



**SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS**  
**Tuesday, October 12, 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, October 12, 2021 was called to order by Chair, Elisabeth Lawrence, 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:

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

Staff Present were as follows: Scott Vargo, County Manager; Jeff Huntley, County Attorney; Bentley Henderson, Assistant County Manager; Marty Ferris, Finance Director; David Reynolds, Assistant Finance Director; Andy Atencio, Information Systems Director; Jaime Krakowiak, Tyler/Munis Project Coordinator; Jim Curnutte, Planning Director; Adam Kisiel, Public Affairs Coordinator; Nicole Valentine, Director of Communications; Sid Rivers, Planner II; April Paige, Executive Assistant Manager and Lori Dwyer, Deputy Clerk.

Additional Attendees in person and via Zoom: Martin Sundquist, Gretchen Davis, Kevin Sheppard, Michael Lewis, Nini Koch, Julie Olsen, Ed Simon, Mark Matthews, Dave Fielder, David Foster, Erik Carlson, Christine Gruenwald, Tim Huiting, Valerie Thisted, Ken Riley, Matt Reynolds, Jon Titsworth, Michael Qualizza, Kimberly Qualizza, Jenna deJong, Doyle Richmond, Aaron Parmet, David Koch, Kathy Rogg, Kaici Warren, George Buckland, Julie Buckland, Amy Armstrong, Glenn Armstrong, Tanya Becker, Samuel Becker, Bruce Becker, Benjamin Becker, Zachary Becker, Anthony Paretti, Guillermo Velasco Lopez, Lesley Davis, James R. Davis III, Carly Griffith, Noah Landweir, Kevin Burns, Dan Culisher, Jerry Selinfreund, Jan Selinfreund, Terryn Tyler, Ashton Kent, Scott Sheffield, Alton Becker, Brian Samela, Cynthia Barrett, Danielle Swann, David Kelly, David Oetting, Michelle Goldstein, Mike Lueck, Park Learned, Patti Banks, Patti Plank, Sabrina Zirk, Ron Allen, Emily Durbin, Eva Garretson, Frankee Hood, Greg Goldberg, Hillary Hoffman, James Down, James Graham III, Phil Lindeman, Randall Stout, Sawyer D'Argonne, Sarah Keel, Kathy Kort, Julie Sabor, Jeremy Deem, Don McCoy, Joan Jardon, Joel Meier, Maja Russer, Mary Vitaver, Betsy Allen, Reid Roberts, Richard Nadolink, William Brock, William Eby, Ann Corrigan, Brett Housker, Cindi Kelly, Jodi Fleisher, Joel Kunaand others that did not sign in.

### III. APPROVAL OF AGENDA

The agenda was approved, as presented.

### IV. CITIZEN COMMENT

### V. CONSENT AGENDA

- A. Approval of 9-28-21 Regular Meeting Minutes. **Approved as presented; and**
- B. Warrant List 09/16/2021 - 09/30/2021. **Approved as presented by the Finance Department; and**
- C. Approval of Opioid Settlement Agreement and MOU (Attorney). **Approved as presented; and**
- D. Request for Public Hearing and Designation of Neighborhood for a New Liquor License for River Run Coffee Company LLC dba STEEP; Tavern; Elissa Slezak, Justin Slezak; located at 195 River Run Road Units #B2-B3 & B5, Keystone, CO (Clerk). **Approved as presented and set for Public Hearing on October 26, 2021; and**
- E. Approval to exercise Option Agreement to acquire the London Placer (Upper Blue Basin). **Approved as presented; and**
- F. Liquor License Renewal for Chance Investments LLC dba CHANCE LIQUORS; Liquor Store; Cara York; located at 6885 Summit County Road 30, Heeney, 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. Subdivision Improvements Agreement ("SIA") for the Trails at Berlin Placer Substantial Construction for Units 1-10/Buildings A-E (PLN20-009/Jeff Francis) Upper Blue Basin. **Approved as presented; and**

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

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

## VI. PUBLIC HEARING

- A. Appeal of the decision of denial for a retail marijuana license; Tract A, Sonne PUD, 0.25acres, zoned Sonne PUD. (PLN21-084/Zachary Becker) Upper Blue Basin.

Sid Rivers gave a background to the application, including neighbor concerns, location and proximity to the residential neighborhood, Sheriff comments, site plan, parking, criteria for decision, history of retail marijuana in Summit County, neighborhood designation, needs and desires of inhabitants of the neighborhood, and staff review. She noted that staff recommends denial of the appeal.

Commissioner Pogue asked about impacts around transportation and traffic, and Ms. Rivers noted that those impacts would be addressed in a different part of the process.

Zachary Becker, applicant, gave a background to the business.

David Foster, attorney for the applicant, gave a history including Summit County's approval of Amendment 64 allowing for retail marijuana sales, the process for approval including meeting with the Sheriff and initial denial. He also addressed comments from members of the public, the criteria for decision, transportation, proximity to other retail marijuana stores, the bus stop, proximity to residences, and responded to the letter from the Sheriff's Office.

Commissioner Lawrence opened the hearing for public comment.

Tanya Becker, Sam Becker, and Bruce Becker shared their history in creating Treeline, and noted that the industry has made great strides in recent years. They asked to keep the process moving forward, and noted that they have been working through all steps of the application for almost two years.

Julie Olsen, Tim Huiting, Nimi Koch, Kathy Rogg, Gretchen Davis, Rebecca Richmond, Doyle Richmond, Mark Matthews, Jan Selinfreund, Valerie Thisted, Don McCoy, Aaron Parmet, Martin Sundquist, Patti Banks, Frankie Hood, Mike Lueck, Julie Sabor, David Oetting, Jay Allen, Kathy Kort, William Fuller, Jeremy Deem, Kimberly Qualizza, Reid Roberts, Betsy Allen, Scott Jardon, Park Learned, Ken Riley, Matt Reynolds, David Koch, Cindi Kelly and Randall Stout all spoke in opposition to the appeal. They voiced concerns including but not limited to neighborhood harmony, the danger for pedestrians at the intersection where the business would be located, parking issues, tourists smoking in the resort where it is not allowed, additional traffic, mental health concerns, lack of neighborhood support, proximity to children, proximity to a bus stop, costly cleanup when visitors smoke in rental units, neighborhood character, how the applicant's survey was conducted, police coverage, lack of need for a dispensary, damage to Keystone's family-friendly reputation, and distance to the nearest residential neighborhood.

Lesley Davis, Mike Lewis, James Davis, Amy Armstrong, Glenn Armstrong, Greg Goldberg, Terryn Tyler, Carly Griffith, Emily Durbin, William Eby and Noah Landwehr all spoke in favor of the appeal. They cited considerations including but not limited to the dispensary creating jobs, increasing tourism, generating tax revenue, that it would be a locally-owned small business, the importance of including the voices of Montezuma residents due to their proximity to Keystone, that smoking is not the only way to consume cannabis, access to dispensaries for Summit County residents without vehicles, and support for the Beckers as individuals. They also noted that this is a well-regulated

industry and that this is a license application, not a site plan.

Commissioner Lawrence closed the hearing for public comment.

Mr. Foster addressed some of the public comments. He noted that many of the concerns voiced would be answered in the site plan, and reiterated that this is a hearing for the license appeal only.

Commissioner Blanchard thanked everyone who spoke. He noted that there are challenges to health and safety and the desires of the adult inhabitants of the area.

Commissioner Pogue noted that for her, the key issue is whether the application is in harmony with the surrounding area and based on the comments, it does not seem to be.

Commissioner Lawrence noted that she is passionate about this topic, based on her personal history, and she does not believe that family-friendly areas and marijuana dispensaries are mutually exclusive.

Jeff Huntley noted that the recitals in the draft resolutions for both approval and denial contained an incorrect statutory citation and stated the correct language for both.

**MOTION: A motion was made by Commissioner Blanchard and seconded by Commissioner Pogue to deny PLN21-084; Retail Marijuana License; Tract A, Sonne PUD, 0.25 acres, zoned Sonne PUD, with 4 findings and 0 conditions as stated in draft Resolution 2021-73 (PLN21-084/Zachary Becker)(Snake River Basin).**

**MOTION PASSED BY A VOTE OF 2 TO 1 BY THE BOARD PRESENT, WITH COMMISSIONER LAWRENCE VOTING NO.**

**B.** Presentation of 2022 Recommended Budget.

Public Hearing Agenda Item B was opened and the Chair noted the draft budget was presented in the meeting materials.

***The meeting was continued at 5:00 p.m. to Wednesday, October 13, 2021 at 8:35 a.m. in the BOCC Hearing Room.***

***The meeting resumed at 8:41 a.m. on Wednesday, October 13, 2021.***

Scott Vargo gave a digital presentation including but not limited to budget guidelines and instructions, department goals, revenue estimates, efficiencies found during COVID that can continue into 2022, the Community Advisory Budget Committee, General Fund revenues, operating expense increases, Strong Future programs, salary/employee benefits, transfers to other funds, fund balance for General Fund, special revenue funds, 2010 Fund, enterprise funds, capital expenditures, suggested deeper dives, and overall County budgeted expenses.

**MOTION: A motion was made by Commissioner Pogue and seconded by Commissioner Blanchard to continue the hearing for the 2022 Proposed Budget to the next Regular Meeting on October 26, 2021 at 1:30 p.m. in person in the Ten Mile Room at the Medical**

**Office Building, and via Zoom.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

**VI. ADJOURNMENT**

The meeting was adjourned at 9:31 a.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 October 12, 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.