



**SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS**  
**Tuesday, June 22, 2021 at 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 Regular Meeting of the Board of County Commissioners on Tuesday, June 22, 2021 was called to order by Chair, Elisabeth Lawrence, at 1:36 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:

Elisabeth Lawrence, Chair  
Tamara Pogue, Commissioner  
Josh Blanchard, Commissioner

Staff Present via Zoom were as follows: Scott Vargo, County Manager; Jeff Huntley, County Attorney; Keely Ambrose, Assistant County Attorney; Toby Weiner, Assistant County Attorney; Sarah Vaine, Assistant County Manager; Bentley Henderson, Assistant County Manager; Marty Ferris, Finance Director; Aaron Byrne, Landfill Director; Nicole Valentine, Director of Communications; Dan Hendershott, Environmental Health Manager; Lindsay Hirsh, Senior Planner; Dan Osborn, Interim Planning Director; Jason Dietz, Housing Director; Jim Curnutte, Community Development Director; Jessica Potter, Senior Planner; Sid Rivers, Planner II; Jaime FitzSimons, Sheriff; Michael Wurzel, Sustainability Coordinator; Brandon Howes, Housing Planner II; David Reynolds, Assistant Finance Director; Suzanne Pugsley, Planner I; April Paige, Executive Administrative Manager and Lori Dwyer, Deputy Clerk.

Additional Attendees in person and via Zoom: Sawyer D'Argonne, Kevin Lovett, Colin Scollard, Gayle Rodgers, Gregory Flaks, John Levene, Katherine Coolidge, Rebecca Humphries, Danny Teodoru, Jay Long, Avery Turman, Colin McNichols, Joyleen Helcoski, Patty Blank, Steve Snyder, Tracie Hulbert, Cooper Christensen, Lisa Case, Katie Schminky, Brian Christensen, Rob Feinholz, Alexis Powers, Andy Hayhurst, Eileen O'Leary, Jeff Francis, Robin Robson, Douglas Turner, Kandy Neale, Peyton Rogers, Peter Reeburgh, Dan Schmidt, Janice Hitzfelder and others that did not sign in.

**III. APPROVAL OF AGENDA**

The agenda was approved, as presented.

#### IV. CITIZEN COMMENT

Robin Robson noted that she lives near the shooting range, and asked the Commissioners for limits including operating hours, automatic closures during fire restrictions, limiting use to Summit County residents, and imposing a fee for its use.

#### V. PROCLAMATIONS & ANNOUNCEMENTS

A. Resolution Proclaiming a Workforce Housing Crisis in Summit County, Colorado.

Commissioner Pogue read selections from the Proclamation and summarized the concerns that the Board shares and the actions that the Board hopes the State will take in response to the crisis.

**MOTION: A motion was made by Commissioner Blanchard and seconded by Commissioner Pogue to approve Resolution 2021-39, Proclaiming a Workforce Housing Crisis in Summit County, Colorado.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

#### VI. CONSENT AGENDA

- A. Approval of 5-25-21 Regular Meeting Minutes. **Approved as presented; and**
- B. Warrant Lists of 5-16-21 to 5-31-21 (Finance). **Approved as presented by the Finance Department; and**
- C. Warrant Lists of 6-1-21 to 6-15-21 (Finance). **Approved as presented by the Finance Department; and**
- D. Resolution Adopting the "EV Readiness in Summit County, Colorado: Guidance for Local Communities and Businesses". **Approved Resolution 2021-40 as presented; and**
- E. The sale of 1 TDR from the Countywide Upper Blue TDR Bank for use on Lot 2, Blue Sky Estates to accommodate an upzoning from RE to R-1 and a two-Lot Subdivision; a 2.23 acre parcel to be zoned R-1. (PLN21-044/Terrance Barbu) Upper Blue Basin. **Approved Resolution 2021-41 as presented; and**
- F. Transfer of TDRs from the Joint Upper Blue TDR Bank to Countywide Upper Blue TDR Account (PLN21-045/Summit County Government) Upper Blue Basin. **Approved as presented; and**
- G. 1st Amendment to the MOU between the BOCC and Town of Dillon for the USFS CR 51 Parcel Affordable Workforce Housing Project. **Approved as presented; and**
- H. Liquor License Renewal for Keystone Food & Beverage Co. dba VISTA HAUS; Hotel & Restaurant with Optional Premises; Roger Cardoza; located at 2510 Summit County Road 750, Breckenridge, CO (Clerk). **Approved as presented; and**
- I. Telework Guidelines (Human Resources). **Approved as presented; and**

**MOTION: A motion was made by Commissioner Pogue and seconded by Commissioner Blanchard to approve the Consent Agenda, items A-I and Resolutions 2021-40 and 2021-41 as presented.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

**VII. NEW BUSINESS**

- A. Approval of a Resolution Declaring a Stage 2 Fire Hazard Emergency and Banning Open Fires and the Use and Sale of Fireworks in Summit County (Sheriff's Office).

Sheriff Jaime FitzSimons noted that Stage 2 thresholds have been surpassed, and that he recommends Stage 2 Fire Restrictions and an administrative closure of the shooting range. Scott Vargo noted that he will close the shooting range in conjunction with the timing of the Stage 2 restrictions, on Friday, June 25<sup>th</sup> at 12:01 a.m.

**MOTION: A motion was made by Commissioner Pogue and seconded by Commissioner Blanchard to approve Resolution 2021-42, Declaring a Stage 2 Fire Hazard Emergency and Banning Open Fires and the Use and Sale of Fireworks in Summit County (Sheriff's Office).**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

***New Business Item B and Public Hearing Item A were opened together, as they are related items.***

**NEW BUSINESS**

- B. A final plat to subdivide a 23.4 acre parcel into 9 single family lots, 2 Tracts (A & B) for affordable workforce housing, and 2 Tracts for open space (Tracts C & D), common area for an HOA building and one on-site employee housing unit (Tract E), and 1 Tract for a transit shelter/improvements (Tract G), Trails at Berlin Placer, A Resubdivision of Tracts A,B,C,D,E,F-N and F-S, Trails at Berlin Placer, Zoned Trails at Berlin Placer PUD. (PLN21-021/Jeff Francis, Berlin Placer Development LLC) Upper Blue Basin.

**PUBLIC HEARING**

- A. Preliminary plat to subdivide a 23.4 acre parcel into 14 single family lots, 2 Tracts (A & B) for affordable workforce housing, and 2 Tracts for open space (Tracts C & D), common area for a HOA building and one on-site employee housing unit (Tract E), and 1 Tract for a transit shelter/improvements (Tract G), Trails at Berlin Placer, A Resubdivision of Tracts A,B,C,D,E,F-N and F-S, Trails at Berlin Placer, Zoned Trails at Berlin Placer PUD (PLN21-020/Jeff Francis, Berlin Placer Development LLC) Upper Blue Basin.

Lindsay Hirsh gave a background to the application including the meeting process, development triggers, criteria for decision, utility availability, compliance with subdivision

regulations, trail easements, and transportation system. He noted that staff recommends approval of both items, with 7 findings and 9 conditions.

Danny Teodoru spoke on behalf of the applicant and noted that the applicant is ready to move forward with the project, and approves of all of the conditions.

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

**MOTION: A motion was made by Commissioner Blanchard and seconded by Commissioner Pogue to approve Resolution 2021-43, a Preliminary plat to subdivide a 23.4 acre parcel into 14 single family lots, 2 Tracts (A & B) for affordable workforce housing, and 2 Tracts for open space (Tracts C & D), common area for aHOA building and one on-site employee housing unit (Tract E), and I Tract for a transit shelter/improvements (Tract G), Trails at Berlin Placer, A Resubdivision of Tracts A,B,C,D,E,F-N and F-S, Trails at Berlin Placer, Zoned Trails at Berlin Placer PUD with 7 findings and 9 conditions(PLN21-020/Jeff Francis, Berlin Placer Development LLC) Upper Blue Basin.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

**MOTION: A motion was made by Commissioner Blanchard and seconded by Commissioner Pogue to approve Resolution 2021-44, A final plat to subdivide a 23.4 acre parcel into 9 single family lots, 2 Tracts (A & B) for affordable workforce housing, and 2 Tracts for open space (Tracts C & D), common area for an HOA building and one on-site employee housing unit(Tract E), and I Tract for a transit shelter/improvements (Tract G), Trails at Berlin Placer, A Resubdivision of Tracts A,B,C,D,E,F-N and F-S, Trails at Berlin Placer, Zoned Trails at Berlin Placer PUD with 7 findings and 9 conditions. (PLN21-021/Jeff Francis, Berlin Placer Development LLC) Upper Blue Basin.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

#### **NEW BUSINESS**

- C.** Replat to adjust lot lines, rename lots, combine Lot F with Lot AR, create new Lot J: Lots F,AR, Lot 2 Blk 2, Lot 2, Blk 3; zoned Spring Creek Ranch PUD (PLN21-028/Thomas Carey) Lower Blue Basin.

Sid Rivers gave a brief presentation, including history and background of the application.

**MOTION: A motion was made by Commissioner Pogue and seconded by Commissioner Blanchard to approve Resolution 2021-45, a Replat to adjust lot lines, rename lots, combine Lot F with Lot AR, create new Lot J: Lots F,AR, Lot 2 Blk 2, Lot 2, Blk 3; zoned Spring Creek Ranch PUD with 7 findings and 0 conditions (PLN21-028/Thomas Carey) Lower Blue Basin.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

## VIII. PUBLIC HEARING

- B.** Preliminary Plat to create Lots 19 and 20 Western Sky Ranch Ranch Filing #8 within the Western Sky Ranch PUD on approximately 7.25 acres. (PLN19-023/Danny Teodoru) Upper Blue Basin.

Dan Osborn gave a presentation including but not limited to background of the application, vicinity map, trail connections, criteria for decision, preliminary plan, and the Western Sky PUD. He noted that staff recommends approval with 7 findings and 1 condition.

Mr. Teodoru noted that the US Forest Service application should be complete soon, and that these are the last two lots in Western Sky Ranch that are not owned by the developer.

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

**MOTION: A motion was made by Commissioner Pogue and seconded by Commissioner Blanchard to approve Resolution 2021-46, a Preliminary Plat to create Lots 19 and 20 Western Sky Ranch Ranch Filing #8 within the Western Sky Ranch PUD on approximately 7.25 acres. (PLN19-023/Danny Teodoru) Upper Blue Basin.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

***Public Hearing Items C and D were opened together, as they are related items.***

- C.** A second reading of an Ordinance for the regulation and management of Short-Term Vacation Rentals. (PLN21-041/Summit County Government).
- D.** Minor amendments to Chapters 3 and 15 of the Summit County Land Use and Development Code concerning Short-Term Vacation Rentals (STRs), including but not limited to: the addition of references to the STR Ordinance, the transfer of regulations to the STR Ordinance, clarifications of existing policy, and other amendments to accomplish the foregoing. (PLN20-076/Summit County Government).

Jessica Potter gave a history of the ordinance and noted that the State now allows counties to adopt ordinances related to short-term rentals. The new Ordinance would mainly impact properties that are non-compliant in the licensing and permitting process. It is essentially the same as the existing development code, with minor clarifications. Ms. Potter went over a list of questions that were asked of the Planning department after they gave notice of the Public Hearing.

Ms. Potter noted that the amendments to Chapter 3 and 15 of the Land Use and Development Code are meant to clarify the existing code. She noted that staff recommends approval with 3 findings and 1 condition.

Commissioner Lawrence opened the hearing for public comment.

Peter Reeburgh asked questions related to the requirement to give renters information about appropriate vehicles for inclement weather and related to bedroom definitions. He expressed concerns about the initial rollout of the existing Short Term Rental program, and noted that changing responsible agents is very challenging. In general, he is in support of Short Term Rental licensing, but would like to make sure the process is functional.

Dan Schmidt asked a clarifying question regarding lofts, and whether they count as a bedroom. Ms. Potter stated that a loft can function as a bedroom, as long as it meets the code.

Commissioner Lawrence closed the hearing for public comment.

**MOTION: A motion was made by Commissioner Blanchard and seconded by Commissioner Pogue to adopt on second reading Ordinance No. 20 - an Ordinance for the regulation and management of Short-Term Vacation Rentals and ordered that the Ordinance as amended be published in full. (PLN21-041/Summit County Government).**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

**MOTION: A motion was made by Commissioner Pogue and seconded by Commissioner Blanchard to approve Resolution 2021-47, Minor amendments to Chapters 3 and 15 of the Summit County Land Use and Development Code concerning Short-Term Vacation Rentals (STRs), including but not limited to: the addition of references to the STR Ordinance, the transfer of regulations to the STR Ordinance, clarifications of existing policy, and other amendments to accomplish the foregoing, with 3 findings and 1 condition. (PLN20-076/Summit County Government).**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

## **IX. ADJOURNMENT**

The meeting was adjourned at 3:15 p.m.

Respectfully submitted,

Approved by:

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Lori Dwyer, Deputy Clerk

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Elisabeth Lawrence, Chair

NOTE: These minutes are a summary of the proceedings and motions of the June 22, 2021 Board of County Commissioners' Regular Meeting. The complete digital recording is available in the Office of the County Manager, Summit County Courthouse, 3<sup>rd</sup> Floor, 208 Lincoln Avenue, Breckenridge, Colorado 80424.