



SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS
Tuesday, October 8, 2019, 1:30 p.m.
SUMMARY MINUTES

*For assistance or questions regarding special accommodations, accessibility,
or available audio/visual equipment, please contact 970-453-3403 as soon as possible.*

I. CALL TO ORDER

The Meeting of the Board of County Commissioners on Tuesday, October 8, 2019 was called to order by Chair, Thomas C. Davidson, at 1:30 p.m. in the County Commissioners' Meeting Room, Summit County Courthouse, 208 Lincoln Avenue, Breckenridge, Colorado.

II. ROLL CALL

Board Members present and answered to the roll call were:

Thomas C. Davidson, Chair
Karn Stiegelmeier, Commissioner
Elisabeth Lawrence, Commissioner

Staff Present were as follows: Scott Vargo, County Manager; Jeff Huntley, County Attorney; Keely Ambrose, Assistant County Attorney; Cameron Turpin, Assistant County Attorney; Bentley Henderson, Assistant County Manager; Sarah Vaine, Assistant County Manager; Julie Sutor, Director of Communications; Marty Ferris, Finance Director; Don Reimer, Planning Director; Dan Osborn, Senior Planner; Robert Jacobs, Road & Bridge Director; Stacey Nell, Chief Deputy County Clerk; Lauren Gilbert, Public Health Nurse; Jeremy Voge, Assistant Finance Director; Eva Henson, Administrative Manager and Lori Dwyer, Deputy Clerk.

Additional Attendees: Deepan Dutta, Scott Russell, Charles Buck, Greg Lewson, Becky Stone, Don Thomas, Don Parsons, Jerrod Brown, Barbara Dittert, Ginger Boulton, Mary Silver, Scott Silver, David Koch, Todd Morgan, Ryan Geller, Penny Gibson, Jens Werner, Elena Scott, Guenther Kerkhoff, Christy Rashidi

III. APPROVAL OF AGENDA

The agenda was approved, as presented.

IV. CITIZEN COMMENT

V. PROCLAMATIONS & ANNOUNCEMENTS

A. Approval of a Resolution in Support of Summit County Referred Measure 1A, a proposed levy of a county-wide special sales tax on cigarettes and all other tobacco and

nicotine products sold, including e-cigarettes and vaping devices, commencing January 1, 2020 (Manager/Finance/Attorney).

Sarah Vaine thanked the Public Health staff for their efforts regarding this item.

Lauren Gilbert gave a history of tobacco and nicotine use in the U.S. and noted her support as a Public Health Nurse of preventative strategies outlined in the Surgeon General's reports.

Don Parsons noted his support of the measure.

MOTION: A motion was made by Commissioner Lawrence and seconded by Commissioner Stiegelmeier to approve Resolution 2019-72, Approval of a Resolution in Support of Summit County Referred Measure 1A, a proposed levy of a county-wide special sales tax on cigarettes and all other tobacco and nicotine products sold, including e-cigarettes and vaping devices, commencing January 1, 2020 (Manager/Finance/Attorney).

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

- B. Approval of a Resolution in Support of Summit County Referred Measure 1B, a proposed ballot measure authorizing the ongoing extension, with no increase in tax rates, of the existing mill levy for open space, natural areas and trails, and other public purposes previously approved by the voters in 2008 by Summit County Referred Measure 1(A) (Manager/Finance/Attorney).

Commissioner Stiegelmeier noted that this measure is very important to the local community.

MOTION: A motion was made by Commissioner Stiegelmeier and seconded by Commissioner Lawrence to approve Resolution 2019-73, Approval of a Resolution in Support of Summit County Referred Measure 1B, a proposed ballot measure authorizing the ongoing extension, with no increase in tax rates, of the existing mill levy for open space, natural areas and trails, and other public purposes previously approved by the voters in 2008 by Summit County Referred Measure 1(A) (Manager/Finance/Attorney).

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VI. CONSENT AGENDA

- A. Approval of 9-24-19 Regular Meeting Minutes. **Approved as presented; and**
- B. Approval of Warrant Lists 9-1-19 to 9-15-19 and 9-16-19 to 9-30-19. (Finance). **Approved as presented by the Finance Department; and**
- C. A request for a Lot Line and Utility Easement Vacation between Lot 16, Tordal Estates Sub and Lots 3 and 4, Block 1, Alpine Breckenridge Sub #1; a total of 2.13 acres; zoned R-1 (PLN19-117/Wilson and Gail Geisler) Upper Blue Basin (Planning). **Approved Resolution 2019-74; and**
- D. Approval to exercise option agreement to purchase the Monarch Lode (Snake River). **Approved as presented; and**
- E. Liquor License Renewal for Wolf Rocky Keystone LLC dba ZUMA ROADHOUSE; Hotel & Restaurant; Dan Shipp; located at 91 River Run Road Unit #C6, Keystone CO (Clerk). **The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**

- F. Liquor License Renewal for ATM Inc. dba MULLIGANS IRISH PUB; Tavern; John Grzeskowiak; 231 Ten Mile Circle; Copper Mountain, CO (Clerk). **The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**
- G. Liquor License Renewal for Keystone Food & Beverage Co. dba KEYSTONE LODGE & SPA; Hotel & Restaurant with Optional Premises; Geoffrey Buchheister; located at 22010 U.S. Highway 6 Keystone, CO (Clerk). **The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**

MOTION: A motion was made by Commissioner Stiegelmeier and seconded by Commissioner Lawrence to approve the Consent Agenda, items A-G, including Resolution 2019-74, as referenced above.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

New Business A and Public Hearing A were opened together as they are related items.

VII. NEW BUSINESS

- A. General Subdivision Exemption to create a 4.24 acre parcel for the One River Run development and a 0.67 acre parcel for the gondola; Lot 4A, Base 1 at Keystone F#2, 4.90 acres, zoned Keystone PUD (PLN18-082/One River Run Acquisition, LLC) Snake River Basin. (Staff recommends that the BOCC open and consider items PLN18-080 and PLN18-082 concurrently as they are related to the overall development of the same parcel).

VIII. PUBLIC HEARING

- A. Minor PUD Modification to convert multi-family units to lodge units for Parcel A, River Run Neighborhood; Lot 4A, Base 1 at Keystone Filing #2, zoned Keystone PUD (PLN18-080/One River Run Acquisition, LLC) Snake River Basin.

Dan Osborn gave a brief overview including but not limited to the site plan, current uses of the parcel, allowed us on the original PUD and proposed allocations.

Shervin Rashidi, Scott Russell and Ryan Gellar gave a background of the project.

Becky Stone gave a digital presentation including, but not limited to, the overall vision for the project, the site history, vicinity, circulation of vehicles and pedestrians, PUD Compliance, site design, and a summary of the request.

Charles Buck noted that the applicant has completed a traffic study related to this project.

Commissioner Davidson questioned whether the owner/developer for the PUD was in compliance with one of the PUD requirements, a traffic study every two years. Don Reimer spoke to note that Vail Resorts has not done a traffic study beyond a traffic count in the last twelve years.

Commissioner Stiegelmeier asked the applicant to clarify plans for the Power Line Lot's replacement parking spaces. Mr. Russell elaborated on the bus route and number of spaces available.

Commissioner Lawrence noted concerns about the number of parking spaces available to condominium owners and hotel guests in the hotel's parking garage.

Mr. Reimer gave insight into the employee housing mitigation requirements and the reporting of employee counts. The applicants noted that they would voluntarily add the reporting of actual employee counts to the site plan.

Commissioner Davidson requested that actual employee housing numbers be reported as a condition of the site plan.

Commissioner Davidson opened the public hearing.

Scott Silver noted that he is president of the Red Hawk Lodge HOA and represents seven other condominium associations. He noted that the HOA's concerns are density, encroachment, lack of pedestrian paths and additional traffic.

Guenther Kerkhoff noted that he is a Red Hawk Lodge owner and has concerns regarding the potential noise. He suggested that deliveries could be done at the Bear Pit and brought to the hotel and restaurants by golf court to minimize the number of large trucks backing to the hotel.

Deepan Dutta asked what, if any, assurances that Vail Resorts can give that the parking issues at Keystone Resort will be resolved.

Penny Gibson mentioned her concerns of density and traffic, and noted that she believes the development is too close to the gondola.

Christy Rashidi questioned the net number of parking spaces being added, and wanted public access to a comprehensive traffic study.

David Koch noted that he feels that the addition of two restaurants would be to the benefit of the the area.

Commissioner Davidson closed the public hearing.

Commissioner Davidson requested that the applicant return with an explicit agreement with Vail Resorts regarding overflow parking. He also requested more time to review the plat maps, access to Exhibit H, and plat notes on the previous plats.

Commissioner Stiegelmeier clarified that the County would be considering the site plan and a comprehensive look at the parking situation at a later date.

MOTION: A motion was made by Commissioner Lawrence and seconded by Commissioner Davidson to continue to the BOCC Regular Meeting on Tuesday, October 22, 2019, New Business A, a General Subdivision Exemption to create a 4.24 acre parcel for the One River Run development and a 0.67 acre parcel for the gondola; Lot 4A, Base 1 at Keystone F#2, 4.90 acres, zoned Keystone PUD (PLN18-082/One River Run Acquisition, LLC) Snake River Basin.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

MOTION: A motion was made by Commissioner Lawrence and seconded by Commissioner Davidson to continue to the BOCC Regular Meeting on Tuesday, October 22, 2019, Public Hearing A, a proposed Minor PUD Modification to convert multi-family

units to lodge units for Parcel A, River Run Neighborhood; Lot 4A, Base 1 at Keystone Filing #2, zoned Keystone PUD (PLN18-080/One River Run Acquisition, LLC) Snake River Basin.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

B. Presentation of the Proposed 2020 Budget (Finance).

Scott Vargo gave a digital presentation of the Proposed 2020 Budget. Public hearings regarding the budget are scheduled at work sessions and regular meetings through December 10, 2019 and final adoption will occur on December 10, 2019.

Department Heads and Senior Management were instructed to use several guidelines when creating their proposed budgets including:

- Use the 2019 original budget as base for 2020
- Keep expenses at 2019 levels
- Staff increases and program expansions should bring offsetting revenue
- Review line item spending

Mr. Vargo stated that the 2019 Proposed Budget used conservative revenue estimates. He noted that the combination of the impacts of Gallagher and Tabor and increasing operational expenses present a significant challenge looking into the future. In addition, he noted there has been review of line item spending to look at the history of expenditures and programs with the objective of removing obsolete programs.

The Commissioners discussed the 2020 proposed budget in detail with staff.

Commissioner Davidson opened and closed the hearing with no public comment.

MOTION: A motion was made by Commissioner Lawrence and seconded by Commissioner Stiegelmeier to continue the hearing for the 2020 Proposed Budget at the next BOCC regular meeting on October 22, 2019.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

C. Second reading and Public Hearing to consider adoption of Ordinance No. 19 – an Ordinance Establishing Licensing Requirements and Regulating the Sale of Cigarettes, Tobacco Products and Electronic Smoking Devices within the unincorporated area of Summit County (Attorney). **Continued from the September 24, 2019 Regular Meeting**

Commissioner Davidson opened the public hearing.

Mr. Dutta inquired as to whether this would be applicable to retailers who sell marijuana smoking devices.

Commissioner Davidson closed the public hearing.

Cameron Turpin noted that because marijuana electronic smoking devices can also be used to smoke tobacco and nicotine products, retailers that sell them would be subject to enforcement of this ordinance.

The Commissioners discussed the ordinance in detail with staff.

Jeff Huntley noted that an extensive presentation occurred on first reading of the ordinance.

MOTION: A motion was made by Commissioner Davidson and seconded by Commissioner Lawrence to adopt on second reading Ordinance No. 19 – an Ordinance Establishing Licensing Requirements and Regulating the Sale of Cigarettes, Tobacco Products and Electronic Smoking Devices within the unincorporated area of Summit County and ordered that the Ordinance be published in title only.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VI. ADJOURNMENT

The meeting was adjourned at 5:43 p.m.

Respectfully submitted,

Approved by:

Lori Dwyer, Deputy Clerk

Thomas C. Davidson, Chair

NOTE: These minutes are a summary of the proceedings and motions of the October 8, 2019 Board of County Commissioners' Regular Meeting. The complete digital recording is available in the Office of the Clerk & Recorder, Summit County Courthouse, 2nd Floor, 208 Lincoln Avenue, Breckenridge, Colorado 80424.