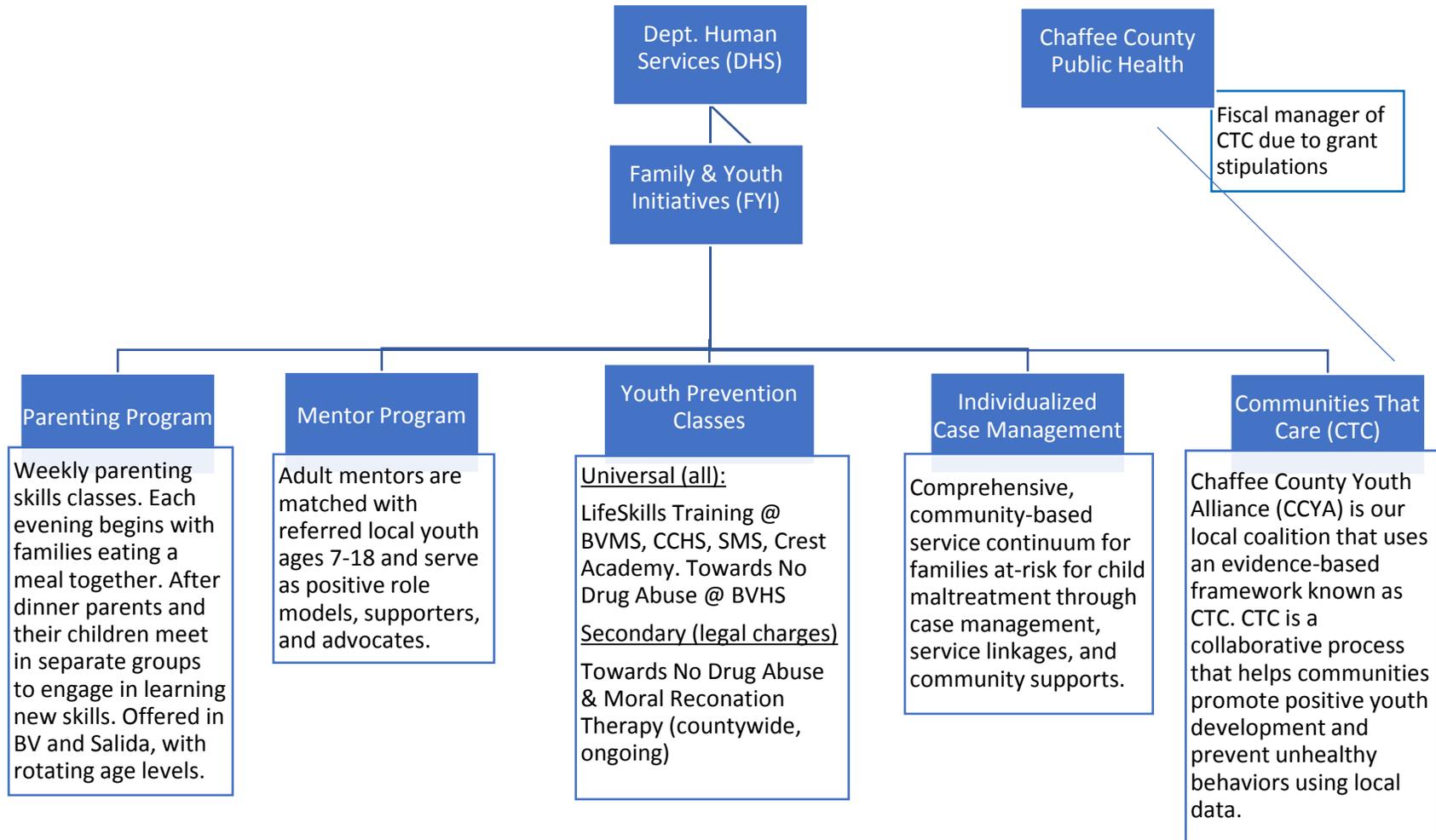
Next Steps

Board of Trustees approval of:

- Drone flying park concept
- Phase 1
- Permission to proceed to draft letters of agreement

Family & Youth Initiatives Organizational Chart

Learn more at our website <https://chaffeecountyfyi.org/>





The Chaffee County Youth Alliance serves our community by creating opportunities, removing barriers and allocating resources to cultivate positive relationships and promote youth & family well-being. Our goal is to reduce unhealthy youth behaviors in our community.

Why: In the 2017 Healthy Kids Colorado Survey, **46%** of high school students in Chaffee County reported drinking alcohol in the last 30 days, **31.6%** used marijuana, **44.8%** used a vape, **17.2%** used traditional cigarettes. **19.8%** reported they made a plan for how they would attempt suicide. All are higher than regional & state averages.

Our history: Chaffee County began addressing risk and protective factors in 1995 as BV Build a Generation. When Colorado legalized recreational marijuana, money was distributed for prevention and the Chaffee County Youth Alliance was established in 2016. Since then, coalition members across the county have met monthly to implement an evidence-based process, Communities That Care (CTC). We have analyzed local youth data to identify risk factors, implemented strategies for community change, and developed metrics to evaluate the impact these prevention efforts will have in our community.

Local Risk Factors	Strategies for Community Change
Accessibility of Substances	<i>Build public support for conventional enforcement of existing laws.</i>
Early Initiation of Use	<i>Build support for implementation of Evidence-Based substance use prevention curricula.</i>
Parent Favorable Attitudes & Involvement in Substance Use	<i>Utilize statewide media resources to decrease favorable parental attitudes & involvement in substance use and change community norms.</i>

Youth Leadership: We utilize an approach called Positive Youth Development (PYD), helping youth gain skills to be healthy, productive adults. We distribute yearly mini-grants to organizations across the county for PYD projects. Our youth board, the Extraordinary Teen Council, partnered with Solvista to improve youth access to mental health services & reduce stigma with the Teen Wellness Voucher which provides two free visits with a clinician. They also began a Salida teen discount program. We also partner with the Torch Club of the BV Boys and Girls Club and help coordinate BV 5th Quarter to engage youth leaders and provide prosocial opportunities for BV youth.

Current Progress as of July 2020: [\(Community Action Plan Activities\)](#)

1. Availability of Substances
 - Developed survey with enforcement agencies to explore agency perceptions related to youth substance use
 - Reviewed survey results & developed plan as group to determine areas of need, one being parent accountability
 - Identified Agency Liaisons to represent each enforcement-related department to increase interagency communication
2. Early Initiation of Substance Use
 - In 2018, we began supporting Salida MS in implementing LifeSkills Training universal prevention curriculum
 - In 2019, we began supporting BVHS in implementing Project Towards No Drug Abuse universal prevention curriculum
 - In 2020, we expanded our support to include BVMS, CCHS and Crest Academy, in partnership with Solvista Health
3. Parental Attitudes & Involvement in Substance Use
 - Engaged parents and community in sharing prevention info on various media outlets (podcasts, radio, Facebook, etc.)
 - Interviewed local young person in recovery from addiction to emphasize the impactful role of trusted adults & prevention
 - Secured ¼ page ad in [Salida Summer Recreation Guide](#)
 - Planning upcoming media campaign to encourage developmental relationships and change community norms

Thank you to our partners!

Our prevention work is a collaborative effort of public health, education, human services, mental health services, youth & civic organizations, law enforcement, local businesses and community members. All partners are critical in leveraging support to sustain our efforts. The following are partners with us in various ways: members of the coalition, partners with youth, pursuing Positive Youth Development, and/or contributing info/resources to help our work.

A Church
 Alpine Achievers Initiative
 Amica's Pizza
 Ark Valley Voice
 Articipate
 Boys & Girls Clubs of Chaffee County – BV and Salida locations
 Brown Dog Café – BV and Salida locations
 Buena Vista Board of Trustees
 Buena Vista High School
 Buena Vista School District
 Buena Vista Library
 Buena Vista Police Department
 Buena Vista Recreation Center
 Buena Vista School Board
 Buena Vista Young Life
 Chaffee County Board of Commissioners
 Chaffee County Early Childhood Council
 Chaffee County High School
 Chaffee County Human Services Department
 Chaffee County Office of Emergency Management
 Chaffee County Public Health
 Chaffee County Sheriff's Office
 Colorado Dept. Public Health & Environment
 Congregational United Church of Christ
 Crest Academy Middle School
 De Pasquale's Pizza
 elevateHER
 Extraordinary Teen Council
 Family & Youth Initiatives
 First St Family Health
 Friends of Salida Skateparks
 Full Circle Restorative Justice
 Fun Street Family Arcade

Gathering Grounds
 Get Outdoors Leadville!
 Greater Arkansas River Nature Association
 Guidestone Colorado
 Horizons Exploratory Academy
 Heart of the Rockies Regional Medical Center – BV and Salida locations
 Kaleidoscope Toys
 KHEN Community Radio
 Little Red Hen Bakery
 Mama D's
 McGinnis Middle School
 Mini Blessings
 Mo Burrito
 Moonlight Pizza
 NAMI Chaffee County
 Office of the D.A. - 11th Judicial District
 Parents, Guardians, Role Models in community
 Partnership for Community Action
 Poncha Springs Board of Trustees
 Full Circle Restorative Justice
 Sacred Grounds
 Salida Circus
 Salida City Council
 Salida High School
 Salida Middle School
 Salida Police Department
 Salida Recreation Center
 Salida Regional Library
 Salida School Board
 Salida School District
 Solvista Health
 Sunday Lounge Graphic Design Studio
 The Alliance Chaffee County
 The Chaffee County Times
 The Mountain Mail
 University of Colorado Boulder
 Youth in Chaffee County
 11th Judicial District
 50 Burger



TOWN OF BUENA VISTA

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

DATE: August 5, 2020
 TO: Board of Trustees
 FROM: Staff
 RE: Retail Cannabis, Part Two: Draft Ordinance and Revised Maps for August 11th Board meeting

Background:

During the July 28 Trustee Meeting, the Board discussed many items related to a potential ordinance for permitting retail cannabis within the Town, using the 2016 draft ordinance as a starting point. Staff has made a new 2020 draft ordinance that seeks to incorporate the desires of the Board. In addition to the changes requested, staff has included necessary revisions to the outdated code for a medical license.

The draft ordinance, a) incorporates the requested changes, b) includes language that should change but does not demand clarification from the Board.

The body of this memo, a) outlines the changes, b) gives a summary of the attached maps, and c) provides some areas that will need additional feedback.

The attached ballot language gives an option for the special sales tax ballot question.

Changes:

The following summarize the changes found in the draft ordinance, as per trustee input.

1. Combines the regulation of medical and retail marijuana businesses into a single code, which is consistent with how the State now regulates them, and which is really necessary seeing as we want to be consistent with how they are treated and that the numeric limitation of 2 locations applies to both.
2. Changes all references to the state statutes and regulations to meet the new statutory and regulatory requirements.
3. Includes a two-phase application process, which allows applicants to submit an initial application to be reviewed for completeness, which if complete makes them eligible for a

random drawing for a phase 2 review. Under a phase 2 review, they can be approved for a license.

4. Allows for only medical or retail marijuana businesses or dual operations at two locations. This allows Ascend to apply for a retail license whenever they want, because they already occupy one of the 2 locations. If Ascend does want a retail license, this ought to be required to be at the same location; given the small number of permissible licenses, one owner/operator could open a retail and a medical in different locations and monopolize the local market.
5. Includes all the changes discussed with the Board including the following:
 1. Hours of operation 8:00 a.m. to 9:00 p.m.
 2. Exterior color limitations
 3. New distance limitations (eliminated playgrounds and hotels). Please note the comment in the attached draft that the state laws set certain distance limitations for medical but not retail marijuana stores, which the Town can change. The state limits are included for now, plus others the Town can change as it deems fit. In addition to the 1,000' separation around schools, the trustees may decide on a 500' or no separation from drug and alcohol rehabilitation centers. Other cannabis stores will have a 1,000' separation.
6. In Section 2 it references changes to the UDC to zone them accordingly. It is assumed they would be uses-by-right in the applicable zone districts, but they could be subject to the special use procedures if the Town desires, however this may not be warranted given the control the Town has exercised over available locations. Retail cannabis will be limited only to retail stores and not include cultivation, manufacturing facilities, testing facilities, or hospitality areas.
7. Retail stores will not be allowed to have a delivery permit.
8. Staff has removed the MU-1 and MU-2 zone districts from the allowed zones, leaving just the Highway Commercial (HC), Industrial (I-1) and Mixed-Use Main Street (MU-MS) zone districts where retail operations would be allowed. This will limit the number of licenses on East Main Street to one (1).
9. During a subsequent Trustee meeting fees will need to be set for Phase 1 and Phase 2 application processes, and renewal.
10. An excise tax is only collected by cultivators/wholesalers and therefore doesn't apply to BV.
11. Staff is investigating bonding options, specifically whether there are federal restrictions. At this point staff does not believe that bonding specifically on marijuana revenue is a reliable option due to uncertain future treatment of marijuana sales by the Federal Government. Revenues from recreational marijuana could be used for savings and/or combined with

regular sales tax revenues in the General Fund which could be bonded/borrowed against in the future.

Maps:

Staff has provided two maps showing the 1,000' separation from schools and from existing medical operations; 1) map shows a 500' separation from alcohol and drug rehabilitation facilities and 2) the other shows no separation from alcohol and drug rehabilitation facilities.

If the proposed ordinance were passed, staff would reconfirm the locations in town of those facilities when making an official map for administration of the ordinance.

Areas specifically requiring feedback:

1. What do trustees want to see regarding separations?
2. We have included updated ballot language for the special sales tax which needs BOT feedback. We need to know what the BOT wants on the November ballot so we can have it drafted for approval on August 25th. Questions: What do you want for a sliding tax scale? Does this new language for destination of funds work?

COUNCIL BILL NO. _____

ORDINANCE NO. _____

ORDINANCE**AN ORDINANCE REPEALING AND REENACTING ARTICLE IV OF CHAPTER 6 OF THE BUENA VISTA MUNICIPAL CODE CONCERNING MEDICAL AND RETAIL MARIJUANA BUSINESSES AND AMENDING THE TOWN'S ZONING REGULATIONS TO INCLUDE MEDICAL AND RETAIL MARIJUANA AS PERMITTED USES IN CERTAIN ZONE DISTRICTS**

WHEREAS, the Town of Buena Vista currently permits medical marijuana centers, optional premises cultivation, and marijuana-infused products manufacturers in the Town;

WHEREAS, the Board of Trustees desires to continue to permit medical marijuana centers (now referred to as medical marijuana stores) in the Town and to allow retail marijuana stores, but no longer permit infused-product manufacturing or optional premises cultivation;

WHEREAS, the Board of Trustees therefore desires to combine the Town's current medical marijuana regulations with new retail marijuana regulations to regulate these businesses and to provide consistency with respect to the location, application, security, signage, and procedural requirements for such businesses;

WHEREAS, the Board of Trustees further desires to update the regulations to address amendments to the state's laws concerning such businesses, including without limitation, residency requirements for owners;

WHEREAS, such consistency is particularly important because the Board of Trustees desires to allow dual medical and retail marijuana operations;

WHEREAS, although the Board of Trustees desires to provide access to medical marijuana and medical marijuana infused products to patients, the Board of Trustees desires to limit the proliferation of marijuana businesses in the Town; and

WHEREAS, therefore, the Board of Trustees is limiting marijuana businesses to a total of two locations in the Town and permitting each location to service as either a medical marijuana store, a retail marijuana store, or a dual operation.

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

Section 1. Article IV of Chapter 6 of the Buena Vista Municipal Code is hereby repealed and reenacted to provide as follows:

ARTICLE IV - MEDICAL AND RETAIL MARIJUANA BUSINESSES**Sec. 6-121. - Purpose.**

The purpose of this Article is to implement the provisions of the Colorado Marijuana Code, C.R.S. § 44-10-101, *et seq.*, which authorizes the licensing and regulation of medical and retail marijuana businesses and affords local government the option to determine whether to allow medical and retail marijuana businesses within their respective jurisdictions and to adopt licensing requirements that are supplemental to or more restrictive than the requirements set forth in state law.

Sec. 6-122.- Incorporation of state law.

The provisions of the Colorado 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 Colorado Marijuana Code and any rules and regulations promulgated thereunder applicable to licensees.

Sec. 6-123. - Authority.

The Board of Trustees hereby finds, determines and declares that it has the power to adopt this Article pursuant to:

1. Article XVIII, Section 14 of the Colorado Constitution;
2. The Colorado Marijuana Code, C.R.S. § 44-10-101, *et seq.*;
3. Article XVIII, Section 16 of the Colorado Constitution;
4. The Local Government Land Use Control Enabling Act, Article 20 of Title 29, C.R.S.;
5. Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal zoning powers);
6. C.R.S. § 31-15-103 (concerning making of ordinances);
7. C.R.S. § 31-15-401 (concerning municipal police powers); and
8. C.R.S. § 31-15-501 (concerning municipal authority to regulate businesses).

Sec. 6-124. - Definitions.

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

"Applicant" means a person twenty-one 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 Marijuana Code" means Article 10 of Title 44, Colorado Revised Statutes.

"Consumer" means a person twenty-one years of age or older who purchases retail marijuana or retail marijuana products for personal use by a person twenty-one 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 person that operates a licensed medical marijuana store and a licensed retail marijuana store at the same location in accordance with Section 6-126 of this Code.

"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 Marijuana Code and any rule and regulation promulgated pursuant to this Article or the Colorado 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 medical or retail marijuana store has been operated in a manner that adversely affects the public health, welfare or safety of the immediate neighborhood in which the medical or retail marijuana store is located. Evidence to support such a finding can include:
 - a. A continuing pattern of offenses as defined in Chapters 7 or 8 of the Buena Vista Municipal Code;
 - b. 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 store; or
 - c. A continuing pattern of criminal conduct directly related to or arising from the operation of the medical or retail marijuana store.

"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.

"License" means a document issued by the Town officially authorizing an applicant to operate a medical or retail marijuana store 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 or sell medical or retail marijuana or medical or retail marijuana products in accordance with state and local law.

"Local licensing authority" means the Board of Trustees of 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" means marijuana that is grown and sold pursuant to the provisions of the Colorado Marijuana Code and for a purpose authorized by section 14 of article XVIII of the state constitution. If the context requires, medical marijuana includes medical marijuana concentrate and medical marijuana products.

"Medical marijuana store" means a person licensed pursuant to the Colorado Marijuana Code to operate a business as described in C.R.S. § 44-10-501 that sells medical marijuana to registered patients or primary caregivers as defined in section 14 of article XVIII of the state constitution, but is not a primary caregiver.

"Patient" has the meaning set forth in Article XVIII, § 14(1)(c) of the Colorado Constitution.

"Person" means a natural person, partnership, association, company, corporation, limited liability company, or organization, or a manager, agent, owner, director, servant, officer, or employee thereof.

"Premises" means a distinct and definite location, which may include a building, a part of a building, a room, or any other definite contiguous area.

"Primary caregiver" has the meaning set forth in Article XVIII, § 14 (1)(f) of the Colorado Constitution.

"Retail marijuana" means "marijuana" or "marihuana", as defined in section 16(2)(f) of article XVIII of the state constitution, that is cultivated, manufactured, distributed, or sold by a licensed retail marijuana business. If the context requires, retail marijuana includes retail marijuana concentrate and retail marijuana products.

"Retail marijuana business" means a retail marijuana store, a retail marijuana cultivation facility, a retail marijuana products manufacturer, a marijuana hospitality business, a retail marijuana hospitality and sales business, a retail marijuana testing facility, a retail marijuana business operator, or a retail marijuana transporter.

"Retail marijuana products" means "marijuana products" as defined in section 16(2)(k) of article XVIII of the state constitution that are produced at a retail marijuana products manufacturer, such as, but not limited to, edible products, ointments and tinctures.

"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.

"School" means a public or private preschool or a public or private elementary, middle, junior high or high school or institution of higher education.

"State licensing authority" means the authority created for the purpose of regulating and controlling the licensing of the cultivation, manufacture, distribution, sale, and testing of regulated marijuana in this state pursuant to C.R.S. § 44-10-201.

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

Sec. 6-125. - License required for operation of medical marijuana stores and retail marijuana stores.

The Town hereby authorizes the operation of medical and retail marijuana stores in the Town as set forth in this Article. It shall be unlawful for any person to establish or operate a medical or retail marijuana store in the Town without first having obtained a license for such business from the local licensing authority. Such license shall always be kept current, and the failure to maintain a current license shall constitute a violation of this Section.

Sec. 6-126. - Dual operations.

(a) Medical and retail marijuana stores may be operated as dual operations. A person may operate a licensed medical marijuana store and a retail marijuana store at the same location; provided that except as set forth in Subsection (b) of this Section, at such location a dual medical marijuana store and retail marijuana store shall maintain separate licensed premises, including entrances and exits, inventory, point of sale operations, and record keeping.

(b) A dual medical marijuana store and retail marijuana store that only sells medical marijuana to persons twenty-one years of age or older and that posts signage clearly stating that persons under the age of twenty-one years may not enter, may share the same entrances and exits

to the shared premises and medical and retail marijuana may be separately displayed on the same floor.

(c) Recordkeeping for the dual operation 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.

Sec. 6-127.– Prohibitions.

All marijuana businesses other than medical marijuana stores and retail marijuana stores are prohibited.

Sec. 6-128. – Operational restrictions.

(a) Quantity Restrictions.

1. Retail Marijuana Stores. A licensed retail marijuana store may sell up to one ounce of retail marijuana or its equivalent in retail marijuana products during a single sales transaction. A single transaction for purposes of this limit includes multiple transfers to the same consumer during the same business day where the retail marijuana store employee knows or reasonably should know that such transfer would result in that consumer purchasing more than one ounce of marijuana during the same business day.
2. Medical Marijuana Stores. A licensed medical marijuana store may sell up to two ounces of medical marijuana flower, 40 grams of medical marijuana concentrate or medical marijuana products containing a combined total of up to 20,000 mg during a single sales transaction, unless the patient has designated the medical marijuana store as his or her primary store and supplied it with documentation from the patient's physician allowing the patient more than two ounces of medical marijuana, in which case the patient may be provided with up to his or her extended ounce count. A single transaction for purposes of this limit includes multiple transfers to the same consumer during the same business day where the retail marijuana store employee knows or reasonably should know that such transfer would result in that patient purchasing more than his or her allowable amount of medical marijuana during the same business day.

(b) Identification.

1. Retail Marijuana Stores. Prior to any sale of retail marijuana, the age of the consumer must be verified by one of the following forms of identification:
 - a. An operator's, chauffeur's or similar type driver's license, including a temporary license, issued by any state within the United States, District of Columbia, or any U.S. territory;

- b. An identification card, including a temporary identification card, issued by any state within the United States, District of Columbia, or any U.S. territory, for the purpose of proof of age using requirements similar to those in C.R.S §§ 42-2-302 and 42-2- 303.;
 - c. A United States military identification card or any other identification card issued by the United States government including but not limited to a permanent resident card, alien registration card, or consular card;
 - d. A passport or passport identification card; or
 - e. Enrollment card issued by the governing authority of a federally recognized Indian tribe, if the enrollment card incorporates proof of age requirements similar to C.R.S §§ 42-2-302 and 42-2- 303.
2. Medical Marijuana Stores. Prior to any sale of medical marijuana, the patient or caregiver must provide adequate, currently valid proof of identification as permitted for retail consumers by Subsection (b)(1) above and either a valid patient registry card or a copy of a current and complete new application for the Medical Marijuana registry that is documented by a certified mail return receipt as having been submitted to the Colorado Department of Public Health and Environment within the preceding thirty-five days.

(c) Packaging. Consumer packaging exiting a medical or retail marijuana store may display the following branding information: name of the establishment, its logo, street address, web address, and phone number. If any branding information is displayed on consumer packaging exiting the establishment, the licensee shall also print an outline of the Town's marijuana consumption laws in a legible manner on the outside of such packaging. If no branding information is displayed on the consumer packaging exiting the establishment, the licensee shall have the option of distributing a flier outlining the Town's marijuana consumption laws to each customer upon the completion of any retail marijuana sale or printing an outline of the Town's marijuana consumption laws in a legible manner directly on the outside of packaging provided to customers. The Town shall prepare such content for the marijuana consumption flier and the consumer packaging, and licensees shall be responsible for the cost of reproducing such fliers and packaging for public distribution.

Commented [JP1]: The Town may want to consider controlling the packaging exiting the store, but this is not required.

(d) Prohibited sales. Medical retail marijuana store licensees are prohibited from dispensing marijuana to a person that is, or appears to be, under the influence of alcohol or under the influence of any controlled substance, including marijuana, except that medical marijuana stores may dispense marijuana to patients under the influence of marijuana for medical purposes.

Sec. 6-129. New license applications – Phase 1.

(a) A person seeking a new license issued pursuant to this Article shall submit a Phase 1 application to the Town on forms provided by the Town. The purpose of the Phase 1 application

is to determine whether an applicant can be entered into the random selection process in Subsection (d) below. At the time of the Phase 1 application, each applicant shall pay a nonrefundable Phase 1 application 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 reviewing the Phase 1 application.

- (b) In the Phase 1 application, the applicant shall include the following:
1. For the applicant, one (1) of the following forms of identification:
 - a. a valid driver's license;
 - b. 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;
 - c. a United States military identification card;
 - d. a valid passport;
 - e. a valid alien registration card; or
 - f. an enrollment card issued by the government authority of a federally recognized tribe.
 2. For the applicant and all persons having a financial interest in the medical or retail marijuana store that is the subject of the application or, if the applicant is an entity, having financial interest in the applying entity, the following information shall be supplied:
 - a. name, address, date of birth;
 - b. an acknowledgment and consent that the Town will conduct a background investigation, including fingerprints for a criminal history check which shall include CCIC and NCIC;
 - c. bank statements and tax records, from the three years prior to the submission of the application, and any other information required by the Town; and
 - d. explanation of funding sources used to finance the applicant's medical or retail marijuana store.
 3. 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, operating or shareholder agreements, partnership agreements.

(c) Review of Phase 1 Applications.

1. The Town Clerk shall review a Phase 1 application for completeness and the results of the criminal background check. The Town Clerk shall reject a Phase 1 application if any of the information required as part of the application was not submitted and/or if any of the persons subject to the criminal background check have discharged a sentence for a felony conviction in the previous ten (10) years. After review of a Phase 1 application, the Town Clerk shall notify the applicant in writing of the results of the review.
2. If an application is complete, the Town Clerk shall notify the applicant that they will be entered into the random selection process in Subsection (d) below.
3. If an application is rejected, the applicant may appeal the Town Clerk's decision to the Town Administrator by filing an appeal with the Town within ten (10) days of the notification of the rejection by the Town Clerk. The notice of appeal shall specify the grounds for the appeal and the relief sought by the appellant. Upon receipt of an appeal, the Town Administrator shall hold a hearing on the appeal within ten (10) days of the receipt of the appeal. The Town shall provide at least five (5) days' notice to the appellant of the hearing. The Town Administrator shall make a determination of the appeal within five (5) days of the hearing and shall notify the appellant of the decision in writing.

(d) Within thirty (30) days of the effective date of the Ordinance adopting this Article, the Town shall post notice on its website indicating that Phase 1 applications for medical and retail marijuana store licenses shall be accepted for a sixty (60) day period. At the end of the sixty (60) day period, the Town shall review the Phase 1 applications. Once the sixty (60) day period has ended, the Town Clerk has reviewed all Phase 1 applications, the appeal deadline in Subsection (c) above has expired, and all appeals, if any, have been decided, the Town may conduct the random selection of applicants for Phase 2 applications.

(e) Once the maximum number of medical and retail marijuana store licenses has been issued, the Town shall not accept any further applications for such use until an existing license is either revoked or expires. When the number of licensed medical and retail marijuana stores is less than this limit provided for in this Article for any reason, including the cessation of operation of a medical and retail marijuana store either by license revocation or expiration, notice shall be posted on the Town's website as provided for in Subsection (d) above, and the Town shall process applications as provided for herein in the two phase process.

Sec. 6-130. New applications – Phase 2.

(a) If the applicant is randomly selected, the applicant shall provide the following information for a Phase 2 application on a form provided by the Town within one hundred and twenty (120) days from the date of notification of the applicant's selection:

1. For the applicant, all employees, including the proposed manager of the medical or retail marijuana store, and all persons having a financial interest in the medical or retail marijuana store that is the subject of the application or, if the applicant is an entity, having financial interest in the applying entity:
 - a. fingerprints for a FBI criminal background check; and
 - b. suitable evidence of proof of lawful presence and good moral character and reputation that the Town may request.
2. the name and complete address of the proposed store;
3. 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;
4. proof of general liability and property insurance of sufficient amount, as determined by the Town, to adequately cover any damage or destruction to the facility and the personal property;
5. updated bank statements and tax records from the time of the Phase 1 application and any other information required by the Town;
6. a "to scale" diagram of the premises, showing, without limitation, a site plan, floor layout and all areas in which marijuana will be displayed, stored and sold, including egress and ingress within the facility, all entry ways and exits to the facility, and, if applicable, loading zones;
7. any additional information that the Local Licensing Authority reasonably determines to be necessary in connection with the investigation and review of the application;

8. a comprehensive business operation plan for the medical or retail marijuana store which shall contain, without limitation, the following:
- a. a security plan meeting the requirements of Section 6-140 of this Article;
 - b. a signage plan that is in compliance with all applicable requirements of Section 6-139 of this Article.
 - d. a lighting and electrical plan prepared by a licensed electrical engineer, showing the electrical layout, fans, pumps, duct size of air intake and exhaust, location of intakes and termination of exhausts, any other electrical loads including conductors, subpanels, and all existing and proposed exterior and interior lighting levels including those used for all clones and immature marijuana plants.
 - e. a plan for removing odor emissions in compliance with Section 6-143 of this Article.
 - f. a plan for the disposal of marijuana and related byproducts in compliance with the requirements of Section 6-143 of this Article.

(b) With the Phase 2 application, the applicant shall pay a Phase 2 nonrefundable application fee, in an amount to be determined by the Town by separate resolution, to defer the costs of reviewing the Phase 2 application, and other costs, including but not limited to, inspection, administration, and enforcement of the medical or retail marijuana store regulations. In addition, the applicant shall also pay the applicable licensing fee in an amount to be determined by the Town by separate resolution that may be refunded to the applicant if the Phase 2 application is denied.

(c) The applicant may request in writing an extension of the deadline to submit a Phase 2 application from the Town Administrator. The request shall be received at least fifteen (15) days prior to the deadline. The Town Administrator may grant one extension under this Subsection if the applicant demonstrates an inability to file a Phase 2 application due to circumstances beyond the applicant's control and that the applicant has attempted to substantially comply with the application requirements.

(d) 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 medical or retail marijuana store, including, without limitation, any development approvals or building permits required by this Code.

(e) Upon receipt of a Phase 2 application, the Town Clerk shall review the application for completeness and conformity with the requirements of this Article. If the application is incomplete, the Town Clerk shall notify the applicant in writing of the application's deficiencies

within fifteen (15) days of receipt of the application. The applicant shall have sixty (60) days from the date of notification of any deficiencies by the Town Clerk to remedy the deficiencies.

(f) If the applicant fails to remedy the deficiencies within the period provided for in Subsection (e) above, the Town Clerk shall deny the application and notify the applicant of the denial.

(g) Determination that the application is incomplete or denial of an application, because it is incomplete are appealable to the Town Administrator pursuant to Section 6-129(d).

(h) Once the appeal period has run or the appeal has been determined by the Town Administrator, the Town may randomly select another applicant to submit a Phase 2 application.

(i) Upon the determination of a complete Phase 2 application, the Local Licensing Authority shall schedule a public hearing on the application, which shall include both the Phase 1 and 2 applications submitted by the applicant, to be held not less than thirty (30) days after the determination of completeness. 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 Town Clerk. 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.

(j) Not less than five (5) days prior to the date of the public hearing for a new license, the Town Clerk shall cause the 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.

(k) Before entering a decision approving or denying the application for a license, the Local Licensing Authority may consider, except where this Article specifically provides otherwise, the facts and evidence gathered as a result of its investigation, as well as any other facts pertinent to the application 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 applicant at the address shown in the application.

(l) The Town shall, prior to issuance of the license, perform an inspection of the proposed licensed premises, to determine compliance with any applicable requirements of this Article or other applicable requirements of the Buena Vista Municipal Code.

Sec. 6-131. - Location criteria.

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

(a) Zone district limitation. Medical and retail marijuana stores shall be allowed uses as set forth in the Table of Allowed Uses in Section 3.4.1 of Article 16.03 of Chapter 16 (the Unified Development Code) of the Code.

(b) Numeric Limit. No more than two locations may be licensed for medical marijuana stores, retail marijuana stores, or dual operations within the Town at any given time.

(c) Location restrictions. No medical or retail marijuana store shall be located at the following locations:

1. Within one thousand feet of a school;
2. Within five hundred feet of any alcohol or drug treatment facility
3. Within one thousand feet of the principal campus of a college, university, or seminary;
4. Within any building or structure that contains a residential dwelling or lodging unit;
5. Within one thousand feet of an existing medical or retail marijuana store as measured from nearest property boundaries regardless of whether such existing establishment is located within or outside of the Town; or
6. Upon any Town of Buena Vista owned property.

(d) 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

Commented [JP2]: These are set forth in Colorado Statute for medical marijuana businesses, but the Town can vary them as the Town desires.

2. Any public community center, park, designated recreation trail, or recreation center, or any publicly owned or maintained building open for use to the general public.

(e) The distances described in this Section shall be computed by direct measurement, as a crow flies, from the nearest property line of the land used for the above purposes to the nearest property line of the property upon which the retail marijuana store is located.

(f) Each medical or retail marijuana store shall be operated from a permanent location. No medical or retail marijuana store shall be permitted to operate from a moveable, mobile or transitory location.

Commented [JP3]: The Colorado Marijuana Code requires that distances be measured by the route of pedestrian access. C.R.S. 44-10-311(1)(d)(l). However, this makes measuring distances very difficult. The Town has an argument that it can alter the way the distances are measured.

Sec. 6-132. - Persons prohibited as licensees.

A medical or retail marijuana store license shall not be issued to or held by any person prohibited as a licensee under C.R.S. § 44-10-307, as amended. No person shall hold an ownership or financial interest in a medical or retail marijuana store except as permitted by C.R.S. § 44-10-308, as amended.

Sec. 6-133. - Issuance of license; duration; renewal.

(a) Upon issuance of a license, the Town shall provide the licensee with one original of such license for each medical or retail marijuana store 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. Each license issued pursuant to this Article shall be valid for one year from the date of issuance and may be renewed only as provided in this Article.

(b) A licensee shall apply for the renewal of an existing license to the local licensing authority not less than forty-five days prior to the date of expiration for the license. The local licensing authority, in its discretion, subject to the requirements of this Section, and based upon reasonable grounds, may waive the forty-five day filing deadline upon payment of a non-refundable late application fee as set by the Board of Trustees. The local licensing authority may hold a hearing on the application for renewal only if the licensee has had complaints filed against it, has a history of violations, or there are allegations against the licensee that would constitute good cause. The local licensing authority shall not hold a renewal hearing provided for by this Subsection (b) until it has posted a notice of hearing on the licensed premises for a period of ten days and, provided notice to the applicant at least ten days prior to the hearing. The local licensing authority may refuse to renew any license for good cause, subject to judicial review.

(c) A license shall expire if the licensee does not have the licensed medical or retail marijuana store open for regular business within one hundred eighty (180) days after license issuance. A licensee may request one extension of this deadline, which shall be reviewed by the Town Administrator and may be granted upon a showing that the business has not opened due to

circumstances beyond the applicant's control and that the applicant has exercised due diligence in attempting to open the business.

Sec. 6-134. - 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. 6-135. - 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 Town, by separate resolution, to be sufficient to cover the annual cost of regulating medical or retail marijuana stores, including, without limitation, inspections, administration, and enforcement conducted pursuant to this Article 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. 6-136. - 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 establishment.

Sec. 6-137. - 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 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 establishment for a period of at least ten days prior to such hearing, and the applicant has been provided at least ten days prior notice of such hearing.

(b) **Change of Location.** Licensees from other jurisdictions may not transfer their licenses to the Town of Buena Vista. Licensees with a permanent medical or retail marijuana store 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. 6-138.- Hours of operation.

Marijuana sales to the public are prohibited before eight a.m. and after nine p.m. each day. A medical or retail marijuana store may be open seven days a week.

Sec. 6-139. - Signage and advertising.

All signage and advertising for a medical or retail marijuana store shall comply with all applicable state laws, as well as, the provisions of this Article and other applicable provisions of this Code. Advertisements, signs, displays or other promotional material depicting retail marijuana uses or symbols shall not be shown or exhibited off the premises; or 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 medical or retail marijuana store 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 "medical" or "retail", as applicable; provided that no signage shall contain words such as "reefer," "ganja," "weed" or other similar slang references to marijuana or cannabis. The exterior colors of medical and retail marijuana stores shall be neutral earth tones (such as greys, browns, and greens) in matte finishes that are generally compatible with the surrounding buildings. Approval of the Planning Director is required prior to applying exterior finishing to a licensed premises.

Sec. 6-140. - Security requirements.

(a) Security measures at medical and retail marijuana stores comply with the Colorado Marijuana Code and the regulations promulgated in conformance therewith, and 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;
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 days by the licensee and shall be in a format that can be easily accessed for viewing by Town of Buena Vista Police Department upon request for inspection.

Sec. 6-141. - Required notices.

(a) There shall be posted in a conspicuous location inside each medical or retail marijuana store, 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 of Buena Vista 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 possession and distribution of marijuana is a violation of federal law; and
5. That no one under the age of twenty-one years is permitted on the premises unless allowed by law for a medical marijuana store.

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

Sec. 6-142. - On-site consumption of marijuana.

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

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

(a) All activities of medical or retail marijuana stores 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 medical or retail marijuana store. No marijuana or paraphernalia shall be displayed or kept in a retail marijuana store in a manner that is visible from outside the licensed premises.

(c) Sufficient measures and means of preventing smoke, odors, debris, dust, fluids and other substances from exiting a medical or retail marijuana store must be provided at all times. If any odors, debris, dust, fluids or other substances exit a retail marijuana store or marijuana testing 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. - Business license required.

At all times while a medical or retail marijuana store license is in effect the licensee shall possess a valid business license as required by this Code.

Sec. 6-145. - Sales tax.

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

Sec. 6-146. - 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. Acceptance of a license constitutes consent to such inspections, which may not be withdrawn during the period of a license.

Sec. 6-147. - 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 months.

Sec. 6-148. - 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 medical or retail marijuana store, 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 medical or retail marijuana store 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 medical or retail marijuana store 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. 6-149. - 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 medical or retail marijuana storeowners, 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, 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 medical or retail marijuana store that is the subject of the license.

Sec. 6-150. - No waiver of governmental immunity.

In adopting this Article, the Town council 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., 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. 6-151. - 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, distribution or testing of medical or retail marijuana or medical or retail marijuana products, the additional or stricter regulation shall control the establishment or operation of any medical or retail marijuana store 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 or other distribution of marijuana through medical marijuana or retail marijuana stores, 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 regarding any potential criminal liability the person may have for the cultivation, possession, sale, distribution or use of marijuana.

Section 2. Table 3.1.4 of Article 16.03 of Chapter 16 of the Town of Buena Vista Municipal Code is hereby amended as follows:

[Insert revisions to zoning for retail and medical marijuana – Use by Right in available areas?]

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 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 _____, 2020.

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

TOWN OF BUENA VISTA, COLORADO

By: _____
Duff Lacy, Mayor

ATTEST:

Paula Barnett, Town Clerk

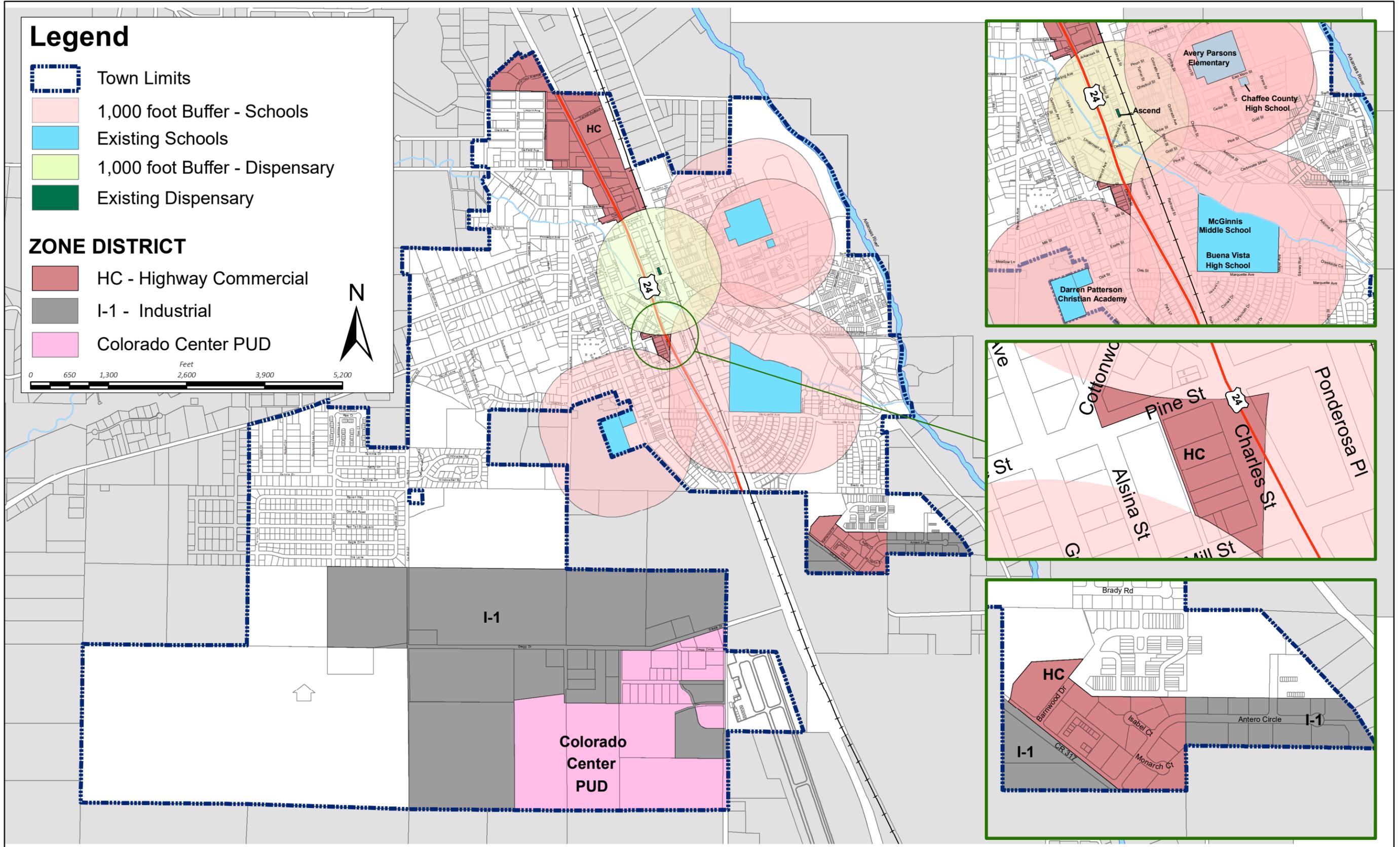
(SEAL)



Town of Buena Vista

Potential Recreational Marijuana Sites by Zone District
1,000 feet from Schools & Existing Dispensary

Unofficial Map ⁸⁵
For August 11, 2020
Board of Trustees Meeting

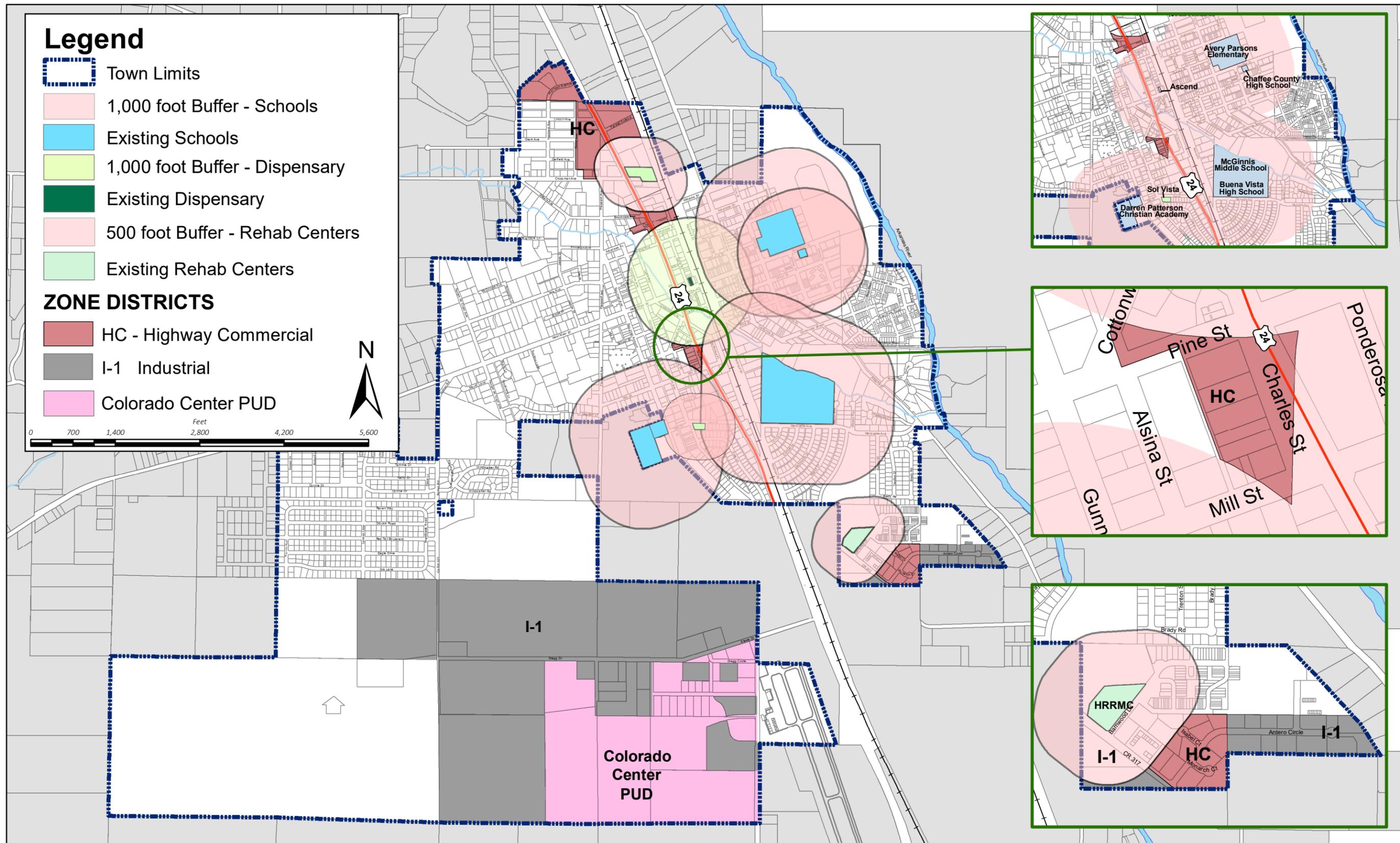




Town of Buena Vista

Unofficial Map 86
For August 11, 2020
Board of Trustees Meeting

Potential Recreational Marijuana Sites by Zone District
1,000 feet from Schools and Existing Dispensary, 500 feet from Rehab Centers with Valley Wide



RESOLUTION NO. _____
(Series 20xx)

A RESOLUTION SUBMITTING A BALLOT ISSUE REGARDING A SPECIAL SALES TAX ON RETAIL MARIJUANA TO THE REGISTERED ELECTORS OF THE TOWN OF BUENA VISTA AT THE TOWN'S NOVEMBER 3, 2020 SPECIAL ELECTION

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

Section 1. Pursuant to Article X, § 20 of the Colorado Constitution, the Board of Trustees submits the following ballot issue to be voted upon and so stated shall constitute the ballot title, designation and submission clause and each registered elector voting at the election shall indicate his or her choice on the issue submitted, which shall be in the following form:

SHALL THE TOWN OF BUENA VISTA TAXES BE INCREASED BY \$ _____ ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED IN SUCH FIRST FISCAL YEAR AND ANNUALLY THEREAFTER BY THE IMPOSITION OF AN ADDITIONAL SALES TAX OF 5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED 15% COMMENCING ON JANUARY 1, 2021, AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED, RETAINED AND EXPENDED EXCLUSIVELY FOR COMMUNITY SUPPORT SERVICES, CAPITAL IMPROVEMENTS, AND FACILITIES, WHICH SHALL INCLUDE BUT NOT BE LIMITED TO EXPENDITURES FOR PARKS, OPEN SPACE AND RECREATION, INFRASTRUCTURE IMPROVEMENTS, ECONOMIC DEVELOPMENT INITIATIVES, LAND ACQUISITION, AFFORDABLE HOUSING INITIATIVES, AND COMMUNITY SUPPORT GRANTS, AS A VOTER APPROVED REVENUE CHANGE NOTWITHSTANDING ANY RESTRICTIONS UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

YES _____ NO _____



Central Colorado Regional Airport

27960 CR 319

Buena Vista, Colorado 81211

Phone: (719) 395-3496

Fax: (719) 395-8644

DATE: August 11, 2021
 TO: Mayor and Board of Trustees
 FROM: Jack Wyles, Airport Manager

AGENDA ITEM: Resolution No. 46, Series 2020; A Resolution of the Town of Buena Vista, Colorado, approving an agreement with AvFuel Corporation for the supply of aviation fuel and a refueler truck at the Central Colorado Regional Airport.

Ref: Exhibit A, AvFuel Corporation / Aviation Fuel Supply Agreement

Dear Mayor and Board of Trustees,

Request

Airport staff is requesting that the Board of Trustees approve a new fuel supply contract with AvFuel Corporation upon expiration of the current fuel supply contract with World Fuel Services.

Background:

Ref Resolution No. 109, Series 2010: The current fuel supply contract was renewed in 2010 when Hiller Group acquired Air Petro. The initial terms of the contract were for five (5) years, which auto renewed in 2015 for another five years. Since that time, Hiller Group was acquired by World Fuel Services through whom our current contract is held. Because the contract auto renewed in 2015, it is due to expire in October of 2020. The Town of Buena Vista must provide a thirty-day (30) written notice prior to October 2020 or the current contract will once again automatically renew for another five (5) years.

Ref Resolution No. 4, Series 2016: In 2016, the Town of Buena Vista entered into a lease agreement with Ascent Aviation Group, Inc. for a 2016 Jet-A Fuel Truck. Once again, World Fuel Services acquired the company, Ascent Aviation Group, Inc. The current fuel truck lease expires in February 2021. The Town of Buena Vista must provide a ninety-day (90) day advance written notice or the current lease will renew automatically on a month-to-month basis.

Overview/Analysis

Over the last 10 years, World Fuel Services has grown into a massive global corporation which provides energy solutions for aviation, marine, commercial, and industrial services. It has become increasingly difficult for us to navigate their subsidiaries and to receive timely responses from our representatives. Phone calls and emails to World Fuel reps are often redirected to other departments or individuals and sometimes at the cost of satisfactory resolution to our problems or concerns. After a few years of such

frustrations, I believe that World Fuel is simply no longer the most efficient and realistic solution for the Central Colorado Regional Airport.

Whilst the supply and delivery of fuel is not an issue, our concern lies with regional representation, back office support, and realistic fees. Our current World Fuel Regional Representative is out of Arizona, while the Regional Representative for AvFuel is from Pagosa Springs, CO and has face-to-face experience working with regional airports of our size in Colorado. In addition, AvFuel only handles aviation fuel and airports, thus their focus is aviation and the needs and problems specific to our industry. We have already had multiple interactions with our AvFuel rep and have found him to be both more accessible and responsive to our needs and concerns.

Another critical issue of contention with World Fuel is with their point-of-sale (POS) system. We find it outdated, very cumbersome, does not have a mobile-friendly option, and only after a year of asking questions and doing preliminary training did we then discover that it came with a \$400 / month price tag which is unrealistic for an airport of our size. By contrast, the AvFuel POS system is browser-based allowing for “on the fly” updates, will soon be integrating a mobile-friendly platform for user access out on the airfield, and the cost is included in our contract.

Budget Impact

There is no budget or operational impact. The price for aviation fuel to be supplied by AvFuel Corp. is competitive to that of World Fuel Services and other fuel providers. The leasing of the Jet-A refueler through AvFuel will be very similar and the same monthly cost that we currently incur via World Fuel. Finally, AvFuel has additional brand / marketing support, customer rewards offerings, and a point-of-sale (POS) system which are included in this new contract.

BoT Action

A motion to approve or deny Resolution No. 46, Series 2020. A Resolution of the Town of Buena Vista, Colorado, approving an agreement with AvFuel Corporation for the supply of aviation fuel and a refueler truck at the Central Colorado Regional Airport.

TOWN OF BUENA VISTA, COLORADO

**RESOLUTION NO. 46
(Series 2020)**

A RESOLUTION OF THE TOWN OF BUENA VISTA, COLORADO, APPROVING AN AGREEMENT WITH AvFUEL CORPORATION FOR THE SUPPLY OF AVIATION FUEL AND A REFUELER TRUCK AT THE CENTRAL COLORADO REGIONAL AIRPORT.

WHEREAS, The Town of Buena Vista owns and operates the Central Colorado Regional Airport and sells fuel to airplanes; and

WHEREAS, the Town of Buena Vista has had an agreement with World Fuel Services to supply aviation fuel since 2010 and a refueler since 2016.

WHEREAS, the AvFuel Corporation has agreed to enter into an Aviation Fuel Supply Agreement to include a Jet-A Refueler, upon expiration of the current contract with World Fuel Services.

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

The Fuel Supply Agreement between the Town of Buena Vista and AvFuel Corporation, a copy of which is attached hereto as **Exhibit A**, is hereby approved.

RESOLVED, APPROVED and ADOPTED this 11th day of August 2020.

TOWN OF BUENA VISTA, COLORADO

BY: _____
Duff Lacy, Mayor

ATTEST:

Paula Barnett, Town Clerk



**AVFUEL CORPORATION
FIXED BASE OPERATOR
AVIATION FUEL SUPPLY AGREEMENT**

Reference Date: May 28, 2020

Effective Date: October 1, 2020

SUMMARY

This Agreement is between Avfuel Corporation and its affiliates and subsidiaries all of which have principal offices at 47 West Ellsworth Road, Ann Arbor, MI 48108 USA, hereinafter referred to, individually or collectively as "Avfuel" and Town of Buena Vista having its principal office at (Street address only) 210 E Main Street, Buena Vista, CO 81211, hereinafter called "Customer", collectively called "the Parties", and is effective on the Effective Date or, if no Effective Date is specified then on the Reference Date noted above.

THIS IS AN INTEGRATED AGREEMENT CONSISTING OF SEVERAL PARTS, ALL OF WHICH SHALL BE READ TOGETHER AND INTERPRETED AS ONE AGREEMENT. The parts shall include this Summary, the Special Terms and Conditions, and the General Terms and Conditions. In the event of any inconsistencies between the Special Terms and Conditions and the General Terms and Conditions, the Special Terms and Conditions shall govern. Avfuel offers other Programs that it believes are of benefit to Customer. Customer chooses to participate in those Programs that are checked below and agrees that the applicable provisions of the Special and General Terms and Conditions govern those Programs. Additions or deletions to this agreement are governed by the Changes Provision set forth in Section 21 of the General Terms and Conditions. If customer should avail itself of any of the Programs not checked below then Customer specifically agrees to be bound by the Special and General Terms and Conditions that govern those Programs.

Applicable Certificates of Insurance are attached hereto, Insurance Company Name _____

Customer Credit Program

Addenda

Brand Program

AVTRIP Program

Equipment Lease Agreement

Contract Fuel Dealer Program

CUSTOMER FEIN: 84-6000568

TYPE OF BUSINESS: Municipality
(i.e. C-corp, S-corp, Partnership, LLC, Sole Prop, or other)

STATE ID NUMBER:

STATE OF INCORPORATION: CO

FOR: AVFUEL CORPORATION

FOR: TOWN OF BUENA VISTA

By: _____
William B. Light

Title: **Vice President, Administration**

By: _____
(Signature)

Name: _____
(Print Name)

Title: _____
(Print Title)

The undersigned hereby guarantee(s) payment and performance of this Agreement by Customer.

By: _____
Signature

Name Printed

Social Security Number

By: _____
Signature

Name Printed

Social Security Number

**FIXED BASE OPERATOR
AVIATION FUEL SUPPLY AGREEMENT**

SPECIAL TERMS AND CONDITIONS

CUSTOMER NAME: Town of Buena Vista

BILLING ADDRESS: PO Box 2002
Buena Vista, CO 81211

DELIVERY ADDRESS: 27960 County Rd 319
Buena Vista, CO 81211

AIRPORT ID (IATA CODE): KAEJ – Central Colorado Regional Airport

PRODUCT(s): Jet-A Jet-A with Anti-ice Avgas/100LL Other: _____

PAYMENT TERMS: Net 30 days EFT

CREDIT LIMIT: \$50,000

EQUIPMENT LEASED:

Description**	S/N or VIN	Lease Rate	Replacement* Cost (Current)
3000 Gallon Jet Refueler	TBD	\$2,000/month	\$150,000
The Avfuel Hub	Software License	\$0/month	NA

*Hazard insurance, **Meters, if so equipped, have NOT been Certified or Calibrated, this is the responsibility of Customer.

CONTRACT FUEL DEALER:

Flight Operation Type (select one): Corporate Configured Accepted
 Non-Corporate Ops Only
 DC-9 and Larger, Non-Corporate Ops Only

Airport Flowage Fee: YES NO _____ \$/g (i.e. \$0.0300)

Storage Fee: YES NO _____ \$/g (i.e. \$0.0300)

Into wing Fee:

Jet Into-Plane Rate Schedule	Gallons from/to	Rate/gallon
Example	1-1000 gallons	\$X.XXXX
	TBD	

OTHER SPECIAL TERMS AND CONDITIONS:

For a seven (7) year supply agreement, Avfuel will give \$2,500 to the Town of Buena Vista to use at its discretion within forty-five (45) days of execution of the contract.

TOWN OF BUENA VISTA**RESOLUTION NO. xx
SERIES 2020****A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, IN SUPPORT OF FAIR, DIRECT FEDERAL EMERGENCY SUPPORT TO REOPEN AND REBUILD LOCAL AMERICAN ECONOMIES**

WHEREAS, America's cities, towns and villages face unprecedented threats due to the ongoing COVID-19 pandemic emergency;

WHEREAS, municipalities are essential to America's economic recovery and without funding support for local governments, municipalities may go from being a critical part of the economic solution, to becoming a major obstacle to long-term stabilization and recovery;

WHEREAS, America's cities, towns and villages will experience budgetary shortfalls of up \$134 billion in fiscal year 2020 alone, and the negative effects of the pandemic emergency on local communities will continue long after this year;

WHEREAS, three million critical municipal worker jobs are at risk, threatening cuts to basic community services, including 9-1-1 response, sanitation, and maintenance;

WHEREAS, communities have taken extraordinary measures to protect health, safety, and the continuation of essential services throughout the emergency;

WHEREAS, The Town of Buena Vista has dedicated significant human and financial resources to combat this local emergency to keep our citizens and visitors safe and our economy viable; and

WHEREAS, America's rural communities and small towns are struggling just as much as big cities and risk being left behind or wiped out entirely.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO calls on Congress to allocate fair and direct federal support to all of America's communities, regardless of population size;

BE IT FURTHER RESOLVED that this funding must be flexible and address not only the additional expenses incurred by communities to respond to the pandemic emergency, but also the dramatic budgetary shortfalls resulting from pauses in commerce, tourism, other economic engines;

BE IT FURTHER RESOLVED that local governments will ensure federal funds are immediately used to rebuild and reopen the national economy;

BE IT FURTHER RESOLVED that funding will keep middle class workers employed and critical services operating; and

BE IT FURTHER RESOLVED THAT THE TOWN OF BUENA VISTA has been part of the emergency response and now calls on Congress to build a united national partnership for a safe, healthy, prosperous life.

ADOPTED this 11th day of August, 2020.

Duff Lacy, Mayor

ATTEST:

Paula Barnett, Town Clerk

**TOWN OF BUENA VISTA**

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

DATE: August 11, 2020
TO: Mayor and Board of Trustees
FROM: Michelle Stoke, Town Treasurer

AGENDA ITEM: Treasurer's Report

Town Expenditures:

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

- 65 accounts payable checks for a total of \$43,693.84
- ACH withdrawals to the IRS, FPPA, CCOERA and Colorado Department of Revenue for pay period ending 7/25/2020 was \$60,834.23.
- Net payroll was \$107,900.09 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 - \$ 92,524.33
 - Water Enterprise Fund - \$ 7,793.10
 - Capital Improvement Fund - \$ 0.00
 - Stormwater Enterprise Fund- \$ 0.00
 - Airport Enterprise Fund - \$ 4,210.64
 - Street Fund \$ 0.00
 - TOTAL \$ 104,528.07

Expenditures Over \$2,000.00

- Arkansas Valley Digital Imaging for \$2,413.95 for recreation banners for the Softball Field
- Civic Plus for \$5,075.30 for annual hosting support fee
- Joel Benson for \$2,275.00 for consulting services for 6/16-6/30/2020
- McFarland Oil for \$2,070.81 for June fuel statement
- Technolink of the Rockies for \$2,795.41 for Mitel support

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

Michelle Stoke, CPA
Treasurer/Finance Director



Budget Report

Group Summary

For Fiscal: 2020 Period Ending: 08/31/2020

Departmen...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 01 - General Fund						
Revenue						
100 - General Government	4,222,543.58	4,222,543.58	500.00	1,856,006.34	-2,366,537.24	43.95 %
120 - Town Clerk	30,950.00	30,950.00	36.00	17,616.75	-13,333.25	56.92 %
125 - Municipal Court	45,770.00	45,770.00	0.00	10,871.70	-34,898.30	23.75 %
150 - Public Support	35,500.00	35,500.00	0.00	525.00	-34,975.00	1.48 %
210 - Police Department	36,400.00	36,400.00	0.00	2,900.00	-33,500.00	7.97 %
230 - Fire Department	11,900.00	11,900.00	0.00	411.68	-11,488.32	3.46 %
235 - Incident Deployment	88,000.00	88,000.00	0.00	148,025.00	60,025.00	168.21 %
310 - Planning (Development)	51,200.00	51,200.00	0.00	24,109.00	-27,091.00	47.09 %
320 - Community Center	13,500.00	13,500.00	0.00	3,797.00	-9,703.00	28.13 %
410 - Public Works	1,500.00	1,500.00	3,676.88	23,793.48	22,293.48	1,586.23 %
415 - Street Maintenance	510.00	510.00	0.00	240.00	-270.00	47.06 %
510 - Parks Department	8,000.00	8,000.00	0.00	7,060.00	-940.00	88.25 %
515 - Rodeo Grounds	750.00	750.00	0.00	0.00	-750.00	0.00 %
520 - Cemetery	6,350.00	6,350.00	1,220.00	34,900.00	28,550.00	549.61 %
550 - Recreation Department	97,670.00	97,670.00	0.00	15,294.00	-82,376.00	15.66 %
Revenue Total:	4,650,543.58	4,650,543.58	5,432.88	2,145,549.95	-2,504,993.63	46.14 %
Expense						
110 - Mayor & Board of Trustees	44,730.10	44,730.10	0.00	23,721.31	21,008.79	53.03 %
115 - Elections	18,875.00	18,875.00	0.00	4,962.27	13,912.73	26.29 %
120 - Town Clerk	147,635.98	147,635.98	0.00	52,351.53	95,284.45	35.46 %
125 - Municipal Court	72,655.47	72,655.47	0.00	30,592.31	42,063.16	42.11 %
130 - Town Administrator	274,062.43	274,062.43	0.00	192,287.41	81,775.02	70.16 %
135 - Financial Administrator	234,904.35	234,904.35	0.00	159,475.81	75,428.54	67.89 %
140 - Town Hall Operations	37,038.10	37,038.10	0.00	22,457.15	14,580.95	60.63 %
150 - Public Support	370,124.00	370,124.00	0.00	133,205.46	236,918.54	35.99 %
160 - Information Technology	154,283.51	174,283.51	0.00	120,754.03	53,529.48	69.29 %
210 - Police Department	1,210,167.60	1,210,167.60	115.00	747,161.14	463,006.46	61.74 %
220 - Public Safety Complex	17,900.00	17,900.00	469.67	15,234.76	2,665.24	85.11 %
230 - Fire Department	471,149.95	471,149.95	0.00	305,231.53	165,918.42	64.78 %
235 - Incident Deployment	40,500.00	40,500.00	8,582.13	198,312.67	-157,812.67	489.66 %
310 - Planning (Development)	264,739.85	264,739.85	0.00	174,357.46	90,382.39	65.86 %
320 - Community Center	32,042.78	32,042.78	0.00	13,718.56	18,324.22	42.81 %
330 - BVTV - Public Access Television	500.00	500.00	0.00	0.00	500.00	0.00 %
410 - Public Works	478,588.72	478,588.72	0.00	275,254.91	203,333.81	57.51 %
415 - Street Maintenance	32,572.83	32,572.83	62.88	11,946.82	20,626.01	36.68 %
510 - Parks Department	352,611.84	352,611.84	602.75	134,190.87	218,420.97	38.06 %
520 - Cemetery	3,250.00	3,250.00	0.00	1,260.64	1,989.36	38.79 %
550 - Recreation Department	323,432.14	323,432.14	0.00	140,694.73	182,737.41	43.50 %
Expense Total:	4,581,764.65	4,601,764.65	9,832.43	2,757,171.37	1,844,593.28	59.92 %
Fund: 01 - General Fund Surplus (Deficit):	68,778.93	48,778.93	-4,399.55	-611,621.42	-660,400.35	-1,253.86 %
Fund: 02 - Water Enterprise Fund						
Revenue						
710 - Water Distribution Operations	1,114,483.69	1,114,483.69	1,201.00	713,583.55	-400,900.14	64.03 %
730 - System Development Capital Improvement	463,000.00	463,000.00	0.00	228,877.54	-234,122.46	49.43 %
740 - Water Debt Service	0.00	0.00	0.00	1,200.00	1,200.00	0.00 %
Revenue Total:	1,577,483.69	1,577,483.69	1,201.00	943,661.09	-633,822.60	59.82 %
Expense						
710 - Water Distribution Operations	666,681.34	666,681.34	130.96	334,994.45	331,686.89	50.25 %
715 - Treatment Plant Operations	100,850.00	100,850.00	0.00	46,036.75	54,813.25	45.65 %

Budget Report

For Fiscal: 2020 Period Ending: 08/31/2020

Departmen...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
720 - Infrastructure Maintenance & Replacement	0.00	0.00	0.00	8,298.75	-8,298.75	0.00 %
730 - System Development Capital Improvement	731,675.00	731,675.00	0.00	6,761.25	724,913.75	0.92 %
740 - Water Debt Service	111,780.00	111,780.00	0.00	55,890.00	55,890.00	50.00 %
Expense Total:	1,610,986.34	1,610,986.34	130.96	451,981.20	1,159,005.14	28.06 %
Fund: 02 - Water Enterprise Fund Surplus (Deficit):	-33,502.65	-33,502.65	1,070.04	491,679.89	525,182.54	-1,467.59 %
Fund: 03 - Capital Improvement Fund						
Revenue						
100 - General Government	118,500.00	118,500.00	0.00	2,141.96	-116,358.04	1.81 %
415 - Street Maintenance	387,299.00	387,299.00	0.00	0.00	-387,299.00	0.00 %
510 - Parks Department	615,748.00	615,748.00	0.00	23,995.00	-591,753.00	3.90 %
520 - Cemetery	0.00	0.00	0.00	500.00	500.00	0.00 %
Revenue Total:	1,121,547.00	1,121,547.00	0.00	26,636.96	-1,094,910.04	2.38 %
Expense						
210 - Police Department	113,000.00	113,000.00	0.00	11,930.24	101,069.76	10.56 %
230 - Fire Department	0.00	0.00	0.00	200,000.00	-200,000.00	0.00 %
310 - Planning (Development)	50,000.00	50,000.00	0.00	26,000.00	24,000.00	52.00 %
410 - Public Works	8,000.00	8,000.00	0.00	0.00	8,000.00	0.00 %
415 - Street Maintenance	611,560.00	611,560.00	0.00	47,932.90	563,627.10	7.84 %
510 - Parks Department	512,000.00	512,000.00	0.00	27,039.77	484,960.23	5.28 %
515 - Rodeo Grounds	4,000.00	4,000.00	0.00	0.00	4,000.00	0.00 %
550 - Recreation Department	27,500.00	27,500.00	0.00	27,140.59	359.41	98.69 %
Expense Total:	1,326,060.00	1,326,060.00	0.00	340,043.50	986,016.50	25.64 %
Fund: 03 - Capital Improvement Fund Surplus (Deficit):	-204,513.00	-204,513.00	0.00	-313,406.54	-108,893.54	153.25 %
Fund: 04 - Conservation Trust Fund						
Revenue						
590 - Conservation Trust Fund	40,000.00	40,000.00	0.00	16,310.05	-23,689.95	40.78 %
Revenue Total:	40,000.00	40,000.00	0.00	16,310.05	-23,689.95	40.78 %
Expense						
590 - Conservation Trust Fund	39,000.00	39,000.00	0.00	0.00	39,000.00	0.00 %
Expense Total:	39,000.00	39,000.00	0.00	0.00	39,000.00	0.00 %
Fund: 04 - Conservation Trust Fund Surplus (Deficit):	1,000.00	1,000.00	0.00	16,310.05	15,310.05	1,631.01 %
Fund: 06 - Stormwater Enterprise Fund						
Revenue						
900 - Stormwater	68,000.00	68,000.00	0.00	41,603.46	-26,396.54	61.18 %
Revenue Total:	68,000.00	68,000.00	0.00	41,603.46	-26,396.54	61.18 %
Expense						
900 - Stormwater	115,036.00	115,036.00	0.00	33,991.63	81,044.37	29.55 %
Expense Total:	115,036.00	115,036.00	0.00	33,991.63	81,044.37	29.55 %
Fund: 06 - Stormwater Enterprise Fund Surplus (Deficit):	-47,036.00	-47,036.00	0.00	7,611.83	54,647.83	-16.18 %
Fund: 07 - Airport Enterprise Fund						
Revenue						
810 - Airport Cost of Goods Sold	408,500.00	408,500.00	0.00	67,563.89	-340,936.11	16.54 %
830 - Airport Operational Support	210,500.00	210,500.00	185.00	22,531.95	-187,968.05	10.70 %
850 - Airport Capital Improvements	370,000.00	370,000.00	0.00	350,000.00	-20,000.00	94.59 %
Revenue Total:	989,000.00	989,000.00	185.00	440,095.84	-548,904.16	44.50 %
Expense						
810 - Airport Cost of Goods Sold	228,950.00	228,950.00	0.00	3,188.60	225,761.40	1.39 %
830 - Airport Operational Support	338,222.87	338,222.87	75.53	205,210.34	133,012.53	60.67 %
850 - Airport Capital Improvements	420,889.00	420,889.00	0.00	45,984.65	374,904.35	10.93 %
Expense Total:	988,061.87	988,061.87	75.53	254,383.59	733,678.28	25.75 %
Fund: 07 - Airport Enterprise Fund Surplus (Deficit):	938.13	938.13	109.47	185,712.25	184,774.12	19,796.00 %
Fund: 35 - Street Fund						
Revenue						
100 - General Government	504,457.46	504,457.46	0.00	219,046.39	-285,411.07	43.42 %

Budget Report

For Fiscal: 2020 Period Ending: 08/31/2020

Departmen...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
415 - Street Maintenance	13,000.00	13,000.00	0.00	3,012.45	-9,987.55	23.17 %
Revenue Total:	517,457.46	517,457.46	0.00	222,058.84	-295,398.62	42.91 %
Expense						
415 - Street Maintenance	487,225.00	487,225.00	0.00	75,123.49	412,101.51	15.42 %
Expense Total:	487,225.00	487,225.00	0.00	75,123.49	412,101.51	15.42 %
Fund: 35 - Street Fund Surplus (Deficit):	30,232.46	30,232.46	0.00	146,935.35	116,702.89	486.02 %
Report Surplus (Deficit):	-184,102.13	-204,102.13	-3,220.04	-76,778.59	127,323.54	37.62 %

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
01 - General Fund	68,778.93	48,778.93	-4,399.55	-611,621.42	-660,400.35
02 - Water Enterprise Fund	-33,502.65	-33,502.65	1,070.04	491,679.89	525,182.54
03 - Capital Improvement Fund	-204,513.00	-204,513.00	0.00	-313,406.54	-108,893.54
04 - Conservation Trust Fund	1,000.00	1,000.00	0.00	16,310.05	15,310.05
06 - Stormwater Enterprise Fund	-47,036.00	-47,036.00	0.00	7,611.83	54,647.83
07 - Airport Enterprise Fund	938.13	938.13	109.47	185,712.25	184,774.12
35 - Street Fund	30,232.46	30,232.46	0.00	146,935.35	116,702.89
Report Surplus (Deficit):	-184,102.13	-204,102.13	-3,220.04	-76,778.59	127,323.54



TOWN OF BUENA VISTA

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

DATE: August 11, 2020

TO: Mayor and Board of Trustees

FROM: Earl Richmond, Recreation Director

AGENDA ITEM: Recreation Director Report

Director's Report-Earl

The summer of 2020 will most definitely not be one to be forgotten. We navigate our way through uncharted territories of a global pandemic and reshape the way we would operate as a department. Not knowing what the future would bring, we took caution to make sure we were prepared for a much different season. As we enter the second half of summer we have realized there is a way to offer recreational opportunities to our community and the guests of Buena Vista. Yes, things look a little different, but we are busier than ever. Our team is committed to making sure everyone has the opportunity to safely recreate in BV and to spend their leisure time doing the things they love in a healthy environment. It takes a village to assure these opportunities exist. We appreciate all the assistance from each and every staff member that has helped shape the summer of 2020 to be the best it can be.

Trails

There are numerous trail projects in the works this season in BV. The Trails Advisory Board is working on its CIP lists for 2020. This includes the access staircase to connect the Arkansas River Trail down to the Whitewater Trail adjacent to the Surf Chateau in South Main. This will alleviate the challenges we are seeing with major social trail issues in this area. The Pump Track area will get some additional single track trail development the weekend of September 12th and 13th. We will be assisted by the BVSC to create some fun features to build riding skills in and around the Pump Track course for everyone to utilize. The TAB has been planning two ongoing potential projects for the 2021 season that would fall under the Resilient Communities GOCO Grant this October. The first would be a continuation of the ADA upgrades to the River Park Trail and would encompass connections from the BV Tennis Courts east to the beginning of this trail at the Whipple Bridge bathrooms. The second will be the completion of a non-motorized single track trail adjacent to the River Park Trail through the Disc Golf Course. Initial conceptual locations are being discussed with more details to follow this month. We have engaged with other users groups to make sure the proposed routes are safe and conducive to all that live and recreate in these areas. We are looking forward to applying for funding for these trails along with the new Pickleball facility as our top grant priority for Rec in 2021.

During times of heavy rain and other naturally occurring events, we see many in town trails that experience mild to moderate erosion issues. BVPW has been instrumental in keeping up on the ongoing challenges relating to trail maintenance. Some areas of concern this summer season have been the Peak View Trail and the Arkansas River Trail.

The TAB is keeping a close eye on CPW (Colorado Parks and Wildlife) grant opportunities this fall. One area that needs planning and rehabilitation is the first 1500 linear feet of the Whipple Trail. A record number of users in all genres (hiking, fishing, running, mountain biking, and sightseeing) are taking a toll on this section of trail. We have been meeting with trail designers and the BVSC to make a plan to rehab this section with the goal of making it more sustainable for years to come. The grant application will be a collaborative effort between the Town of BV, BVSC, BLM, and CPW. We are excited about these potential future trail improvements for all.

Staff

The summer season has been very busy here in BV. Shane continues to lead the programming side of BV Rec with amazing opportunities for locals to join safely in some of their favorite summertime activities. This includes youth softball, youth baseball, and adult softball (coed and men's). Ben is staying in constant communications with those seeking information on facility rentals, both short and long term. He also works daily with special event organizers as they are working to postpone or rearrange events in the 2020 season. Ashley is doing her part to keep our facilities safe and sound for all user groups. She also helps BV Rec programming each day to assure all of our safety systems and protocols are being adhered to. We have had the pleasure to work with a few seasonal junior staff that assist in day to day operations including cleaning, maintenance, mask distribution, informational signage, COVID health and wellness checks, social media tasks, BV Rec events, and much much more. We love having them around and they help to keep our department ahead of the curve each and every day. We are also working directly with Parks to assist their teams to accomplish daily tasks and summer projects. Both Parks and BVPW have been amazing while working through one of the busiest summer tourist seasons on record.

River Park

The Buena Vista River Park is extremely busy and we are seeing record users coming to enjoy some on-water leisure time. The River Park waves would typically have about 10 in-stream users at any given time. This summer we are seeing that number grow to 30 plus on any given moment. We have identified a feature of the park we would like to revamp in 2021. Support for this future project would come from the Whitewater Park Infrastructure Fund and would occur in late 2021 or 2022. In 2014, we built the Pocket Wave, which is just downstream of the Staircase Wave. Pocket Wave was designed to be another great feature for river surfers and kayakers. While the Pocket Wave is amazing at higher and lower flows, it loses its performance characteristics during midrange flows (500-1,500cfs). At above 2000 cfs, the Pocket Wave is one of the top features in the state for all types of surfing. Unfortunately, as the water drops to below 1600 cfs, the "fun" of the wave disappears. Our goal is to revamp this wave structure for the overall enjoyment of all. The design teams have learned a lot in the past 6 years and have insight and knowhow to make these improvements for everyone to enjoy.

BV Rec worked with AHRA and CPW to install a new PFD loaner program for users of the Whitewater Park. We have built a PFD (lifejacket) rack on the changing stations adjacent to the Staircase Wave. There is signage educating users about laws and regulations for PFD use on the river and we positioned 4 PFDs for the public to use free of charge. They are directed to return the PFDs when done.

This program was supported by grant funding from CPW and is being managed by BV Rec. It is a great addition to assist the safety of river users and come at no cost to the town.

Concerts in the Park

BV Rec hosted Free Summer Concerts in the Park each of the five Thursdays in July. We had performers from BV and around the state of Colorado perform for our locals and guests. We were able to spread out and enjoy some great entertainment. Everyone was safe and had a lot of fun. We are proud that we could offer these events during a much different time here. The attendees were very appreciative.

Sand VB Courts

We are happy to report that after a year of planning, our public Sand Volleyball Courts are complete and open to the public. It took a little longer than anticipated for we had to bring in materials from further away than expected and had some unforeseen problems with our existing hardware and infrastructure. Thank you BV Rec staff, volunteers, and BV Parks for helping us get this done. We have already seen large groups and both the BV Middle School and HS Volleyball teams utilizing these facilities.

GOCO Resilient Communities Grant Opportunity

After attending a GOCO webinar and speaking with the Senior Project Officer and the Parks and Planning Program Officer, we feel like we have a good grasp on the grant application changes moving forward into 2021. This year we will submit a collaborative Request for Proposal (RFP) to the Resilient Communities Grant for the October 16th deadline to support upgrades and additions to our town park facilities. The GOCO team has emphasized the importance of submitting well thought out comprehensive proposals that address the current recreation challenges we are experiencing during the COVID-19 period. The project needs to highlight a sincere sense of urgency (not only for much-needed new facilities) but also to focus on relieving the recreational pressures we are seeing during these unprecedented times.

In light of this, we are positioned to create a comprehensive RFP for the area adjacent to the BV Tennis Courts. We will incorporate input from our many great partners and stakeholders here in BV. We will be looking to these teams for their help in pulling in specific information to create a compelling RFP with new pickleball courts (to address overcrowding issue), restrooms (to stay on top of sanitation needs), adjacent trail improvements (to spread out user groups), additional parking (to deal with increased use and visitation), etc. that puts Buena Vista ahead of the recent challenges relating to COVID-19.

We will be working with the Peak to Peak Pickleball Club, The Town of Buena Vista Trails Advisory Board, and the Recreation Department to gather all the information and data needed to support the grant writing process. We plan to meet weekly starting in August to accomplish our goals and to share the workload. This team approach will give support towards our collaborative grant and inform the GOCO review panel that we are all very interested in improving this sector of BV Recreation for everyone. Not only for our residents but also for everyone who enjoys spending their leisure time here in Buena Vista. For us to compile all this information into a single application, we will work in collaboration with these teams with the goal of having our RFP for the GOCO grant ready to be submitted by mid to late September 2020.

We are positioned to design a multi-generational facility that will enhance the center of our already dynamic River Park. The Boys and Girls Club is looking to create a new campus in this area as well. When that comes to fruition, there is a great potential to envision a crossover of user groups in all

areas. Kids from the club and BV Schools will have easy access to new court space and trails. Residents would have access to the BGCCC space during non-programming hours. Users will have an opportunity to hike, bike, and run in a very safe and controlled environment and be able to transition from activity to activity with ease. We are very excited about the potential synergy that these improvements and additions will bring to our entire community.

CIP Feedback from RAB

We have received feedback from the Rec Advisory board as to what our priorities will be for the 2021 CIP lists. We are still in discussions and will dedicate a majority of our August 5th meeting to these subject areas. Potential projects to be considered for funding include (but in no particular order): New Pickleball courts, Rodeo Grounds PA system, Rodeo Grounds covered pavilion, Forest Square Park basketball court rehab, Forestsquare Pavilion rehab, resurfacing of the DPCA gym floor, and LED light upgrades for Tennis/Pickleball and Softball facilities.

Amendment to Rec Facilities Master Plan

Our department is working with the RAB, BVPW, BV Parks, and TAB to update our Recreation Facilities Master Plan of 2019 this fall. We are focusing on the River Park area and plan to present an amendment of the plan to be reviewed by the BOT in September of 2020. This update will assist our teams in both short term and long term planning in our hub for recreation and will also be used as part of the October GOCO Grant application for future facility and trail development.

Skate Park

Seems to be busier than ever and continues to be very well received by the community. We are hosting weekly clean-ups each Wednesday at 10 am. These are run by the local youth and include sweeping, trash removal, and minor upgrades. We plan to work with the local skate park users to host our second annual BV Skate Park Expression Session Competition the last weekend in August.

UAS

The BV Area UAS Drone Club is ready to make its official presentation to the BOT on August 11th. They are very well organized and have kept in great communication with BV Rec and BVPW. They will be asking for a blessing to move forward with the project and will present some in-kind asks from the town of BV to accomplish their goals over the next few years. We are excited to see this well-planned project move forward starting in the fall of 2020.

Program Report- Shane

- Youth Baseball and Girls Softball Clinics have wrapped up for the season. We were able to follow up the season with 2-4 games for each team, depending on the division. We organized two nights of 12U Live Pitch Baseball with Salida Baseball, and each town hosted a night of games. Other games were played BV vs BV. Participants and parents were grateful that we were able to offer a program this summer, and especially that we were able to offer a chance to play in live games. The Youth Baseball and Girls Softball Clinics would not have been possible without our great group of volunteers, especially Greg Perrin, Len Gates, Bud Robb, Mike Krayna, and Matt Scott.
- Adult Softball is finishing up the regular season and beginning the postseason tournaments for the Men's League and the Coed League. Participants and staff have been receptive of all of our COVID-19 guidelines, and the season has gone very well so far. Opinions on the game rule

changes, however, have been mixed. We will gather feedback from our umpires and team captains to keep improving the league in future seasons.

- Full-time BV Rec Staff have been much more hands-on with the preparation and maintenance of the Youth Baseball Field and Sheila Stout Memorial Field this summer season. We will be looking into adding additional hours for part-time staff and improved equipment in our budget requests.
- BV Rec have developed a plan to operate as much of our fall programming as possible under the current state and local guidelines for recreation. We will be working with our facility and programming partners to finalize the plan this week, pending the fall sports decisions from CHSAA and Colorado Public Health. Advertising and registration for the programs will begin as soon as the plan is finalized.

Facilities Update-Ben

- Masks are mandatory when entering or moving within the BV Community Center. We are still closed to the public but hosting reservations and events of 10 or less people in the Aspen Room and 20 or less in the Pinon Room.
 - Mask wearing, social distancing, disinfecting, and hand washing procedures are clearly posted for customers.
 - Amounted refunded to date because of COVID: \$1,610
- 2020 Rental Fees: \$5,170 out of \$9,900.

Programming

- NSTR

Special Events

New guidelines published from the state on event sizes. Assuming proper social distancing is used, outdoor events may now total 175 people per designated event area. Indoor events can total 100 people with proper distancing but our Community Center can only hold 20 in Pinon and 10 in Aspen Room using proper distancing protocols.

Canceled/Postponed by Event Organizers/Champions (changes in yellow):

- August 6-8th: Contin Trail Gem and Mineral Show: Will return in 2021
- August 29th: Trail Sisters Run: Will return in 2021
- **September 5th: BV Optimists Club Fishing Derby: Will return in 2021**
- September 12th: Flaming Foliage Relay: Will return in 2021
- September 19th: BV Autumn Color Run: Will return in 2021
- September 19th: Boys and Girls Club's Boots and Bolos at Community Center: Having a virtual event this year, will return in person in 2021
- September 21: BV Strong Dinner: This year will be a dinner at home with own family instead of a mass gathering on E Main Street
- **September 24-27th: 14er Fest: Will Return in 2021**
- October 3rd: Thunder Thighs: Cancelled, may return in 2021

Still Planned as Normal or with Modification (changes in yellow):

- **NEW: Every Sunday through October 4th: Farmer's Market (application in 22 JUL)**

- NEW: August 20th: Business After Hours at BV Chamber of Commerce (application approved 31 JUL, waiting on payment)
- September 5-6th: BV Outlaw Race (application expected soon)
- September 9-12th: Bronco Super Celebration at Rodeo Grounds (event approved on 10 JUL)
- October 10th: Paws 4 LEOs Fundraiser at Community Center
- December 5th: BV Chamber's Christmas Open

Working to update policies for 2021 as well as capture requested dates for 2021 special events.

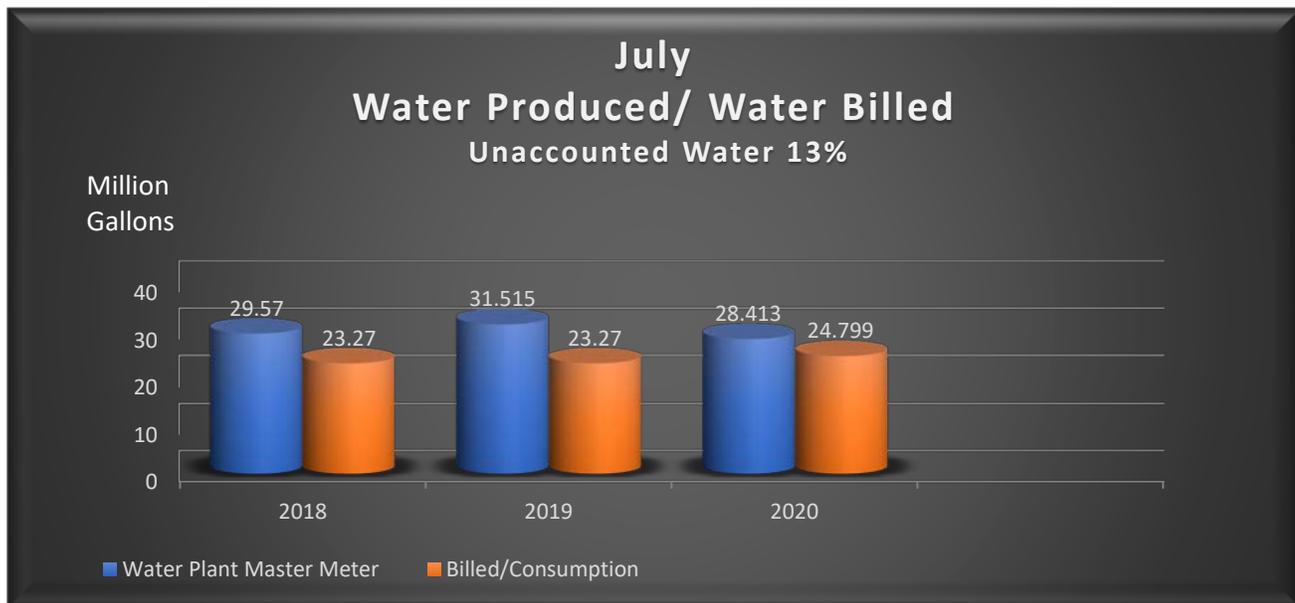
Earl Richmond

Earl Richmond
Recreation Director



**TOWN OF BUENA VISTA
PUBLIC WORKS**

MEETING DATE: August 11, 2020
TO: Mayor and Board of Trustees
FROM: Shawn Williams, Public Works Director
AGENDA ITEM: Staff Report



Ivy League Unaccounted = 17%	Master Meter = 1.139 MG	Billed = 0.946 MG
Construction; 50,000 gal. (estimated)	Fill Station; 81,195 gal.	Fire Hydrant Flushing; 1,000 gal.

2020 Service Line and Meter Installations

Development	Service Line Installations	Meter Installations
Town In-Fill Lots	11	6
Sunset Vista	10	5
The Farm	15	17
South Main	0	0
Colorado Center	0	0
Block 41	0	0

July Consumption Report



Town of Buena Vista

Consumption Summary Report

Service Summaries

Consumption Test Based on: Total Consumption
 Consumption to Use: Total Meter Consumption

Consumption Period From: 07/2020
 To: 07/2020

Account Class Summaries

Account Class Code - Description	Total Billed Consumption	Total Meter Consumption	Number of Bills	Average Total Cons.	Demand Consumption	Unbilled Consumption
Range 1 From: -999999999						
Range 1 To: 999999999						
CMAF - Apartments	259,000	259,000	11	259,000		
CMCH - Church	266,000	266,000	13	266,000		
CMCR - Car Washes	194,000	194,000	3	194,000		
CMHT - Hotel/Motel	1,110,000	1,110,000	16	1,110,000		
CMLD - Laundries	204,000	204,000	3	204,000		
CMOF - Offices	591,000	591,000	38	591,000		
CMPS - Personal Services	246,000	246,000	21	246,000		
CMRL - Retail	600,000	600,000	53	600,000		
CMRS - Resident/B&B	30,000	30,000	2	30,000		
CMRT - Restaurant	978,000	978,000	24	978,000		
GVOF - Government Offices	245,000	245,000	18	245,000		
GVPK - Government Parks	797,000	797,000	14	797,000		
GVSF - School Fields	207,000	207,000	2	207,000		
GVSH - School Buildings	1,498,000	1,498,000	10	1,498,000		
IND - Industrial	59,000	59,000	13	59,000		
MUS - MUSEUM	78,000	78,000	1	78,000		
RES - Residential - Single Family	16,919,000	16,919,000	1,356	16,900,000		
RSIR - Residential Irrigation	40,000	40,000	1	40,000		
RSMT - Residential - Multi-Family	477,000	477,000	17	477,000		
SCHB - Private School Buildings	1,000	1,000	1	1,000		
Sub Totals for Range 1 -999999999 - 999999999:	24,799,000	24,799,000	1,617	24,780,000		

Water Operations

- Normal Operations
- Staff leak detection
- Performing fire hydrant maintenance and flushing
- Monthly Sampling, No Issues
- Service line and meter inspections continue
- Staff turbidimeter installation complete
- Westmoor Pump Station VFD replacement cost analysis

2020 Water Production Update;

All but 1-acre ft of water this year has been served to the community through the gallery entry point. The 1-acre ft. of water served was sourced at the Well #2 entry point. Well #3 is in use primarily to the irrigation systems. Well #3 treated water entry point and augmentation plan has not been used or impacted so far this year.

Streets:

- **Street Fund Project List and Status**

Crack-Seal Project	\$19,986.75	Project Complete
Rodeo Road Asphalt Overlay Project	\$61,698.60	Project Complete
Chip-Seal Projects	\$74,268.75	Pending (starting this week)
Railroad Street Improvements	\$18,232.63 (additional project funding sources sidewalk replacement, stormwater fund and safe routes to school = \$70,000.00)	Partial completion
		Total \$174,186.73

- Asphalt pothole and patching
- Mowing ROW's
- Striping will continue after chip-seal completion

Engineering Projects:

- Continue to work updating and modifying the Town's Standards and Specification and technical manual
- Staff continues to meet and work with Wright Water Engineers on Well #4 preliminary design and evaluations
- Water Plant and Gallery Expansion Project ground water evaluations continue

Parks:

- Parks Staff update
- Re-seeding turf areas
- Cemetery Irrigation system phase 1 complete. Staff is working on site amenities and irrigation system expansion for 2021
- BEARS!! Staff is looking at solutions and pricing, bear-proofing the town's trash in Columbine and McPhelemy Parks. Funding source, parks operations maintenance budget.



Facilities and Building Maintenance:

- Normal Operations
- Town Hall duct work for heating system complete

Fleet:

- Normal Operations and Vehicle Maintenance and Repair

Respectfully Submitted,

Shawn Williams

Shawn Williams, Public Works Director



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

August 11, 2020

From: Jack Wyles / Airport Manager

Subject: Airport Report

- **Staffing:** Jack VC: 14 – 16 Aug
- **DEN Surplus Sale:** Equipment Viewing / Denver, Jack & Tadd, 19 Aug
- **FY 21-23 DBE:** 3 year goals to be upload by Dibble Engr into the FAA Civil Rights Portal.
- **Operations:** Operations up significant in July.
 - GA / 100LL fuel sales back to normal summer levels and more.
- **Army-MH6 Testing:** Ended July 24th
Agusta-169 Testing: ?? (On hold due to USA travel restrictions)
Agusta-139 Testing: 30 Sep – 17 Oct (Moving forward, still have USA travel restrictions)
ATEC-AH64 Testing: 30 October – 21 November
Boeing-AH64 Testing: 19 October – 13 November
- **Runway Rehab Estimated Project Dates (Delayed until September):**
 - Contract Trustee Approval: 23 June 20
 - Project Start Date: 8 Sept 2020
 - Runway Closure: 8- 21 Sept / Operational: 22-28 Sept / Closure: 29-30 Sept
 - Re-Open- / Operational: 1 Oct 2020
- **Equipment / Vehicles:** Vehicles status = green

July 2020 / Airport Ops	MTD	YTD
Total Based Aircraft	34	172
Total Transient Aircraft	206	604
Total Piston Aircraft	177	608
Total Jet/Turbine Aircraft	43	120
Total Aircraft	242	765
Total Operations	510	1683
Total Persons Using Airport	1105	3103
Total Military Ops	12	44
Total Helicopter Ops	13	37
Total Ops over 12,500 lbs	25	46
Day W/O Ops	0	40

July 2019 / Airport Ops	MTD	YTD
Total Based Aircraft	34	171
Total Transient Aircraft	200	555
Total Piston Aircraft	148	501
Total Jet/Turbine Aircraft	87	179
Total Aircraft	235	767
Total Operations	613	1776
Total Persons Using Airport	1006	2582
Total Military Ops	28	61
Total Helicopter Ops	51	140
Total Ops over 12,500 lbs	41	96
Days W/O Ops	0	36

Fuel Sales

July 2020 Fuel Sales

July 2019 Fuel Sales

Jet A fuel sold: 8,740 gal	YTD: 16,987 gal	Jet A fuel sold: 13,893 gal	YTD: 30,228 gal
100LL fuel sold: 2,346 gal	YTD: 7,946 gal	100LL fuel sold: 1,260 gal	YTD: 5,912 gal

Thank you,
Jack Wyles



RECEIVED
AUG - 6 2020
Town of Buena Vista

Town of Buena Vista Municipal Code Violation Complaint Form

Code Enforcement Use Only: 111

Date Received:

Case #:

Staff assigned to case:

Dept:

Complainant Information:
The complainant can remain anonymous, however contact information will help resolve the complaint more efficiently. Every effort will be made to maintain complainant confidentiality throughout the investigation and resolution process.

Date: 8/6/20	Time: 12:30	Address:
Name: Susan		
Daytime Phone Number: 409-713-9450		
Secondary Phone Number:		
Email address:		
Complaint Received by:		

Description of Complaint (Provide as much detail as possible: Who, What, Where & When)

Sick of the bumpouts along Main Street. Have trained 100 times as result of these things. Plus they take up three parking spaces which are so premium in summer. ~~Rediculous~~ Decision by someone who is Brian's friend.



**AGENDA
FOR THE BOARD OF TRUSTEES
OF THE TOWN OF BUENA VISTA, COLORADO
August 25, 2020**

Work Session at 6:00 PM –

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

To participate in Public Comment and/or Public Hearings you must connect to the video conference.

Conferencing Access Information: <https://zoom.us/j/88685655089> Password: 977111

Listen via phone at 1-346-248-7799 Meeting ID: 886 8565 5089 Password: 977111

**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 – August 11, 2020
- 2.
- 3.
- 4.

B. Town Clerk Report

VI. PUBLIC COMMENT

*Citizen participation where the public can sign up prior to the start of the meeting in order to speak up to 3 minutes for matters not on the agenda or for agenda items not scheduled for Public Hearing. Enter your name, address, and subject to be discussed in the Zoom Chat box, or when Mayor Lacy asks for Public Comment, select the More button, click Participants, and raise your hand. By phone press *9 to raise your hand and *6 to mute/unmute your phone, or you may email the information to 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.*

VII. STAFF REPORTS

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

This Agenda may be Amended

Posted at Buena Vista Town Hall, Post Office, and www.buenavistaco.gov on Friday, August 21, 2020

VIII. BUSINESS ITEMS

- A. Public Hearing - Sangre de Cristo Electric Association, Inc. Headquarters Annexation Parcel A** *(Estimated time – 15 minutes)*
- B. Public Hearing - Sangre de Cristo Electric Association, Inc. Headquarters Annexation Parcel B** *(Estimated time - 10 minutes)*
- C. Public Hearing - Tri-State Generation and Transmission Association, Inc. Buena Vista Substation Annexation Parcel A.** *(Estimated time - 10 minutes)*
- D. Should the Board of Trustees approve adoption of Resolution No. XX, Series 2020, entitled “A RESOLUTION SUBMITTING A BALLOT ISSUE REGARDING A SPECIAL SALES TAX ON RETAIL MARIJUANA TO THE REGISTERED ELECTORS OF THE TOWN OF BUENA VISTA AT THE NOVEMBER 3, 2020 ELECTION.”?** *(Estimated time – 15 minutes)*
- E.**
- F.**

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**