



BLUE RIVER BOARD OF TRUSTEES REGULAR MEETING DECEMBER 2023

**December 19, 2023 at 5:00 PM
0110 Whispering Pines Circle, Blue River, CO**

MINUTES

The public is welcome to attend the meeting either in person or via Zoom.

The Zoom link is available on the Town website:

<https://townofblueriver.colorado.gov/board-of-trustees>

Please note that seating at Town Hall is limited.

It is noted that due to technical and human error the meeting was not recorded.

5:00 PM WORK SESSION:

Review and Discussion of Town Committees

Mayor Pro Tem Mark Fossett called the work session to order at 5:05 p.m.

A memo was provided by Town Manager Michelle Eddy reviewing past committee accomplishments and suggestions for discussion.

Discussion and review of what has transpired with committees. Discussion that Trustees should only sit on committees as liaisons and not heavy into the committee. Discussion on Citizen Advisory and its current role. Suggestion to have the Trustees provide specific tasks and actions.

A suggestion to have Citizen Advisory survey the residents on priorities identified by the Trustees and asking the citizens for feedback. This could be conducted in January but again used after the April election to set the tone for the new board.

Discussion there is a need to recruit additional members to the committee. Potential topics for Citizen Advisory to work on: survey on priorities for the town including those identified by the Trustees; weed/seed expansion; and create a citizen input webform and communication promotion.

Suggestion for Trustees to establish a regular check in and review of what the committees are working on while providing direction for the committee. Suggestion to have this as a regular agenda item possibly on a quarterly basis for review. This would include the Chair attending the Trustees meeting. Suggestion for more involvement between the Trustees and the Committees to create better synergy. Suggestion to rename the Citizen Advisory Committee.

Decision to have Citizen Advisory review items and provide a report back to the Trustees with thoughts and recommendations including naming, survey and items for their work. It was noted the committee is both advisory and action depending on the work they are tasks with. Suggestion to remove the advisory piece of the name and rename it the Blue River Citizen Committee or Blue River Citizen Involvement Committee. Suggestion to review the bylaws and incorporate the mission of the committee.

6:00 PM REGULAR MEETING:

Mayor Pro Tem Mark Fossett called the regular meeting to order at 6:10 p.m.

I. CALL TO ORDER, ROLL CALL

PRESENT

Mayor Toby Babich-attended via zoom and in person beginning at 7:03 p.m.

Trustee Joel Dixon

Trustee Kelly Finley-arrived at 6:00 p.m.

Trustee Mark Fossett

Trustee Noah Hopkins

Trustee Ted Pilling

Trustee Ted Slaughter

Also present: Town Manager Michelle Eddy; Town Attorney Bob Widner

II. APPROVAL OF CONSENT AGENDA

Motion made by Trustee Hopkins, Seconded by Trustee Finley to approve the consent agenda. Motion passed unanimously.

Voting Yea: Trustee Dixon, Trustee Finley, Trustee Fossett, Trustee Hopkins, Trustee Pilling, Trustee Slaughter

A. Minutes November 28, 2023

B. Approval of Bills-\$55,907.27

III. COMMUNICATIONS TO TRUSTEES

Citizen Comments (Non-Agenda Items Only- 3-minute limit please). Any written communications are included in the packet.

Dan Cleary-Rustic Terrace: Remarked on the committee discussion and noted citizens are most likely to come to the Trustees for any concerns versus the committee. He remarked on the camping ordinance. He noted a need for a conditional use process. He remarked on proposed ballot questions concerning the mill.

Discussion to have the Town Attorney develop ideas of what would be covered under a conditional use permit and what it could look like for the Trustees to consider. It was asked to have Mr. Cleary email the Town Attorney ideas for consideration.

Barrie Stimpson-Spruce Creek Road: Offered suggestions and comments for the committee discussion. He suggested to review the bylaws and provide a conduit for communications between citizens and the committee, staff, and Trustees. This could be provided through the newsletter.

Paul Semmer-Blue Grouse Trail via Zoom: Thanked for work fixing meeting audio. He provided comments on the committee discussion. He suggested reviewing existing documents that may be used as direction for the citizen committee.

IV. PUBLIC HEARING

C. Ordinance 2023-05 Building Permit Amendments

Mayor Pro Tem Fossett noted this is an ordinance that came recommended from the Planning & Zoning Commission.

Mayor Pro Tem Fossett opened the public hearing at 6:32 p.m.

Dan Cleary-Rustic Terrace: He remarked on the ordinance specifically on the issuance of a permit and the payment of fees of and permitting for sewer, septic, and water. He noted his comments are part of the building process and the CO ordinance presented is good.

Barrie Stimpson-Spruce Creek Road: Noting most areas don't allow any work prior to permit.

Mayor Pro Tem Fossett closed the public hearing at 6:44 p.m.

V. ORDINANCE CONSIDERATION FOR APPROVAL

D. Ordinance 2023-04 Camping Prohibited

Motion made by Trustee Hopkins, Seconded by Trustee Finley to approve Ordinance 2023-04 An Ordinance of the Board of Trustees of the Town of Blue River, Colorado, Amending

Chapter 16 and 16A, Which Are Part of the Land Use Code, of the Blue River Municipal Code, to Address Camping and Use of Vehicles for Overnight Accommodations. Voting Yea: Trustee Dixon, Trustee Finley, Trustee Fossett, Trustee Hopkins, Trustee Pilling, Trustee Slaughter

E. Ordinance 2023-05 Building Permit Amendments

Motion made by Trustee Finley, Seconded by Trustee Hopkins to approve Ordinance 2023-05 An Ordinance of the Board of Trustees of the Town of Blue River, Colorado, Amending Section 18-1-10 of the Municipal Code Concerning Certificates of Occupancy. Voting Yea: Trustee Dixon, Trustee Finley, Trustee Fossett, Trustee Hopkins, Trustee Pilling, Trustee Slaughter

F. Ordinance 2023-06 Change Regular Meeting Day and Designated Place of Meeting Notices

Mayor Pro Tem Fossett stated the ordinance reflects the agreement and discussion from November's meeting.

Discussion of reasons to change and the discussion from November.

Motion made by Trustee Hopkins, Seconded by Trustee Fossett to approve Ordinance 2023-06 An Ordinance Amending Sections 2-2-90 and 2-2-110 of the Blue River Municipal Code to Provide for the Date For Regular Meetings to be Held on the Second Thursday of a Calendar Month and to Provide for the Official Place of Posting of Public Meeting Notices. Voting Yea: Trustee Dixon, Trustee Finley, Trustee Fossett, Trustee Hopkins, Trustee Pilling, Trustee Slaughter. Motion passed unanimously.

VI. RESOLUTIONS

G. Budget Resolutions

Town Manager Eddy noted the change in mill levy which is a temporary reduction of 3.402 mills from the voter approved 12.290 mills.

Approve Resolutions 2023-07 to 2023-10.

Roll Call:

Babich-Yes

Dixon-Yes

Finley-Yes

Fossett-Yes

Pilling-Yes

Slaughter-Yes

H. 2024 Election Resolutions

Town Manager Eddy noted there are three separate resolutions to approve. The first is to set the mail ballot election and appoint the Town Clerk as the Designated Election Official. The second is place a question on the ballot asking citizens to waive the 5.5% tax limit for statutory towns and allow the Town to retain its full voter approved 12.290 mills. This will not be an increase in taxes. The last is asking the citizens to allow the Town to save \$8,000/year in publishing fees allowing the Town to publish by Title only with the full ordinance published on the Town website.

Resolution 2023-11 Setting the Mail Ballot Election and Designating the Town Clerk as the Designated Election Official.

Finley moved and Pilling seconded to approve Resolution 2023-11 Setting the Mail Ballot Election and Designating the Town Clerk as the Designated Election Official. Motion passed unanimously.

Resolution 2023-12 Setting the Ballot Question to Waive the 5.5% Tax Limit.

Town Attorney Widner provided background and information on the memo provided. Town Attorney Widner noted the town may decide to lower (temporarily) any time after the limit is waived. If the Town became Home Rule this limit would not apply.

Trustee Fossett voiced concerns over placing this on the ballot given work being conducted at the State and whether or not it will be understood by the voters. He noted that there may be an opportunity to pursue a home rule designation versus statutory which would alleviate this issue. He recommended tabling it until a later date.

Trustee Finley noted that if it passes, it provides the opportunity to increase services and collect voter approved money. If it fails nothing changes.

Mayor Babich noted it could not be put on the ballot and wait and see how things work out at the State and review it again at a later date.

Decision to not move forward with the ballot question.

Hopkins moved and Fossett seconded to postpone it indefinitely. Motion passed unanimously.

Resolution 2023-13 Setting the Ballot Question to Publish by Title Only

Slaughter moved and Fossett seconded to approve Resolution 2023-13 Setting the Ballot Question to Publish by Title Only. Motion passed unanimously.

I. Resolution 2023-04 Trails Signage Policy

It was noted the language used is verbatim from that provided by Paul Semmer.

Discussion to was postponed approval to include a "whereas" for referencing the Open Space and Trails Plan and noted to change the date on the resolution.

Fossett moved and Finley seconded to approve amending to include a whereas, the Open Space and Trail Committee recommended the adoption of a Trails Plan which recommendation was accepted by the Board of Trustees; and.. Motion passed unanimously.

Slaughter opposed.

J. Resolution 2023-14 Posting Location

It was noted this is an annual resolution passed to set meeting days and official posting locations.

Motion made by Trustee Finley, Seconded by Trustee Fossett to approve Resolution 2023-14 A Resolution Designating the Town's Website (townofblueriver.colorado.gov) As the Official Posting Location for Public Notices of Meetings for 2024. Voting Yea: Mayor Babich, Trustee Dixon, Trustee Finley, Trustee Fossett, Trustee Hopkins, Trustee Pilling, Trustee Slaughter. Motion passed unanimously.

VII. NEW BUSINESS

K. Planning & Zoning Commission Vacancies

Mayor Babich reviewed the memo and process for appointments.

Beck, Costello, Manin

Motion made by Trustee Hopkins, Seconded by Trustee Finley to appoint Travis Beck, Mike Costello, and Gordon Manin to four-year terms on the Planning and Zoning Commission. Voting Yea: Mayor Babich, Trustee Dixon, Trustee Finley, Trustee Fossett, Trustee Hopkins, Trustee Pilling, Trustee Slaughter. Motion passed unanimously.

VIII. REPORTS

L. Mayor

No report.

M. Trustee Reports

Hopkins noted PZ did not meet.

Slaughter no report

Finley no report

Fossett no report

Pilling no report

Dixon no report

N. Attorney

No report.

O. Staff Report

IX. EXECUTIVE SESSION

P. Executive Session

Slaughter moved and Finley seconded to hold an executive session Pursuant to CRS 24-6-402(4)(b) and (e) to receive legal advice and to devise negotiation strategy and instruct negotiators concerning the terms and conditions of a potential land acquisition and pursuant to C.R.S 24-6-402(4)(e) to devise negotiation strategy and instruct the Town Manager as the negotiator concerning an administrative amendment of the Town's legal services agreement with Widner Juran LLP at 7:42 p.m.

Fossett moved and Pilling seconded to adjourn out of executive session with no action taken at 8:28 p.m. Motion passed unanimously.

X. ADJOURN

Finley moved and Fossett seconded to adjourn the regular meeting at 8:29 p.m. Motion passed unanimously.

NEXT MEETING - Thursday, January 11, 2024

Thursday, January 11, 2024

Respectfully Submitted:

Michelle Eddy

Town Clerk

Reports from the Town Manager, Mayor and Trustees; Scheduled Meetings and other matters are topics listed on the Regular Trustees Agenda. If time permits at the work session, the Mayor and Trustees may discuss these items. The Board of Trustees may make a Final Decision on any item listed on the agenda, regardless of whether it is listed as an action item.