

AGENDA
FOR THE BOARD OF TRUSTEES
OF THE TOWN OF BUENA VISTA, COLORADO
April 26, 2016

Work Session Regarding Colorado Creative District Presentation 6:00 PM

Regular Meeting at 7:00 PM
at the Buena Vista Community Center
Piñon Room – 715 East Main Street, Buena Vista, Colorado

**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. **PROCLAMATION – MUNICIPAL CLERKS WEEK May 1-7, 2016**
- V. **AGENDA ADOPTION**
- VI. **CONSENT AGENDA**
 - A. **Minutes**
 - 1. Regular Meeting – April 12, 2016
 - 2. Planning & Zoning – April 6, 2016
 - 3. Recreation – March 9, 2016
 - 4. Trails – March 1, 2016
 - B. **Advisory Boards and Commissions Manual.**
- VII. **POLICY DISCUSSION – Role of Trustee Liaison.**
- VIII. **PUBLIC COMMENT**
- IX. **RESPONSE TO PUBLIC COMMENT**
- X. **BUSINESS ITEMS**
 - A. **Boat Launch Presentation by Recreation Advisory Board.**

The Recreation Advisory Board will make a presentation regarding the Adventure Hub's request to designate a second commercial boat launch in the River Park in the South Main neighborhood.
 - B. **Discussion Regarding Appointment of Trustee Liaisons to Advisory Boards and Designation of Official Town Representatives to Community Based Boards and/or Activities.**

The Board of Trustees will consider the assignment and appointments of Trustee liaisons to town advisory boards and community based organizations.
 - C. **Should the Board approve adoption of Resolution #31, Series 2016, entitled "A RESOLUTION OF THE BOARD OF TRUSTEE OF THE TOWN OF BUENA VISTA, COLORADO DENYING A SPECIAL USE PERMIT FOR 102 BROOKDALE AVENUE, BUENA VISTA, COLORADO."?**

The Board of Trustees will review the resolution to ensure it accurately reflects the Board's decision to deny the Special Use Permit at its last meeting. Note: The Public Hearing is closed and No new testimony will be heard.
 - D. **Should the Board approve adoption of Resolution #34, Series 2016, entitled "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO REAFFIRMING THOSE PERSONS WHO ARE AUTHORIZED TO SIGN ON TOWN BANK ACCOUNTS."?**

The Board of Trustees will consider a resolution reaffirming the officers of the Town of Buena Vista to remain as authorized signers on the Town's bank accounts.
 - E. **Selection and appointment of Mayor Pro Tem.**

This Agenda may be Amended

Posted at Buena Vista Town Hall, www.buenavistaco.gov, Post Office, and Public Library on
Friday, April 22, 2016

The Board of Trustees will select and appoint the Mayor Pro Tem following the Municipal Election on April 5, 2016.

- F. Should the Board approve adoption of Resolution #35, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEE OF THE TOWN OF BUENA VISTA, COLORADO REAPPOINTING BRANDY REITTER AS TOWN ADMINISTRATOR**"?
The Board of Trustees will consider reappointing Brandy Reitter as the Town Administrator.
- G. Should the Board approve adoption of Resolution #36, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING JEFFERSON PARKER AS TOWN ATTORNEY**"?
The Board of Trustees will consider reappointing Jeff Parker as the Town Attorney.
- H. Should the Board approve adoption of Resolution #37, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING JANELL SCIACCA AS TOWN CLERK**"?
The Board of Trustees will consider reappointing Janell Sciacca as the Town Clerk.
- I. Should the Board approve adoption of Resolution #38, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING NEIL REYNOLDS AS MUNICIPAL COURT JUDGE**"?
The Board of Trustees will consider reappointing Neil Reynolds as the Municipal Court Judge.
- J. Should the Board approve adoption of Resolution #39, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING MICHELLE STOKE AS TOWN TREASURER**"?
The Board of Trustees will consider reappointing Michelle Stoke as the Town Treasurer.
- K. **CONTINUED FROM APRIL 12, 2016 - PUBLIC HEARING** – Consideration of Application for Change of Location for Retail Liquor Store License for the Little Daisy Company dba Little Daisy Company, 302 US Highway 24 North, Buena Vista, CO.
The Board of Trustees will consider an application from The Little Daisy Company to change the location of the Retail Liquor Store from 302 US Highway 24 North to 401 US Highway 24 North, Unit B.
- L. **PUBLIC HEARING** – Should the Board approve adoption of Resolution #40, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, APPROVING A MINOR DEVELOPMENT FOR THE PROPERTY LOCATED AT 724 N. HIGHWAY 24, BUENA VISTA, COLORADO.**"?
The Board of Trustees will consider a minor subdivision to create three commercial lots known as the O'Reilly Subdivision.
- M. **PUBLIC HEARING** – Should the Board approve adoption of Resolution #41, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING AN AMENDED PRELIMINARY PLAN, FILING 1 FOR THE COLORADO CENTER PUD.**"?
The Board of Trustees will consider a major subdivision preliminary plat modification for Colorado Center PUD Filing 1 to create 16 commercial lots to match the approved Final Plat. This preliminary plat modification was required as a condition of the Previous Final plat approval for the Filing 1 modification.
- N. **PUBLIC HEARING** – Should the Board approve adoption of Resolution #42, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING A PRELIMINARY PLAT FOR FILING 3 OF THE COLORADO CENTER PUD.**"?
The Board of Trustees will consider a major subdivision preliminary plat modification for Colorado Center PUD Filing 3 to create 4 commercial lots.
- O. Should the Board approve adoption of Resolution #43, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH SCHEUBER+DARDEN ARCHITECTS, LLC FOR THE HISTORICAL STRUCTURE ASSESSMENT OF MCGINNIS GYMNASIUM.**"?

This Agenda may be Amended

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The Board of Trustees will consider a contract for Scheuber+Darden Architects, LLC to perform the historic structure assessment of the McGinnis Gym.

- P. Should the Board approve adoption of Resolution #44, Series 2016 entitled “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, AUTHORIZING AND APPROVING A LEASE AGREEMENT FOR THE ST. ROSE OF LIMA PARK CHAPEL WITH THE BUENA VISTA AREA CHAMBER OF COMMERCE.**”?

The Board of Trustees will consider a lease agreement renewal between the Town and the Buena Vista Chamber and Visitors Center so that they can continue occupying the facility.

- Q. Should the Board approve adoption of Resolution #45, Series 2016 entitled “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, DESIGNATING A CREATIVE DISTRICT TO BE NAMED THE BUENA VISTA ARTS COMMUNITY.**”?

The Board of Trustees will consider supporting an application to the Office of Economic Development and International Trade’s Colorado Creative Industries for designation as a Creative District.

- R. Should the Board approve adoption of Resolution #46, Series 2016 entitled “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING A QUIT CLAIM DEED TO THE BUENA VISTA SCHOOL DISTRICT R-31.**”?

The Board of Trustees will consider a Quit Claim Deed for the Mohan Street Right-of-Way located in front of the BVSD Middle and High School to clear up the title to the property.

- S. **TABLED FROM JANUARY 12, 2016** – Should the Board approve adoption of Ordinance #3, Series 2016, entitled “**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING SECTION 6-65 OF THE BUENA VISTA MUNICIPAL CODE REGARDING SIGNAGE REQUIREMENTS FOR MEDICAL MARIJUANA BUSINESSES.**”?

The Board of Trustees will consider amending the Buena Vista Municipal Code to ensure that Medical Marijuana signage requirements are consistent with the Colorado Revised Statutes.

- T. Should the Board approve adoption of Ordinance #6, Series 2016, entitled “**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING SECTION 17-26 OF THE TOWN OF BUENA VISTA MUNICIPAL CODE REGARDING SUBDIVISION EXEMPTIONS.**”?

The Board of Trustees will consider a modification to the Subdivision Ordinance to remove the limitation of a maximum of two lots to be eligible for a Lot line Adjustment Plat.

- U. Strategic Objectives Quarterly Monitoring Report.

The Town Administrator will give a presentation on the progress the administration has made towards established strategic objectives assigned by the Board of Trustees.

XI. STAFF REPORTS

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

XII. TRUSTEE/STAFF INTERACTION

XIII. ADJOURNMENT

This Agenda may be Amended

Posted at Buena Vista Town Hall, www.buenavistaco.gov, Post Office, and Public Library on Friday, April 22, 2016

Proclamation

Municipal Clerks Week

May 1 - May 7, 2016

Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

Now, Therefore, I, Joel Benson, Mayor of the Town of Buena Vista, do hereby recognize the week of May 1 through May 7, 2016 as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Janell Sciacca, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 26th day of April, 2016

Mayor

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES OF THE
TOWN OF BUENA VISTA, COLORADO**

April 12, 2016

WORK SESSION Regarding Solar 6:00 PM

Present for the work session: Mayor Joel Benson, Trustees Keith Baker, Eric Gibb, Duff Lacy, Phillip Puckett and Town Administrator Brandy Reitter, Fire Chief Dixon Villers, IT Director Larry Deffenbaugh, Principal Planner Mark Doering and Town Clerk Janell Sciacca.

Susan Greiner presented. Greiner completed "Is Community Solar Feasible for Buena Vista?" as her capstone project for Colorado Mountain College. She has presented this to both Sangre De Cristo Electric and Colorado Mountain College as well.

Greiner reviewed the PowerPoint presentation contained in the packet. She reviewed what Community Solar is, how Solar Gardens can be developed, who subscribers are and how they participate, where it can be built, why to invest in Community Solar, the advantages for Utilities and Subscribers, the kinds of Utilities, obstacles, rates, concerns and recommendations for Buena Vista. Greiner has met with Paul Erickson at Sangre De Cristo Electric Association (SDCEA) but also met with the Mayor and some other Trustees individually on this idea. Benson thanked Greiner for the informative presentation. The Board generally supported Community Solar, but felt the best approach was formation of a private Advocacy Group supported by the Town. Benson asked Greiner to keep the Board posted and Reitter volunteered to provide Greiner with information on how to form a group.

Mike Allen, SDCEA Energy Use Advisor, stated his excitement about the opportunity. As the Advocacy Group is explored he would be happy to answer questions and provide information on SDCEA or Tri-States policies and constraints.

The Work Session ended at 6:51 PM.

CALL TO ORDER :00

A Regular meeting of the Board of Trustees was called to order at 6:59 PM on Tuesday, April 12, 2016, at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado by Mayor Joel Benson. Present were Mayor Joel Benson, Trustees Keith Baker, Carrie Carey, Eric Gibb, Duff Lacy, Phillip Puckett, and David Volpe, and Town Administrator Brandy Reitter, Town Attorney Jeff Parker, Principal Planner Mark Doering, Deputy Treasurer Jana Schumann, Treasurer Michelle Stoke, Public Works Director Greg Maggard, Police Chief Jimmy Tidwell, Fire Chief Dixon Villers, Assistant to the Town Administrator Emily Katsimpalis, IT Director Larry Deffenbaugh, and Town Clerk Janell Sciacca.

ROLL CALL :15

Town Clerk Sciacca proceeded with the roll call and declared a quorum.

PLEDGE OF ALLEGIANCE :30

Mayor Benson led the Pledge of Allegiance.

PROCLAMATION – CHILD ABUSE PREVENTION MONTH – April, 2016 :50

Mayor Benson read the proclamation into the record and signed it declaring the month of April as Child Abuse Prevention Month.

AGENDA ADOPTION 02:30

Motion #1 by Trustee Lacy and seconded by Trustee Gibb to approve the agenda as presented. **Motion carried 6 to 0.**

CONSENT AGENDA 03:00

A. Minutes

1. Regular Meeting – March 22, 2016
2. Planning & Zoning Commission – March 16, 2016
3. Tree – March 3, 2016

B. Police Chief Report

C. Fire Chief Report

Motion #2 by Trustee Baker and seconded by Trustee Carey to approve the Consent Agenda as presented. **Motion carried 6 to 0.**

PRESENTATION TO OUTGOING TRUSTEES 03:25

Mayor Benson read and presented plaques respectively to outgoing Trustees Baker and Carey. Both Trustees received standing ovations.

OATH OF OFFICE TO AND SEATING OF NEWLY ELECTED TRUSTEES 05:30

Town Clerk Sciacca administered Oaths of Office to newly elected Trustees Lawanna Best and Mark Jenkins and also to re-elected Trustee Phillip Puckett. The Trustees took their seats at the dais.

POLICY DISCUSSION – Infrastructure Investments 09:15

Mayor Benson introduced noting infrastructure investments is a conversation the Trustees have been having for more than 1 year and has to do with what the Town can do, if anything, to promote in-fill and other projects. Staff has pulled together some criteria for the Board to use in weighing funding considerations. The Town has earmarked monies for projects and if a project comes before the Board they need to be able evaluate and weigh it. Reitter noted the packet memo from Staff and provided an overview of updated infrastructure investment priorities and proposed criteria ranking for funding requests.

Gibb thanked Staff and stated how excited he was about this. He felt in-fill development and appropriate support of infrastructure is the right way to go. Puckett felt this was a step closer to the guideline the Board has been asking for and will help them make good decisions when funding is available. He likes the concept and the main things the Board asked for were captured. Lacy felt the percentage of funding should be dropped. Benson felt there should also be a deadline for applying so that applications were considered together. Puckett asked about the thinking behind the percentages. Reitter replied it gives flexibility to fund multiple projects with more desirable projects receiving more funding and it incentivizes the development community to accomplish as many of the Town goals as possible. It also documents the Town's expectations.

Mayor Benson felt that the Board should revisit this matter. The majority of the Board agreed and felt it should be presented at the next agenda possibly. Benson noted the following items to be added to the discussion list – Discussion of Trustee role as liaison to Advisory Boards and the boat ramp at South Main as launch area. He reported that the topic for the April 26 meeting will be Historic Preservation.

PUBLIC COMMENT

There was no public comment.

RESPONSE TO PUBLIC COMMENT

Benson announced for the audience that there would be a public meeting on April 27 at Community Center at 5:30 PM regarding the FEMA Floodplain map revisions.

BUSINESS ITEMS

PUBLIC HEARING Continued from March 22, 2016 – Should the Board of Trustees approve adoption of Resolution #29 entitled “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF

BUENA VISTA, COLORADO, APPROVING AN OUTDOOR DINING ENCROACHMENT PERMIT FOR COURTNEY AND ROBBIE JOHNSON AND A REVOCABLE LICENSE AGREEMENT.”? 36:45

Doering presented reminding the Board they wanted to see the Resolution and associated Revocable License Agreement for this application. Mayor Benson asked Staff to summarize the matter for the new Trustees. Doering reminded that the applicants propose to build an outdoor dining area utilizing parking spaces in front the Lariat Bar & Grill on East Main. This is a new proposal the Town has not seen, but it has been done in other communities like Salida with Currents. The Encroachment Permits are usually approved by the Town Administrator, but due to uniqueness, Staff felt the Board should weigh in.

Mayor Benson opened the Public Hearing. There being no one wanting to the address the matter, the Public Hearing was closed. Applicants Court and Robbie Johnson were present. Attorney Parker reminded the Trustees that a provision was added that if they decided to charge a fee the applicants were being notified that could apply to them. Trustee Best inquired about snow removal. Maggard replied that he did check to make sure equipment could maneuver around the area and there were no issues. The permit also includes a clause that the applicants will also perform snow removal. Gibb inquired about revocation. Parker replied that the permit is conditioned upon the license agreement and if the Town decides it is not needed or it is not working the Town has unfettered discretion to revoke the license. Benson asked about amplified sounds and whether that means no music or speakers. Parker replied that is what it meant, but could be changed. Benson also inquired about utility connection installation. Parker replied that he would amend the agreement to include that any utility connection would have to be approved by Public Works Director. Jenkins asked if the Chief Tidwell had any concerns about traffic. Tidwell replied no more than bump outs, markings and other similar measures. Jenkins was concerned about esthetics and cautioned that these set vacant for months and take up parking spaces. Lacy did not want to give up the parking spaces but felt the Board could work on the fees for cash-in-lieu through the moratorium. Gibb stated his concern about multiple ones of these up and down Main Street sitting full of snow. Lacy added that each one of these that plow crews has to maneuver around would take more time and would result in one more street somewhere else not being plowed as fast as the public thinks it should be.

Motion #3 by Trustee Volpe and seconded by Trustee Puckett to approve Resolution 29 as amended.
Motion carried 4 to 2 with Jenkins and Lacy voting No.

Should the Board of Trustees approve adoption of Resolution #30 entitled “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, IMPOSING A TEMPORARY MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR ENCROACHMENT PERMITS FOR THE PURPOSES OF OUTDOOR DINING AND RETAIL OPERATIONS ON EAST MAIN.”? 48:15

Doering reminded the Board this was requested at the last meeting and would place a moratorium on outdoor dining within the street on East Main. Parker clarified that the proposal was for 90 days. Benson inquired about extending the moratorium to 180 days. Parker replied that since this is related to City property, 180 days is appropriate.

Motion #4 by Trustee Puckett and seconded by Trustee Gibb to adopt Resolution #30 as amended.
Motion carried 6 to 0.

PUBLIC HEARING – Should the Board of Trustees approve adoption of Resolution #31 entitled “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING A SPECIAL USE PERMIT TO ALLOW FOR MINOR VEHICLE REPAIR FOR WINDSHIELD AND TIRE REPLACEMENT IN AT 102 BROOKDALE AVENUE, BUENA VISTA, COLORADO.”? 51:45

Benson introduced the Public Hearing. Mayor Pro Tem Lacy recused himself and left the dais. Doering presented reviewing the Staff Report and a PowerPoint presentation detailing the analysis of the application. Doering noted one letter was received from Carle Linke which was in the packet for the Board’s review. He reported the Planning and Zoning Commission recommended approval with

conditions. Jenkins asked if the letter in the packet was provided to the Planning & Zoning Commission. Doering replied it was received after their last meeting. Puckett ask

Mayor Benson opened the Public Hearing.

Carle Linke, 32709 Columbia Ranch Road, objected to this as she previously did in 2010. She reviewed portions of her letter in the packet. Linke stated several businesses that utilized the building did move when they discovered their use was illegal. She stated her shock that this had already been approved when she received a copy of the Resolution in an email last Friday. She read the portions of the Resolution that led her to believe it had already been approved. Linke stated that no matter the decision tonight she will be selling and moving out.

Samuel Mick, 201 S. Railroad Street, stated that the Tire shop was already established when the Linke's developed their property. Steve Wartman did get a Special Use Permit when he was there so that they were all under the impression that this could happen or he would not have sold this to Wartman. He has been an excellent tenant and there have been no complaints.

Ron Haug, 36505 N Highway 24, was the original tenant of the building back in 1986. Building was built for his use and he did not know there was any kind of a problem. He was there before Linke's put homes in and would have never purchased the building or paid it off if he knew there was a problem. Haug stated he thought everything was straightened out with the last use.

The Public Hearing was closed at 8:14 PM.

Applicant Steve Wartman, 29878 CR 353, stated that he purchased the property after renting in 2010. He inquired then and received approval of the Special Use. He asked Chief Tidwell if he was aware of any complaints. Tidwell replied there were complaints several years ago. The business does make noise but noise is less than the Town code allows. They close at 5PM and do not allow employees to work on their personal vehicles. They do not allow alcohol, there are times when there are big trucks that do not fit in the shop and will have to be worked on outside. Wartman stated they have never parked on Linke's property or driven over her sewer/water lines and do take in used tires that are fenced and screened. The tires are not a fire hazard and he feels they have done all the things required for the Special Use Permit.

Mayor Benson clarified for Linke that the Town Attorney drafts documents for the packets but things do get changed. Parker clarified the process of providing draft documents and added that the Board have two Resolutions in each packet – one for denial and one for approval. The current process is to draft Resolutions based upon the Planning and Zoning recommendation.

Gibb stated his concern that the location was used a garage before. He did not feel expanding the light industrial use of the facility was consistent with the neighborhood and it seemed incongruous with the other uses in the area. Jenkins agreed with Gibb and it is quiet for a B1 district. Gibb stated he was not sure the original vision of what that should be should be expanded. Best inquired about use of a bell by the applicant. Wartman replied he does not have a bell and carries a cordless phone. Jenkins asked if a special use was required for this use in a B-1. Doering replied the zone does not allow for major vehicle repair. When the Ordinance was passed in 2010 it created the exemption for the four specified minor vehicle uses with a Special Use Permit. Puckett stated he was not sure he agreed with Section 1-1. of the Resolution and thought even though it was used this way in the past he was not sure he could agree with the statement.

Motion #5 by Trustee Gibb and seconded by Trustee Jenkins to deny Resolution 31. **Motion carried 4 to 1** with Volpe voting No.

Parker informed the Board that he will bring back a Resolution for them at the next meeting ratifying the denial.

PUBLIC HEARING – Should the Board of Trustees approve adoption of Ordinance #5 entitled “AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, VACATING A PORTION OF THE GUNNISON AVENUE RIGHT-OF-WAY BETWEEN PREVIOUSLY VACATED KENT AVENUE AND OAK STREET.”? 01:31:00

Doering presented reviewing the Staff Report and a PowerPoint presentation detailing the analysis of the application. Benson noted the associated fee waiver request. Doering stated he did support this fee waiver as the vacation should have been done by the Town back in 1964. Lacy asked if there was still ample room for Gunnison to run the way it is. Doering replied yes, it is a full street with sidewalks on both sides.

Mayor Benson opened the Public Hearing and there being no one wanting to address the matter, the Public Hearing was closed.

The applicant was present for questions. Parker noted that there is a revision to Section 2 of the Ordinance being “The 10 foot easement shown on the survey recording of this Ordinance is reserved for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, for ditches or canals and appurtenances, and for electric, telephone, and similar lines and appurtenances.” This clarifies that there is a 10-foot easement that is reserved for utilities

Motion #6 by Trustee Puckett and seconded by Trustee Lacy to approve Ordinance #5 as amended. **Motion carried 6 to 0.**

Motion #7 by Trustee Lacy and seconded by Trustee Volpe to approve the associated fee waiver request. **Motion carried 6- to 0.**

The Board of Trustees took a 5-minute break and reconvened the meeting at 8:45 PM.

PUBLIC HEARING – Consideration of Application for Change of Location for Retail Liquor Store License for the Little Daisy Company dba Little Daisy Company, 302 US Highway 24 North, Buena Vista, CO. 01:46:10

Parker advised the Board that he believed State Liquor Licensing division provided the Town Clerk inaccurate advice regarding the requirement of a petition proving the needs and desires of the neighborhood. He believes the statutes requires a petition and recommended the Board open the Public Hearing for anyone wanting to address the application this evening and then continue the hearing to April 26, 2016.

Samuel Mick, owner of the building at 401 US Highway 24 North, stated that he has had two different licensed tenants change locations and no petition was required on either.

Benson opened the Public Hearing.

Motion #8 by Trustee Lacy and seconded by Trustee Puckett to continue the Public Hearing on the application Change of Location for Little Daisy Company Retail Liquor Store to April 26, 2016. **Motion carried 6 to 0.**

PUBLIC HEARING – Consideration of Application for new Tavern Liquor License for Buena Vista Adventure Center, LLC dba Adventure Hub, 801 Front Loop, Unit 1A, Buena Vista, CO. 01:54:35

Sciacca presented reviewing the Staff Report. She noted that Kevin Meadows, a managing member of Buena Vista Adventure Center, LLC was in attendance to answer any questions. Sciacca stated that the proposed location was posted with a Public Notice on March 16 and the Public Hearing notice was published in the local newspaper on March 31 with no comments being received regarding the application and she recommended approval following the Public Hearing.

Benson asked for clarification if one Public Hearing was acceptable for both items. Parked replied yes and that if the Board did not approve the encroachment permit the applicant would not be able to serve alcohol in that area.

Mayor Benson opened the Public Hearing and there being no one wanting to address the matter, the Public Hearing was closed.

Gibb asked for clarification that the alcohol will be available in the building and brought outside. Kevin Meadows, a co-owner of the Adventure Hub, replied that alcohol would be able to be purchase inside and then taken outside and sit at the tables for outdoor dining. Benson asked about control of the walkway. Meadows replied the entrances and exits would be clearly marked that no alcohol could be taken out or brought in. Sciacca clarified that co-owner Selby did also contact State liquor to review the plans and Liquor Enforcement had no concerns with the plan. Parker also noted that this application is subject to a Revocable License agreement and the Town has ability to revoke it at any time. Jenkins asked about the ability of cars to park along the curb and still be able to open the door. Maggard replied that he used the Town truck to investigate this by pulling up and opening the door so there will be sufficient space to maneuver. Doering also reminded that those three spaces along Front Loop will be removed when the hotel is completed. Benson stated his concerns about fencing in relations to the trees and affixing posts to the sidewalks. Maggard stated the fences would be constructed to be able to be shifted as necessary and the holes could be repaired with concrete. Benson noted that Section 2 stated "currently" constructed fences and nothing was existing at this point. Parker agreed and suggested changing "currently" to "proposed."

Motion #9 by Trustee Gibb and seconded by Trustee Puckett to approve the application from Buena Vista Adventure Center, LLC dba the Adventure Hub for a new Tavern liquor License at 801 Front Loop, Unit 1A and also to approve the associated, revised Revocable Encroachment License Agreement subject to approval of the insurance policy. **Motion carried 5 to 1** with Lacy voting No.

Should the Board approve adoption of Resolution #32, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, ADOPTING THE TOWN OF BUENA VISTA PLANTING GUIDE.**"? **02:12:15**

Maggard presented stating this is a planning document and is referenced in the Town code. The Tree Board and local experts weighed in on this and would like approval so it can be used. It is intended for development and does not in any way regulate yard landscaping.

Motion #10 by Trustee Puckett and seconded by Trustee Lacy to approve Resolution #32 as presented. **Motion carried 6 to 0.**

Should the Board of Trustees approve adoption of Resolution #33 entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING A SECOND AMENDMENT TO THE AGREEMENT WITH CLARION ASSOCIATES, LLC, TO EXTEND THE COMPLETION DATE FOR THE REVISED LAND USE CODE.**" **02:17:20**

Doering presented noting this would push back the completion date to August 8 in order to allow Clarion to complete a second part of code addressing design guidelines, signs and development process and then get through the Steering Committee, Planning & Zoning Commission and then bring the revisions back to the Board. Lacy asked if there was any additional cost. Doering replied No.

Motion #11 by Trustee Lacy and seconded by Trustee Jenkins to approve Resolution #33 as presented. **Motion carried 6 to 0.** Best, aye; Gibb, aye; Jenkins, aye; Lacy, aye; Puckett, aye; and Volpe, aye.

Town / BVSD Land Swap Timeline. **02:20:45**

Reitter reviewed the Staff Report and associated request to reallocate funding from the Arizona Street Bridge Trail Project to fund the design and land use preparation. She reviewed the proposed timeline to meet the June 1 deadline for the Urban. Inc. application submittal and the November GOCO grant application. Lacy commented that this is a good project and the Town can always amend the budget. He

wanted to push for a nice park – wants to do it once and do it right. Gibb agreed with Lacy and felt the project was worthwhile to acquire the land for affordable housing and acquire the opportunity if the input is a swap in land and \$200,000 - \$400,000 for a new ball park, but not \$800,000. Reitter stated that she advised Superintendent Holmes that anything they will get will be a huge improvement over what they have, but that really expensive items might have to be part of a future phase. Puckett stated that housing is part of a Town wide issue and even though the Town is pushing this forward, maybe the School could also contribute. After additional discussion about shared costs and the amount needing to be reallocated at this time, Reitter clarified that she does not have a particular number for the prep work. She felt with design, maybe \$35,000. Gibb asked how the Town informs the neighbors about the Park. Doering stated the application will require a rezoning which will be noticed by postings. Notices also have to be sent to adjoining properties. Lacy suggested sending the Code Enforcement Officer to speak with people as well when hired.

Motion #12 by Trustee Best and seconded by Trustee Lacy to approve a funding reallocation from the Arizona Street Bridge Trail Project to fund the planning requirements necessary for the Town/BVSD land swap project. **Motion carried 6 to 0.** Gibb, aye; Jenkins, aye; Lacy, aye; Puckett, aye; Volpe, aye; and Best, aye.

STAFF REPORTS

Town Administrator 02:42:25

- Arkansas River Basin Water Forum is April 27-28 at SteamPlant in Salida
- April 27 is FEMA Floodplain Open House
- Working on hiring Code Enforcement Officer
- Thank Deputy Treasurer Jana Schumann for help during Treasurer/Finance Director vacancy
- Michelle Stoke is on board as Treasurer/Finance Director
- Airport Masterplan Meeting is April 14
- Would like to conduct Post-Election Trustee Retreat with DOLA and Christy Culp on May 2 or 3
- Will need to address NIMS training for Trustees
- Applied for DOLA Broadband grant with Board's approval
- CDOT Open House on April 5 went really well
- There are several opportunities to do business with Town
- Lots of Recreation Events going on
- Boulder holds are being cleaned and re-routed which will be done periodically
- Setting the agenda for the Detour event through Colorado Creative Industries and she did an interview on CPR regarding this
- Agreement was sent out to St. Charles Mesa for review
- Met with Upper Ark on April 6
- Town will never be able to shift away from Cottonwood Creek for source water and it will always be part of the Town's portfolio
- Substitute Water Supply Plan to augment evaporation on McPhelemy Park Town Lake was submitted and feedback is starting to come in
- Met with CDPHE April 4 on financing for water tank
- Main Street is very active with community development initiatives moving along
- Min-Grant application was submitted April 1
- Board Retreat will be Wednesday May 4 at 5:30 PM
-

Town Treasurer 02:53:40

- Stoke welcomed by the Board
- Schumann thanked for filling in
- Schumann thanked Reitter for her complimentary comments.
- Lacy asked Staff to try and reel in the Attorney expenses.
- Board advised Stoke they would welcome changes to the report

- Trustees were encouraged by Stoke to stop in her office and tell her what they would like to see
- Gibb has been trying to get summaries of expenses for two years.

Public Works Director 02:59:46

- Source Water Protection plan is being finalized.
- McPhelemy Park Lake dredging will take place April 11 and should be refilled for Paddle Fest
- Board of Trustees thanked for new striping machine
- Well #3 is 85% complete and should be up and running by middle of April with \$10,000 by using Town Staff
- Tee Road should be completed soon and paved when weather permits
- Water Tank cleaning will occur Thursday, April 14
- Puckett thanked Public Works for allowing Kids from Avery Parsons to look at the Fire Pit
- Gibb asked when Splash Park would be turned on and Maggard will talk to Recreation, but believes it is end of May when school is out

Motion #13 by Trustee Gibb and seconded by Trustee Best to approve the rental fee waiver request from the Rotary Club of Buena Vista for use of McPhelemy Park June 3-5, 2016 for Bike Fest. **Motion carried 6 to 0.**

TRUSTEE/STAFF INTERACTION 03:07:15

Benson thanked the Police and Fire Chiefs for their reports. He asked if Trustee liaisons would be appointed at the next meeting. Reitter replied yes. Benson asked that the Board take look at the role at that time. Reitter noted that the Boards and Commissions manual will be presented at the next meeting also

Gibb wanted to talk more about the job description for the Mayor Pro Tem. Benson noted there is some wording in the Code. It is also in the policy document. Gibb asked if the new Trustees would be getting a book and their IPADS. Reitter replied yes.

Puckett reported he had been approached by multiple people who lived outside the Town limits with concerns about them not being able to vote in the election. He questioned the Town moving to Home Rule. Parker stated the Town can go Home Rule and can create its own Charter and then authority is in the Constitution and the Charter. His office did take a look at this and there are several small adjacent Towns (Mountain Village and Telluride) that have done this. The Town would form a commission and then there would need to be an Election. Benson said the Town Attorney in 2007 told them it would be \$60,000-\$70,000 in Attorney fees. Parker will investigate what his firm charged other clients. Gibb asked if the community approached them, could it be done by petition. Parker said he would take a look at that as well. Doering reminded the Board that adjacent property owners can also annex into Town.

Volpe wants the Board to have a Breakfast. Volpe wants to discuss the moratorium and parking and see what trend the Board is starting as well as impacts. The Board agreed to determine a date via email.

Lacy questioned if the vendor permits need to be amended since it affects Town property.

Parker clarified that the Board can initiate an ordinance and form a Charter Commission or citizens can initiate a petition of 5% of eligible electors to put the matter of Home Rule to a vote.

Maggard reported that May 20 will be Arbor Day celebration on Evans and the Town will be planting 7 trees.

Volpe reported May 4 is Bike to school and work day.

ADJOURNMENT 03:23:00

Motion #14 by Trustee Lacy, seconded by Trustee Jenkins, noting that there being no further business to come before the Board, declared that the meeting be adjourned at 10:23PM. **Motion carried, 5-1** with Puckett voting No.

Respectfully submitted:

Joel Benson, Mayor

Janell Sciacca, CMC
Town Clerk



Minutes of the Regular Meeting of the Buena Vista Planning and Zoning Commission

April 6, 2016

CALL TO ORDER

A Regular meeting of the Planning and Zoning Commission was called to order at 6:02pm, Wednesday, April 6, 2016 at the Buena Vista Community Center, Pinon Room, 715 E Main Street, Buena Vista, Colorado by Chair Trey Shelton. Also present were Commissioners Estes Banks and Tim Bliss. Commissioner Preston Larimer arrived at 6:06pm. Staff Present: Principal Planner Mark Doering and Deputy Town Clerk Melanie Jacobs.

PLEDGE OF ALLEGIANCE

Chair Shelton led in the Pledge of Allegiance.

ROLL CALL

Jacobs proceeded with the roll call and declared a quorum.

AGENDA ADOPTION

Shelton called for approval of the agenda. **Motion #1** by Banks seconded by Bliss to adopt the agenda as presented. Motion carried.

APPROVAL OF MINUTES

Banks motioned for approval of the March 16, 2016 minutes. **Motion #2** was seconded by Bliss. Motion carried.

PUBLIC COMMENT

Shelton opened the public comment portion of the hearing at 6:03pm. With no comments received, the public comment portion of the hearing was closed at 6:03pm.

NEW BUSINESS

O'Reilly Minor Subdivision

Doering explained that the applicant in this case was requesting approval of a minor subdivision to create three commercial lots at 724 N Hwy 24 in the B-2 highway commercial zone, north of Crossman Ave and west of the highway. The application was filed in order to rectify an illegal split made by property owners in the past. The property is currently vacant. O'Reilly Auto Parts plans to build a store on lot 2, which will have access to Crossman and Hwy 24 via an easement through lot 3. Lot 1 will have separate access to the highway, which it will share with the property immediately to the north.

Doering went briefly through the criteria for approval of a minor subdivision. He noted that the application had met all requirements of the Subdivision Ordinance and that the applicant planned to submit a SIA (Subdivision Improvements Agreement) with the plat. In addition, the new lots to be created meet the minimum size requirements stipulated by the zoning ordinance. Adequate utility services are available and proper easements (both for access and utilities) exist or will be created with the plat, and proper drainage control has been demonstrated for lot 2. Drainage for lots 1 and 3 will be evaluated by the town

when they are developed. Doering closed his presentation by stating that staff recommends approval of the application without conditions.

Alex Hoime of Tait and Associates, 6163 E CR 16, Loveland, Colorado, rose to speak on behalf of the applicants. He said that he had nothing to add to Doering's remarks but would be happy to answer any questions from the Commission. At this point Shelton closed the public hearing and asked Commissioners for their thoughts. Bliss and Banks stated that they found the application to be straightforward, and no one had any follow-up inquiries for Hoime.

Larimer motioned to recommend approval of the O'Reilly Minor Subdivision Final Plat to create three commercial lots on the property. Bliss seconded **Motion #3** and it passed unanimously.

401 N Hwy 24 Comprehensive Sign Plan (Little Daisy)

Doering introduced the project by stating that applicant Seldon Turnbull was requesting permission to install one new pole sign on the property at 401 N Hwy 24 in the B-2 highway commercial zone. Little Daisy Liquor is moving into the space on the south side of the building at this address, where the 3D Auto Glass and Tire shop had been located. The applicant plans to remove the Cooper Tire/3D Auto sign on the pole at the southwest corner of the property and to replace it with his sign, which is 42.5sf in size and features an electronic message center.

Doering noted that the sign in question had already gone through the Comprehensive Sign Plan process in 2015 and was approved by the Planning Commission at that time. As such, it meets all the criteria for CSP approval. He stated that staff recommends approval of the application with two conditions as outlined in the staff report: 1) no temporary sign banners for Little Daisy Liquor are allowed, and 2) no other wall sign, including any alcohol product sign separate from the business wall sign, is allowed on the property without prior approval from the town, and any such sign must comply with the Town of Buena Vista sign code.

Applicant Seldon Turnbull of 227 N Hwy 24 was present in the audience and stepped to the podium to address the Commission. He said that for now he just wanted to move the pole sign across the highway. A wall sign will be installed at a later date. Samuel Mick, the owner of the property at 401 N Hwy 24, said that he was attending the meeting in support of Turnbull. When no one else expressed a desire to comment on the application, Shelton closed the public hearing.

Larimer motioned to approve the Comprehensive Sign Plan for Little Daisy Liquor at 401 N Hwy 24, with the two conditions specified in the staff report [quoted above]. **Motion #4** was seconded by Banks and passed without dissent.

Colorado Center PUD Filing 1, Modification 1 Preliminary Plat & Colorado Center PUD Filing 3, Preliminary Plat

Doering introduced these two applications by explaining that in the case of Filing 1, the Town Attorney requested that the Preliminary Plat be amended to match the Final Plat that was approved by the Planning Commission at its January 6, 2016 meeting. Filing 1 pertains to the area on the northeast side of the Colorado Center PUD (Planned Unit Development).

The Filing 3 Preliminary Plat pertains to the land south of Colorado Mountain College, in the southeast section of the PUD. The applicant wants to amend the plan to create three commercial lots south of the

college along with a single lot for dedication to the town as a municipal park. Doering projected the amended Preliminary Plat onto the screen in the meeting room, explaining that lot 4 would be the park and lots 1 – 3 would be commercial. Lot 3 would have direct access onto CR 319. Toward the southern border of the PUD is a straight east-west road, the eastern half of which would be dedicated to the town as part of this application. This road will connect to CR 319 at its east end, will intersect a north-south road planned to run along the western border of the Filing 3 area, and will continue along to the western boundary of the PUD. Doering suggested that the applicant may want to split the area south of this road into a separate lot at some point, since roads generally function as lot boundaries; this section of the PUD is currently designated as part of lot 3.

Doering went through Preliminary Plat approval criteria, remarking that the plats in question conform to the Subdivision Ordinance and the PUD zone district requirements. In terms of mitigating the development's impact on public health, safety, and welfare, the applicant will be required to extend utilities (water and sewer) into the Filing 1 area. In regard to the Filing 3 area, the applicant must connect to the town water system as the lots are developed, but the Buena Vista Sanitation District is allowing the commercial lots to be served by septic systems since that property is lower in elevation than the existing sewer lines in the area. If it becomes possible for Filing 3 lots to tie into the BVSD system in the future, the property owners will be required to do so at their own expense. Internal PUD roads must also be connected to CR 319 at time of development.

Doering then drew Commissioners' attention to the detention pond the applicant plans to locate on the northeast corner of the Filing 3 area, to extend into the southeast corner of the Colorado Mountain College property. All the drainage from the subdivision will be engineered to end up in this pond, and because it overlaps with CMC property, the college will be required to sign off on the plan at Final Plat stage.

Doering concluded his summary of the applications by stating that staff recommends approval of both with conditions. For Filing 1, the sole condition is that the Preliminary Plat drawings shall be corrected to the Principal Planner's satisfaction based upon any comments from referral agencies. The conditions for approval of the Filing 3 Preliminary Plat are as follows:

1. The Preliminary Plat drawings shall be corrected to the Principal Planner's satisfaction based upon any comments from referral agencies.
2. The 60-foot easement, shown on the Amended Preliminary Plan, reserved for future street use, shall be amended on the plan to a 60-foot right of way to be dedicated to the Town at the time of the approval of a Final Plat for Filing 3. The 30-foot easement, shown on the Amended Preliminary Plan, reserved for future street use, shall be amended on the plan to a 30-foot right of way to be dedicated to the Town at the time of the approval of a Final Plat for Filing 3.
3. The Preliminary Plan drawings shall be amended to include a signature block for the adjoining property owner's approval of Proposed Pond #5 shown on the plat.
4. Prior to recordation of the Final Plat, the applicant and Town shall execute a Subdivision Improvement Agreement (SIA) to establish the requirements for the timing of installation of public improvements, including but not limited to installation of water lines and public streets.
5. If the ability to serve the lots within Filing 3 with sewer is available, each lot owner shall provide those connections at their own cost.

Syd Schieren of Landmark Surveying stepped forward to represent applicant Ron Southard. He said that the Filing 1 Preliminary Plat approval is just a formality, as the Final Plat has already been approved. He indicated that he had spoken with Ron Southard about the conditions Doering had suggested for Filing 3

approval, and that Southard was generally agreeable to them. Roads will not be needed for the Filing 3 phase, but will be constructed when the southwest area of the PUD is developed. Southard would have preferred to use wells, but is amenable to tying in to the town's water system. In addition, he wants to keep the area south of the east-west road a part of lot 3, rather than splitting it off as a separate lot. Schieren questioned the need to have CMC sign off on the detention pond, given that the college had previously consented to the overall plan for the PUD. Doering stated that since the applicant will be building the pond partially on CMC property, a signature will need to be obtained from them at the Final Plat stage.

Shelton solicited further public comment and, receiving none, closed the public hearing.

After brief discussion among the Commissioners, Larimer motioned to recommend approval of the Colorado Center PUD amended Preliminary Plat, Filing 1, with the condition that it must be corrected to the Principal Planner's satisfaction. Bliss seconded **Motion #5** and it passed unanimously.

Larimer then motioned to recommend approval of the Colorado Center PUD amended Preliminary Plat, Filing 3, with conditions as enumerated in the staff report [cited on page 3 of these minutes]. Banks seconded **Motion #6** and it carried unanimously.

STAFF / COMMISSION INTERACTION

Doering asked for feedback from Commission members regarding the Board of Trustees/Planning and Zoning walking tour that took place in March. Commissioners found it useful and Shelton suggested that another such tour should be scheduled during the summer. Banks requested that some sort of guidebook be provided showing design options, in order to facilitate formulation of policy regarding town design standards. He also requested technical guidance pertaining to lighting standards.

Doering invited Commissioners to attend the April 26, 2016 Trustee meeting, during which historic preservation policy will be discussed.

Doering informed the Commission that the new Planning Technician, Jill Abrell, will start work on Monday, April 11. She will take over a lot of the Planning Department's application intake and public contact tasks, freeing up Doering and Planner I Scott Reynolds to spend more time processing requests and working on Module 2 of the UDC update. He also let Commissioners know that Reynolds will begin presenting some of the applications at P&Z meetings.

Shelton pointed out that with Commissioner Jenkins taking up his role as Trustee on April 12, a new Vice-Chair needed to be selected. Doering indicated that this item will be included on the next Planning agenda. Larimer requested that the issue of whether or not to shift meeting times to 7:00pm throughout the summer, for the purpose of accommodating his work schedule, also be placed on the April 20 agenda.

In response to a question from Bliss, Doering stated that the Buena Vista School District is currently putting together paperwork for a land swap with the town. The swap will require that certain properties be rezoned and some rights-of-way will have to be vacated. Doering anticipates that these matters will come before the Commission on May 4.

Doering described some of the recent projects submitted to the Planning Department, including renovations at the Jailhouse Gallery and the Lariat Bar and Grill, along with numerous vendor cart

applications. He also updated Commissioners on the activities of the local intergovernmental group working on affordable housing: the County has selected an agency to complete a housing study, and their preliminary findings indicate that the housing crunch has gotten worse since the last such evaluation was made. The group is working with the Colorado Housing and Finance Authority (CHFA) to jumpstart affordable housing development in the area.

Doering then mentioned the CDOT informational meeting that took place on the evening of April 5 at the Community Center, during which plans for their work on Highway 24 were presented. CDOT will install three medians in town for pedestrian refuge and will add some parallel parking on the west side of the highway. They will also widen Main Street where it intersects with Hwy 24, in order to allow for dedicated lanes for traffic going left, right, and straight through the intersection. Doering stated that copies of the plans will be made available at Town Hall and on the town website, and can already be found on CDOT's website.

Doering let Commissioners know that he has been receiving a lot of inquiries about the new FEMA map showing local floodplain/floodway areas. The floodplain has shifted somewhat since the last map of this type was put together in 1978, and this is the first time FEMA has included floodway information on such a document. Doering estimates that 276 property owners in town will be affected in some way by the changes. A community meeting with FEMA representatives has been tentatively scheduled for April 27.

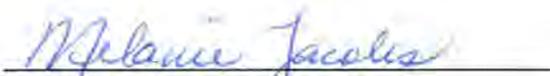
ADJOURNMENT

There being no further business to come before the Commission, Commissioner Larimer motioned to adjourn the meeting at 7:23pm. Commissioner Banks seconded. **Motion #7** was unanimously approved.

Respectfully submitted:



Trey Shelton, Chair



Melanie Jacobs, Deputy Town Clerk

MINUTES FOR THE MEETING OF THE
RECREATION ADVISORY BOARD
Wednesday, March 9, 2016

CALL TO ORDER: A meeting of the Recreation Advisory Board was held on Wednesday, March 9, 2016 at the Buena Vista Community Center, 715 E. Main Street, Buena Vista, Colorado. Earl Richmond called the meeting to order at 7:35am.

Members present were Co-Chair Earl Richmond, Co-Chair McKenzie Lyle, Marcus Trusty, Luke Urbine, Gary Crowder, Julie Robison, and Dan Hamme . Also in attendance were Parks and Recreation Supervisor Emily Osborn, Recreation Program Coordinator Ashley Davis, and Trustee Eric Gibb as well as Student Member Hayden Gibb. Amanda Krost and Jeri Pikul were present from from Mt. Princeton. Town Administrator Brandy Reitter was present, along with Assistant to the Town Administrator Emily Katsimpalis.

APPROVAL OF MINUTES: Gary Crowder moved to approve the February 2016 minutes. Dan Hamme seconded the motion. Unanimous approval.

APPROVAL OF THE AGENDA: The agenda is amended to move the Recreation Event Center Feasibility study to the first discussion item. Earl Richmond would like to add the River Park Clean-Up Day, Archaeological Report of the River Park, and Bouldering to the ongoing discussion items. Luke would like to add a discussion about the softball schedule.

PUBLIC COMMENT: None

DISCUSSION ITEMS:

- I. Discussion re Trails Committee- CMA Rewrite Proposal: The Trails Board would like to make a sub-committee to discuss the rewrite of the trails network to include the Ramsour Bridge area. Earl Richmond is interested in participating and will help recruit others. Everyone would like to know how often meetings are and what the commitment is before they join the sub-committee.

- II. Discussion re Part Time Recreation Position: The Recreation Board has spoken a bit about what a part-time, seasonal position would look like and how that could help BV REC programming. Emily Osborn reported that there is \$105,000 in the budget for wages, and after subtracting all hourly wages and BV REC salaries there is about \$25,000 left over. She reported that BV REC will have about 61 hours of programming a week- too many hours for Ashley and her to handle alone. If BV REC pays another individual \$12 an hour for 20 hours a week, they would still be substantially under budget. Earl asked about the possibility of an intern and Ashley reported that we could do it in the future but this year looks slim to find someone as well as to get the educational component in place so quickly. Luke, Gary and McKenzie are all in favor of hiring this position. Brandy reported that the extra funds in wages were from Kathryn Wadsworth's salary. Those funds will be carried over for a year and we can look at that budget item for the future. Earl reported that he uses internships for CKS and he that the students usually wait until last minute to be assigned to one, plus he has them do the paperwork so he has less to do weekly. This keeps the work load minimal for recreation staff and has the students be accountable for their own documents.

ONGOING DISCUSSION ITEMS:

- I. Recreation Center Feasibility Study: Earl stated that the conversation about the mission statement and the feasibility report tie together for the purpose of this discussions. Eric recognized that the Town has a lot of outdoor activities to offer, however, there are still people who enjoy indoor activities. A few communities around BV have done this successfully and the Trustees thought it was a good idea to research what that would like for Buena Vista. This effort included a grant to help with the feasibility study, and to gather information for how this could be possible. He believes that the final study was a bit misinterpreted and that people believed this was a blue print for a final project when that was not the intention of the project. The final product is helpful for data and feasibility of how this could possibly happen and it provides us with the numbers, the size, and possible cost, among other things. He believes that if this project is going to be completed, that a public group will need to be able to take it on and continue the momentum. Town employees can be support to a group, but the idea of a recreation district must come from the community and the leg-work must be done by them. Because the Rec Board has such diversity of opinions he thinks that a sub-group needs to come from here to start the first steps and create a different committee to study these items presented in the report. Brandy stated that the Town studies things frequently and that's why this information was gathered. From the outside, it may look like government moves slowly, but most of that is due to data collection. She believes this product is a good jumping point for a group to get moving on but from here on out the Town will be minimally involved. Luke asked if the information published in the Chaffee County Times was a press-release and Brandy stated that it was, and she stated that Mason Miller took it and morphed it into a story. Earl questioned what the role of the Recreation Board is in light of this report, and Brandy stated that, because they had input in the beginning process, there isn't really a need for them to discuss it further. She reported that the things included and what the design looks like has the ability to change if the group sees the need for more/less/different items.
- II. Recreation Program Update: Ashley has been compiling lists of the participants that BV REC saw come to programs in 2015 and the start of 2016. She divided the information and found that the highest group of participants was from within Town limits, were female, and ranged from 0-19 years of age. This is good information to keep and to help BV REC guide decisions. There are currently 12 volleyball teams for the co-ed league, with about 40 people showing up on Sunday nights. Girls Softball information is going out this week, Dog Smarts is beginning, and all of the other classes are continuing well. Ashley and Emily have been working on rewriting contracts and working on policies for both the Youth Sports and Adult Sports league. There was some question from the Rec Advisory Board as far as participation in helping keep Buena Vista Youth Soccer running smoothly, so that will stay on the forefront of conversation. It is a lot of revenue but a large commitment. Eric stated that the role of BV REC would be to support these groups that are functioning well and act as a safety net. Eric believes that the Board would be in support of using some of the leftover wages from Kathryn to help bolster a program like youth soccer.
- III. Mission Statement: BV REC is hoping to develop something to be a guideline for what they do and why they do it. Earl sees this as two parts: where do we want the rec department to head and how we can get that vision out to the community. Eric reported that Emily Katsimpalis is working on a way to clarify the role of the advisory boards and how we can get information between them and the Trustees in a quicker fashion. The Board of Trustees will then make sure that all things recreation come through the Recreation Advisory Board. Eric also suggested to maybe wait a few months and have this discussion after Emily K's final documents are in place in case that changes what we're looking to do. Luke feels as though things are not

jiving well with reporting to the Board, what the Rec Board is doing, etc. He feels as though there is something very different between what's happening with the municipality versus this volunteer group who puts time in to give honest feedback. He feels that it is not team work and there is disconnect somewhere between all the different interest groups. Eric agrees and that is why he is going for such an emphasis on getting these relationships to be equally respected and presented with the same information because the voice of the advisory boards does matter. Marcus wants to know where the problem came from with the lack of communication and how we can get clear lines back. For example, in 2014 the Rec Board put a list together of priorities for 2015 and then the money for the feasibility report comes through out of thin air without a discussion on it, when it had not been on that list. The Rec Board advised that the Town not get rid of the director position and they did which maybe caused the lapse in communication. Eric believes that it is not a system failure, but rather the Trustees dropping the ball, so it should be able to be remedied. Earl believes that part of the separation came when we moved the rec department to the community center, when the Town demoted the director position, etc. Luke suggested that maybe Emily K start coming to meetings and report like Kathryn used to do about the feel from the Trustees. Amanda Krost questioned the response of "well, it is Brandy's decision" that keeps coming from staff. She would like to eliminate that answer and continue to work with the Trustees. Ashley is curious how we can have Emily Osborn gain more communication and authority without getting caught up in the Recreation Director role and not being compensated for it. Eric advised the Rec Board to give it until July and see if things get resolved. Jeri feels like BV REC now has a lack of ownership, and Lisa stated that Emily has a lack of authority and things are not getting done as effectively and efficiently as they had been done in the past. Luke doesn't have the feeling that the Trails Board and Rec Boards are on the same level because this Board has a specific department to support it. Dan Hamme stated that the Rec Board has a specific, big picture component compared to other Advisory Boards. McKenzie feels as though the shrinking of the department has made it seem like a lesser deal in Town. The department brings in revenue so the Rec Board does have slightly more of a say. Earl would like to keep ideas coming, having each individual gather bullet points for next meeting to develop a mission statement and how that can assist BV REC.

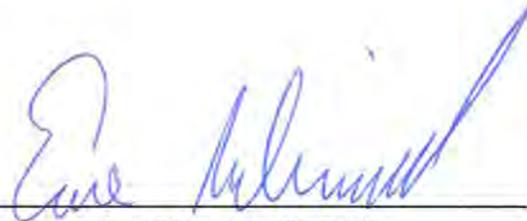
- IV. Lake Placid Hockey Rink: Dan and Aaron picked up the ice rink and equipment so it is now in Buena Vista. Ten people were there to unload the trucks at Public Works. They are currently working with high school students to desing the logo for promotional material. They have reached out to ACA to get some concrete to extend the slab, but they are still waiting to hear back on that and about electric access with Sangre de Cristo. Dan believes it is in the Town's best interest to put the entire plan together at once instead of piecing it together. The land to the north of the slab is not going to be developed for about 10 years, so they are able to move the rink if necessary, but it will not be an immediate need. Climax Mine is doing a match grant and the town will match funds raised. Fundraising will be the next chapter and Charmayne is working on how to do that effectively.
- V. Softball Schedule: Luke and Marcus have been talking to people around Town who do want to play softball, but they cannot commit to two nights a week for each league. They are suggesting to do double headers for each team instead of two nights. They also spoke with the umpires who would prefer to be paid per game instead of being hourly. Ashley stated that she will work with all these people to develop the season in this manner. They also suggested that Ashley be present at games to help run things and minimize disagreements.

- VI. River Park Clean-Up: The River Park Clean Up will take place on Sunday, May 1. It will be the same as it has been in the past few years, with the after party taking place at the Eddyline once again. The Collegiate Peaks Trail Run is the weekend after the clean-up. Earl will get more details to everyone when he gets them.
- VII. Bouldering: On April 1, there will be a boulder hold cleaning session from 4-6pm followed by a hang out from 6-8pm. Emily Osborne will be working on getting a group together to change the routes.
- VIII. Archaeological Report: Earl is curious as to what the status is of the archaeological report from the River Park. Currently, the Town will spend \$10,000 to move the pump house by the end of April so that the town can water fields with non-potable water. Colorado State University is interested in possible making it an archaeological site since it's from around 3000 BC but no definite decision has been made as of now.

ADJOURNMENT:

The meeting adjourned by Earl Richmond at 9:06am.

Respectfully submitted:



Earl Richmond, Co-Chair



Ashley Davis, Recreation Program Coordinator

Buena Vista Trails Advisory Board Minutes

Public Works Building



March 1, 2016

Present: Lois Walton, Nancy Anderson, Kathy Hoerlein, Dick Scar, Fran Rulon-Miller, Ed Eberle, Greg Maggard, Emily Osborne, Reba Jackson (Sr. Program Director at Boy's and Girl's Club)

I. Meeting called to order 0905Hrs.

II. Reba Jackson, Senior Programs Director of the Boys and Girls Club addressed the board representing the Torch Club (11-13 years old) who want to get involved with trails in BV. Adopt a Trail needs volunteers, Greg and Lisa will be in touch with Reba. Fran and Ed offered to do presentation/ river ecology class and Nancy suggested contacting Greg Lubsky for trail building class.

III. Agenda approved as written

IV. Minutes approved as corrected

V. Old Business

1. Greg updated:

a. The Arizona Trail project is still moving, slowly. Question as to whether the new owners have been contacted by town yet?

b. Currently working on realignment of CR 317 to accommodate a paved trail on the east side. Chaffee County is paying the majority, town is paying 15% (2" overlay). Town will stripe bike lane, if it's wide enough. BV is negotiating an IGA with Chaffee County re: issues of connectivity.

c. Gregg Drive -2017 budget item for work.

d. Rodeo drive – Cost estimate going to bid in 2-3 weeks, will be paved this summer (asphalt approx \$6/ft²)

e. Hwy 24 – bid goes out in April, will be scheduling public meetings.

f. BLM – is getting SWCC in 2017 (maybe 2016)- they want to work on Wildlife Trail, actual physical trail work like extending trail, drainage issues etc.

g. CDOT - new industry standard for bike lanes is green lines, in order to differentiate a bike lane.

This will be used on the new bike lanes on the completed Hwy 24 project. Greg asked for a motion and Kathy moved: That the Trail Advisory Board support fluorescent green (industry standard) paint for HWY 24 bike lanes and all future bike lane painting through out the town of Buena Vista. Ed seconded, Approved unanimously.

h. RR Street extension – need to get DOC work crew scheduled for this, hope to be this spring.

2. Ed updated the changes made on the new Map/Brochures: more detail on east side of river, topographic features, more recreation features. Kathy McCoy and he have been working on these. We are grateful for her professionalism. The target for 2016 is 10,000 copies. Suggestions for improvement can be incorporated in 2017 edition. To be printed by Aspen Leaf, estimate 8-10K copies for \$1500. Some display boxes and racks can be bought with the savings. In the future: possibly avoid the need for a separate Friends of FourMile (FoF) map of the Whipple Trail, possible budget item shared by Rec Board, FoF and TAB.

3. Adopt a Trail - The Torch Club of the Boys and Girls Club will be adopting the Rock 'n Roll Trail

4. Lois – updated on the CMA between BV and BLM dated 2012, she also located a maintenance plan from Arrowhead dated 2005. Both need updating. Kathy proposed this plan: 1)TAB look at CMA and make recommendations 2)give these to Emily for Rec Board review 3)update the CMA 4) submit this to Trustees 5) schedule meetings with Town representatives and BLM. There is a lot of energy and impetus from BLM and the Town of BV for trails in the Midland Hills area, that using the new bridge access to relieve pressure on the Barbara Whipple Bridge. Lois suggested an Ad Hoc Committee to focus on drafting a new CMA. This idea was supported and the Ad Hoc Committee “CMA Committee” consists of Nancy, Kathy, Emily, a representative from the Rec Board will report to the Trustees monthly and be included in future agendas.

5. Lois - reported a request for a Memorial Bench on the Whipple Trail

VI. New Business

1. Events – Emily updated on Paddlefest, July 4th, Mountain Mania Car Show, Wagon Train and Tunnel Run Events

Nancy will cover Meeting Minute recorder duties in April.

Lois adjourned the meeting at 11:15AM

Next Meeting: April 5, 2016

Minutes submitted by Fran Rulon-Miller

Minutes approved as written (Date) 04/05/16 by



Buena Vista Water Advisory Board

Minutes of March 16, 2016

Public Works Office Meeting Room

755 Gregg Dr.

Call to Order

The meeting was called to order by Chairman Hamilton at 6:33 p.m.

Attendance and Introductions

In attendance were Harley Hamilton, Roy Gertson, Reed Dils, David Kelly, Paul Moltz, Jerry Steinauer, Keith Baker, Greg Maggard, and Brandy Reitter.

Agenda Adoption

Chairman Hamilton accepted the agenda as presented.

Approval of Minutes

Chairman Hamilton called for a motion to approve the minutes for the February 17th meeting as presented.

Motion #1 by Kelly, second by Moltz to approve the February 17, 2016 minutes as presented. Motion carried.

Public Comment

Chairman Hamilton called for public comments. There were none.

Business Items

- A. *Greg Felt – Upper Arkansas Water Conservancy Dist. – Introduction and Discussion*
Greg Felt, from the Upper Arkansas Water Conservancy District (UAWCD), attended the meeting. Felt said he was interested in learning about the Water Advisory Board, seeing how things were going with the Town, and finding out if there were ways the District could help out. Felt talked about the UAWCD's efforts to acquire Paul Moltz's property east of the Arkansas River and south of 285. He said they have been looking into getting financing to acquire the property and make improvements, such as enlarging the reservoir and building an outlet to the river for exchanges. Felt outlined the UAWCD's vision for a multi-use project for the property. He said the primary reason for wanting the property is for water storage for the District, including storage for the Town of Buena Vista. Felt said there are three components to storage that they are considering. The first component would be expansion of the existing reservoir. He said there could be a total of approximately 1,200 acre-feet of water in the reservoir, with improvements. The second component would involve lining future gravel pits to use for water storage if Moltz decides to expand his operation into that area. He said that would be in the distant future, but it could possibly

provide a significant amount of storage. The third component would be underground aquifer storage. He said the alluvial plain east of the river could provide approximately 10,000 acre-feet of underground water storage. Water could be pumped in, then as water returns to the Arkansas, the District would get credit for the return flows. Those credits could be used for exchanges. Felt said their plan is to maintain the current agriculture in the area for now. The District could interrupt water use on some of the fields to use elsewhere if necessary. In addition to water storage, Felt said the project could also include conservation easements, working with Parks and Wildlife to create east shore fishing access on the river, a State Park area, a disabled access fishing trail, and the possibility of a small-scale hydropower project. According to Felt, financing the project could involve grants, working with the Colorado Water Conservation Board (CWCB), conservation easements, a mill levy or bond, and possible funding through the State. Felt said they envision a broad-minded project for the property, with lots of partners. He said it may not be financially self-sustaining for many years.

B. St. Charles Mesa

The revised agreement for St. Charles Mesa was sent out to Water Advisory Board members for review before the meeting. Reitter said the Town is working on an agreement with St. Charles Mesa to allow the Town to use its water on Cottonwood Creek during times of extreme drought by exchanging water from other sources. Reitter said St. Charles Mesa has not seen the proposed agreement yet, but it is based on a conversation the Town had with St. Charles Mesa last year. Reitter said the agreement will go to St. Charles Mesa, then back to the Water Advisory Board, then to the Board of Trustees with a recommendation from the Water Advisory Board. Gertson suggested changing snowpack criteria to “Upper Arkansas River basin snowpack”, instead of “Arkansas River basin snowpack” on page 2. Gertson also suggested changing “mouth of Cottonwood” in paragraph 3 on the first page to “confluence of Cottonwood Creek and the Arkansas River.” Reitter said the Town did not buy Pueblo water this year because it was not needed, but it might be a good idea to have water in Pueblo to give to St. Charles Mesa if needed.

C. Well #3 Update

Maggard said the change order to move the building has been approved. It should be finished by the middle of April and should be hooked up for South Main irrigation by the 1st week in May. The Town will augment the well with Fry-Ark water. Maggard said the meeting he had scheduled with a professor from CSU about the fire pit fell through. He said he does have some names of people at other schools to contact who may be interested in studying it. Dils suggested contacting Crow Canyon.

D. April UAWCD Board Meeting – SWPP Presentation

There will be an Upper Arkansas Water Conservancy District meeting on April 14th at 1:00 pm. They have asked the Town to come to the meeting to clarify parts of the Source Water Protection Plan, and explain how the plan might impact the District.

Reitter said they will do a Power Point presentation for the meeting, and Maggard said Water Advisory Board members are welcome to attend to help present the plan.

E. Other Water Issues

There were no other issues discussed.

Staff/Counsel Reports

A. Town Administrator – Brandy Reitter

Reitter did not have anything additional to report.

B. Public Works Director – Greg Maggard

Maggard said they will be doing the tank cleaning in April.

Dils asked when the Town would be getting a new water storage tank. Reitter said she will have a meeting in April to talk about financing. She said it has been engineered, but the plans may need some updating, and the Town should be able to take bids for a new storage tank toward the end of the year. She said the Town will be consolidating a current loan and will restructure it when it ends in 2018. The new loan will be for a little over \$1 million, which is about the same amount as the previous loan, so payments won't change. Maggard said the loan will also be used to cover a few other infrastructure projects.

C. Water Counsel – Cynthia Covell

Cynthia Covell was not present. No report given.

Board/Staff Interaction

The next Water Advisory Board meeting will be held on April 20, 2016.

Adjournment

Seeing that there was no further business, Chairman Hamilton called for a motion to adjourn.

Motion #2 by Steinauer, second by Gertson to adjourn the meeting.

Motion carried. The meeting was adjourned at 8:03 p.m.

Respectfully submitted,


Lisa Brooker
Administrative Assistant

 4-20-16
Water Chairman Date



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

DATE: April 26, 2016
TO: Mayor and Board of Trustees
FROM: Emily Katsimpalis, Assistant to the Town Administrator
AGENDA ITEM: Advisory Boards & Commissions Manual

Dear Mayor and Board of Trustees,

Request

Please find included in your packet the final draft of the Advisory Boards and Commissions Manual for your review and acceptance.

Overview

The February 23 and March 22 Board of Trustee packets included drafts of the Advisory Boards and Commissions Manual for your review.

Following the two meetings, comments, edits and suggestions were sent to me via email.

The main themes that came out of the comments were the desire to see all advisory boards think holistically about their role in advising the Trustees. Many trustee comments related to the need for the advisory boards to be familiar with the Comprehensive Plan as well as their board's specific guiding document (Trails Master Plan, etc.), to mention the specific guiding document within the board descriptions and to create plans and projects that fit within the scope of both.

Working with their staff and BOT liaison to craft yearly plans, as well as long terms goals, know the Buena Vista Collective Vision Statement and work with their respective staff and Trustee liaison to take into account the BOT's Strategic Objectives for the year when making plans. Additionally, that the advisory boards know and understand their role in the organizational structure of the Town of Buena Vista.

There were comments related to ensuring the board knows their role in advising, but also allowing the boards to be creative and come up with new ideas and projects outside of their 'scope.' As well as mentioning that advisory boards be involved in completion of projects approved by the BOTs.

The above comments and suggestions have been incorporated into the final draft included your packet.

Policy Alignment

Policy Governance, Administrative Policy

BOT Action

Staff recommends adopting the Advisory Boards and Commissions Manual via the Consent Agenda.

Town of Buena Vista

Advisory Boards and Commissions Manual

Buena Vista's Guide to Informed Citizen Participation



**Adopted on
April 26, 2016**

Our collective community consists of friendly, well informed people who feel they can make a difference and have an impact in determining their future and the quality of life and enjoy freedom of expression. - Buena Vista “Community Spirit” Collective Vision Statement

Welcome

Welcome to the Town of Buena Vista! Your selection as an active member of a board or commission provides you with a valuable opportunity for genuine public service and we thank you for your contribution. Although the specific duties of each board and commission vary widely, there are certain responsibilities common to all board and commission members. These guidelines will assist you in maximizing your contribution to our community.

Introduction

The Town of Buena Vista relies on the active participation of residents volunteering their time and effort to sustain the quality of community we enjoy. Board and commission members exemplify the spirit of volunteerism by lending their talents and resources to benefit town. Appointment to an advisory board or commission in Buena Vista is an honor that brings both responsibility and opportunity. This manual has been designed to provide information on the organization of the Town of Buena Vista and the role served by board and commission members.

Boards and commissions are established by ordinance in the Municipal Code, which sets forth the composition and duties of each body. Qualified candidates fill vacancies, and the Board of Trustees approves appointments. Board and commission member duties include reviewing items and issues at the request of or interest to the public. Town advisory boards and committees serve the community by providing input on various projects and topics on behalf of the Town of Buena Vista. Board and commission members provide recommendations to assist the trustees in making decisions, and also serve as ambassadors to the community, informing and educating the public regarding the purpose of the board or commission and activities of the town.

The following materials provide general information on the town organization and its various boards and commissions, including procedures and laws that apply to their activities. Please contact the Town of Buena Vista at 719-395-8643 to speak with a board or commission staff liaison regarding the role of board and commission members.

Types of Boards and Commissions

Advisory to Board of Trustees

Airport Advisory Board

Beautification Advisory Board

Economic Vitality Advisory Board

Recreation Advisory Board

Tree Advisory Board

Trails Advisory Board

Water Board

Quasi-Judicial

Planning and Zoning Commission

Advisory Boards and Commissions:

Advisory Board Member Job Description:

Advisory Board members attend meetings to contribute to making decisions on projects and plans the advisory board is considering, or currently working on. They offer opinions, advice and expertise in an advisory capacity. Each advisory board member offers their time in a voluntary capacity at the meetings, as well as in any preparation for the meeting, follow-up, or when working on projects in the community related to their respective advisory board.

It is important to remember that Advisory Boards (with the exception of the Planning & Zoning Commission) are advisory only. They do not make policy decisions, budget decisions, or other planning decisions directly.

Officer positions:

Each advisory board and commission will select a Chair, Vice Chair and Secretary from among the board/commission members.

Chair:

Responsible for running meetings according to the agenda (agenda is set by the Chair or the staff liaison, depending on the board or commission), policy questions growing out of operating decisions/Board of Trustee decisions, bringing forward for discussion and action problems arising from conflict of interest, problems stressing financial stewardship, and in charge of budget/project requests on behalf of the board.

Vice Chair:

In absence of the Chair, responsible for running meetings according to the agenda (agenda is set by the Chair or the staff liaison, depending on the board or commission), policy questions growing out of operating decisions/Board of Trustee decisions, bringing forward for discussion and action problems arising from conflict of interest, problems stressing financial stewardship, and in charge of budget/project requests on behalf of the board.

Secretary:

Distributes meeting agenda before the meeting, responsible for posting the agenda and sending the agenda to the Town Clerk, takes minutes during the meeting, and circulates/distributes minutes to the members so that they may be approved. Sends approved minutes to the Town Clerk for inclusion in the Trustee packet.

Election of Officers

The election of officers should be held each year during the regular meeting in January or February. Staff liaisons must notify the Town Clerk when new officers are elected.

Roles and Responsibilities of Each Board or Commission

Planning and Zoning Commission

- The Planning and Zoning Commission duties include preparing and adopting a master plan for the physical development of the municipality, including any areas outside its boundaries, subject to the approval of the governmental body. The master plan of a municipality shall be an advisory document to guide land development decisions. The planning commission reviews and decides upon variance requests, planned development and other zoning issues and regulations. Full duties and responsibilities are specified in Parts 2 and 3 of Article 23, of Title 31, C.R.S.
- The Planning and Zoning Commission consist of five (5) regular members appointed by the Board of Trustees.). Statutorily (Parts 2 and 3 of Article 23, of Title 31, C.R.S.) all commissioners are required to reside within town limits. Neither the Mayor nor any member of the Board of Trustees can serve on the Planning and Zoning Commission. The Board of Trustees may appoint up to two (2) alternate members of the Planning and Zoning Commission. Alternate members can attend all P&Z meetings and participate in the discussion, yet they have no voting rights on any matters before the P&Z unless a regular member of the P&Z is absent or unable to vote on the matter. Terms are three (3) years.
- Planning and Zoning Commission guiding documents: Town of Buena Vista Land Use Code, Town of Buena Vista Comprehensive Plan.

Airport Advisory Board

- The Airport Board was created with the duties and responsibilities to review policy matters relevant to airport operations and development of facilities at the Buena Vista Airport, and to make recommendations to the Board of Trustees. They also serve as ambassadors to the airport and perform other functions and duties as the Board of Trustees may assign.
- The Airport Board has seven (7) voting members and two (2) alternates appointed by the Board of Trustees. The Airport Board also includes the Airport Manager and a designated Board of Trustees member, both of whom serve as non-voting ex officio members.
- Airport Advisory Board guiding documents: Airport Master Plan, Airport Business Plan.

Beautification Advisory Board

- The Beautification Advisory Board makes recommendations to the Board of Trustees regarding beautification matters, projects or endeavors and, upon receiving direction from the Board of Trustees, shall implement, organize and coordinate any beautification project for the Town.
- The Beautification Advisory Board has seven (7) voting members and two (2) alternates appointed by the Board of Trustees. The Beautification Advisory Board also includes a staff liaison and a designated Board of Trustees member, both of whom serve as non-voting ex officio members. Beautification Advisory Board guiding documents: Town of Buena Vista Comprehensive Plan.

Economic Vitality Advisory Board

- This Economic Vitality Advisory Board acts as the advisory board to the Town of Buena Vista Board of Trustees on matters and policies pertaining to economic development, including goal setting, strategic planning, comprehensive plan updates, marketing and business recruitment, retention and expansion for all business, industrial and commercial areas. The board provides broad policy recommendations, and provides direction and time table for advisory board activities. The board also performs other functions and duties as the Board of Trustees may, from time to time, assign to the board.
- The Economic Vitality Advisory Board has seven (7) voting members and two (2) alternates will be appointed by the Board of Trustees. The Beautification Advisory Board also includes a staff liaison and a designated Board of Trustees member, both of whom serve as non-voting ex officio members.
- Economic Vitality Advisory Board guiding documents: Town of Buena Vista Comprehensive Plan.

Recreation Advisory Board

- Recreation Advisory Board duties are to make recommendations to the Trustees regarding the operation, improvement, and maintenance of the Town's recreation programs and facilities, and to bring to the attention of the Board of Trustees any matter pertaining to the Town's recreation programs and facilities.
- The Recreation Advisory Board has seven (7) voting members and two (2) alternates will be appointed by the Board of Trustees. The Recreation Advisory Board also includes the recreation staff and a designated Board of Trustees member, both of whom serve as non-voting ex officio members.
- Recreation Advisory Board guiding documents: Recreation Master Plan, River Park Master Plan.

Tree Advisory Board

- The Tree Advisory Board duties and responsibilities are to study, investigate, develop and recommend to the Board of Trustees the adoption of a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas.
- The Tree Advisory Board consists of seven (7) members and two (2) alternates, appointed by the Board of Trustees. The Tree Advisory Board also includes the Public Works Director and a designated Board of Trustees member, both of whom serve as non-voting ex officio members.
- Tree Advisory Board guiding documents: Town of Buena Vista Comprehensive Plan, Planting Guide.

Trails Advisory Board

- The Trails Advisory Board shall study, investigate, develop and recommend to the Board of Trustees the adoption of a written plan for the care, preservation, maintenance, and improvement of the Buena Vista trails system. Once a written plan for the BV trails system has been adopted by the Board of Trustees, the Trails Advisory Board shall recommend annual updates and modifications to the plan. The Trails Advisory Board is also responsible for bringing to the attention of the Board of Trustees any action or condition which is in apparent violation

of any ordinance of the Town pertaining to trails or matters related to trails, or recommend any specific remedial enforcement action desired by the Trails Advisory Board.

- The Trails Advisory Board consists of seven (7) members and two (2) alternates, appointed by the Board of Trustees. The Trails Board also includes the Public Works Director, recreation staff and a designated Board of Trustees member, all of whom serve as non-voting ex officio members.
- Trails Advisory Board guiding documents: Town of Buena Vista Comprehensive Plan, Trails Master Plan and Cooperative Management Agreement with BLM.

Water Advisory Board

- The Water Advisory Board reviews policy matters relevant to stewardship and development of the Town's water rights portfolio, storage, treatment and distribution systems and to make recommendations thereon to the Board of Trustees. The Board also plans for the long-term water needs of the Town and to make recommendations thereon to the Board of Trustees regarding water rights acquisitions, intergovernmental agreements with other governmental entities regarding development and use of water rights and supplies, water service rates, system development fees, capital development projects and allocation of resources in the Water Fund.
- The Water Board consists of seven (7) members and two (2) alternates, appointed by the Board of Trustees. The Water Board also includes the Public Works Director and a designated Board of Trustees member, both of whom serve as non-voting ex officio members
- Water Advisory Board guiding documents: Water Master Plan.

While each advisory board has a specific focus and area of concern, each advisory board member should be familiar with the Buena Vista Comprehensive Plan and the Town's code. Familiarity with the Buena Vista Comprehensive Plan is necessary to ensure the larger focus of advisory boards is holistic and maintains a community-wide perspective.

Biannual presentations to the Board of Trustees

Each quarter, two advisory boards will make a presentation to the Board of Trustees. The presentations will be separate from the annual presentation associated with budget requests that occur in the fall. Therefore, each advisory board will present to the Board of Trustees biannually. The presentation will be a brief 5-10 minutes to update the Mayor and Trustees on the projects, progress and work being done in the advisory boards.

The presentation will be followed by a short 5-minute question and answer period. The intention of the biannual presentations to the Board of Trustees is to improve communication and understanding between the advisory boards and the Board of Trustees.

Representation of a Board or Commission

As an individual member of a board or commission, you must not represent your own views or recommendations as those of the board or commission unless the majority of the body has officially voted to approve such action. Board or commission members making recommendations or expressing

views which have not been approved by a majority of the board should indicate they are expressing their individual opinion and are not speaking on behalf of the board or the Town.

Public statements should not contain promises that may be construed to be binding on a board or commission, staff, or the Board of Trustees. When making a public statement, members should remind listeners that board actions are recommendations (unless otherwise provided by law) and that final action will be taken by the Board of Trustees. Remember that your actions and statements as a board or commission member assume special significance. If not responsibly discharged, your actions and statements could result in a situation detrimental to the Town's best interests.

Although board and commission members may be selected, in part, on the basis of representing specific interest groups, each member should represent the overall public good and not that of an exclusive group or interest.

Relationship with other members

On many occasions, the success or failure of the efforts of a board or commission is dependent upon the degree of cooperation among the individual members of the body. You are encouraged to keep the following points in mind in your interactions with other members:

- Show respect for another's point of view.
- Allow others adequate time to present their view fully before making comments.
- Be open and honest.
- Welcome new members and help them become acquainted with their duties.

C.H.A.R.G.E - A checklist for effectiveness

It is a great civic duty to take C.H.A.R.G.E. in the community to improve the quality of life for all. Below is a checklist that you need to consider to ensure that your experience as an advisory board member is effective and enjoyable.

C – Code:

The Town of Buena Vista is governed by its municipal code. By passing ordinances and taking action on resolutions and formal motions, the Board of Trustees affects the municipal code, and hence the laws that govern the Town.

Am I familiar with:

- The Municipal Code of the Town of Buena Vista?
- The specific function of my board or commission, as outlined in the town code?
- What my fellow board members and I expect to achieve for the community?
- The name of the trustee liaison and staff liaison to my board or commission?

H – Hierarchy

The Town of Buena Vista follows an organizational chart passed by the Board of Trustees every year in December, which takes effect the following January. The organizational chart is important to be familiar with and understand. The Town of Buena Vista operates within a council-administrator form of government. At the top are the citizens of Buena Vista, below the citizens are the Mayor and Board of Trustees, because the Mayor and Trustees serve and are accountable to the citizens of Buena Vista. Below the staff are the Advisory Boards and Commissions because they are advisory in nature and work with staff to implement their goals and projects.

Do I understand:

- How my board or commission's work affects the community?
- The scope of authority of my board or commission?
- The role of board's staff liaison, town trustee liaison and chairperson?
- My role as a board or commission member?

A – Accountability

Being accountable refers to an obligation or willingness to accept responsibility or to account for one's actions. It is the acknowledgement and assumption of responsibility for actions, decisions and products and encompasses the obligation to report, explain and be answerable for resulting consequences.

Do I understand:

- My board or commission's liability and my own ability as an individual member?
- What constitutes a conflict of interest?
- Exactly how the law requires that a conflict of interest be handled?
- My board's accountability to the public?

R – Responsibility

The state or fact of being responsible, answerable or accountable for something within one's power, control, or management. In this context refers to the responsibility to fulfill your commitment to serving as a volunteer advisory board member.

Do I:

- Attend all board or commission meetings as much as possible?
- Prepare for the meetings by studying the agenda and supplemental materials ahead of time?
- Complete the tasks I have volunteered to take on?
- Know what responsibilities each of us, as individual board members, has to our board colleagues?

G – Goals

A goal is a desired result that a person, system or organization envisions, plans and attempts to achieve: a personal or organizational desired end-point. Many reach goals within a finite time by setting deadlines. In this context, the advisory board will set goals related to the board's mission and work plan, which will accordingly fit into the Town and Board of Trustee goals for the year. Each advisory board member should understand the goals and know the associated tasks and deadlines, both on an individual level and advisory board level.

Do I know:

- My board or commission's goals for the next 12 months?
- What tasks must be completed to reach each of our goals?
- Deadlines for the tasks for which I am responsible?

E – Evaluation

Evaluation is a systematic determination of a subject's merit, worth and significance, using criteria governed by a set of standards. The primary purpose, in addition to gaining insight into prior or existing initiatives, is to enable reflection and assist in the identification of future change.

Have I:

- Discussed with other members and staff what our board or commission can do to improve our performance?

Introduction to Town government

Board of Trustees

The Town of Buena Vista operates under the statutory form of government. The Board of Trustees is the legislative, policy-making body for the Town of Buena Vista. It consists of one mayor and six board members elected at large, with the mayor serving a four-year term. Expiration of terms is staggered, and elections for board members are held every two years. After each biennial election (held in April), the Board elects from among themselves a Mayor Pro Tem, and all members of the board must have resided within the town limits for at least 12 months prior to election. The board takes action by enactment of ordinances, resolutions, and formal motions, which provide direction for the town staff. The board appoints a Town Administrator, Town Attorney, Town Clerk, Town Treasurer and Municipal Judge.

Town Administrator

The Town of Buena Vista operates within a council-administrator form of government. The Town Administrator is the chief executive officer of the town and is responsible for the overall management of town operations.

Functions of the Town Administrator include:

- Implement policy decisions and legislative actions taken by the Board of Trustees
- Make recommendations to Board of Trustees
- Oversee the operations of the town
- Prepares the town budget

Council-Administrator form of government

	Board of Trustees	Town Administrator
Responsible for:	Policy Decisions	Day-to-day operations
Hires and Supervises:	Town Administrator Town Attorney Town Clerk Town Treasurer Municipal Judge	All other town staff members/employees

General provisions

Details about boards and commissions can be found in Chapter 2, Article XIII to XV of the Municipal Code. The Board of Trustees, by ordinance, establishes and appoints boards and commissions to advise on various issues and performs such functions as the trustees may designate. The ordinance establishing each board or commission describes the powers, duties and operating procedures of the board or

commission; and establishes the terms of office of the board or commission members, including initial overlapping terms.

All board and commission members are subject to removal, with a majority vote of the board members required to remove a board or commission member before their term has expired. Any vacancy during the unexpired term of any member is filled by the trustees for the remainder of the term. Each board and commission shall choose its own officers among its members. The trustees may change any or all of the powers, duties and procedures of any board or commission and may abolish any board or commission not required by the Municipal Code or law.

Membership limitations

The following limitations and requirements are applied to board and commission membership:

Employees of the Town of Buena Vista may not serve on any board or commission appointed by the Board of Trustees.

Planning and Zoning Commission members must reside within Town limits.

Attendance policy

Upon application for and acceptance of appointment, board and commission members demonstrate their intention and ability to attend meetings.

Budget process

Generally, budgets are not established for boards and commissions. However, each year boards and commissions may request funds for projects and initiatives.

Work Plans

An outlined work plan for the coming year will be presented to the Board of Trustees by the second Trustee meeting in October, regardless if there are budget requests to present. The work plan will set out major projects and issues for discussion for the following year. Timelines and scope of review should be provided when possible. If appropriate, an estimate of action to be taken should be included. Work plans should be concise and easily readable. The Board of Trustees will review the work plan for each advisory board.

Please use the following as a guide for work plans and goals: Short-term goals are outcomes to be accomplished in 1 – 2 years and long-term goals are to be accomplished in 3 -5 years.

The Board of Trustees, along with staff, establishes Strategic Objectives each year. Advisory boards will work with the staff liaison and trustee liaison to ensure that the work plan for that year aligns with the established Strategic Objectives for that year, as well as the Collective Vision Statements listed below. Objectives and vision statements will be considered when planning for each year's work plan:

Town of Buena Vista Collective Vision Statements:

General Community Character

We envision the town as a clean, safe, quiet and secure community that is a desirable place to live, work, and play – an altogether good place to raise our children.

Community Spirit

Our collective community consists of friendly, well-informed people who feel they can make a difference and have an impact in determining their future and their quality of life and enjoy freedom of expression.

Community Appearance

The town we envision has a defined sense of place as expressed in its history and architecture.

Community Services

The town of our vision has high-quality education and medical and emergency response services, as well as quality, efficient, and well maintained parks and public buildings. The town's public servants exhibit an excellent level of public service, including approachability, honesty and helpfulness. Our town government and community leaders demonstrate accountability, consistency and visibility. We engage in a high level of cooperation with surrounding governmental and nongovernmental entities

Environment

We desire a community where urban, rural and agricultural land uses can coexist in a well-planned pattern. Land use decisions are made with thoughtfulness and an eye toward sustainability. We want a healthy community with clean air and water.

Economy

We envision a community in which all citizens enjoy financial prosperity and can find an affordable place to live. The town has a bustling downtown community core with abundant and diverse retail establishments. We continually strive for economic diversity within the community. Our town government is economically stable and viable.

Timeline of budget process:

Deadline	Task	Associated definitions
May 31	Staff liaison requests possible capital improvement projects (CIP) to update the 5-year CIP plan; associated operation costs are not due at this time.	CIP: A capital improvement is any addition or alteration to real property \$5,000 and over that meets all three of the following conditions: It substantially adds to the value of the real property, or appreciably prolongs the useful life of real property.
June 30	Estimated CIP costs due to staff liaison.	
August 1	Board discusses possible projects and associated costs for upcoming year.	
September 1	Staff liaison requests costs associated with requested budget items for inclusion in the coming years' proposed budget.	
October 1	Board/commission has voted and approved requested budget. Full budget due to staff liaison for inclusion in coming years' proposed budget.	
2nd Trustee meeting in October	Board or commission chair presents budget requests and work plan at Trustee work session.	

Staff Liaison Role

Staff support is available to boards and commissions through the assigned staff liaison to help each group. The boards and commissions' staff liaison is responsible for the following:

- Coordinate the board's annual work plan and budget, with input and guidance from the Town Administrator.
 - If necessary or appropriate, the liaison will work with the Town Administrator to seek direction on the appropriateness of the request and may provide direction to the board on whether the project is possible in the coming budget year.
- Ensure new members are oriented to the board, including procedures and projects.
 - Staff liaison will be responsible for the process of re-confirming and election of members, and tracking terms.
- Answer questions and research for various policy questions.

- At the request of the Board of Trustees, provide information to board or commission regarding policy changes and distribute updated information to all members.
- Coordinate reserving a meeting space if necessary/requested by the board/commission.
- Advise the Town Administrator of the following:
 - Attendance problems
 - Resignations
 - Meeting schedule/location changes
 - Name/address/phone number changes for board members
 - Staff/name/title/phone number changes for staff liaisons
- Serve as a communications link between the Town Administrator and/or Board of Trustees and board members.
- From time to time, staff liaisons may prepare memorandums to trustees at the request of the board or commission, or Town Administrator. These communications are sent directly to the Board of Trustees. It is the responsibility of the trustees to respond directly to the board or commission if a trustee chooses. The staff liaison is not responsible to monitor or ensure a response from trustees.
- Oversees the procurement of goods and services necessary to execute projects approved by the Board of Trustees.

Trustee Liaison Role

Every two years after the municipal election, the Board of Trustees selects liaisons to the boards and commissions. The role of the Trustee liaison:

- Communicates with the board or commission when needed and serves as the primary two-way communication channel between the Board of Trustees and the advisory board or commission.
- Serve as the primary trustee contact for the advisory board or commission.
- Help resolve questions the board or commission may have about the role of the trustees, municipal government and the advisory board or commission.
- Establishes formal or informal contact with the chairperson of the board or commission and effectively communicates with the staff liaison.
- Provides procedural direction about the trustee's position to the advisory board.
- Serves as trustee contact rather than an advocate for or ex-officio member of the board.
- Identifies and helps resolve any problems that may exist with respect to the function of the board.
- Facilitates the training of new board and commission members by providing suggestions and relevant information to town staff responsible for providing such training.
- Attendance at monthly board meetings is recommended but not required. Attention should not be focused on the trustee liaison and his or her input. (If Trustee liaison participation is critical to a particular item, a direct invitation should be made to the trustee liaison, explaining why participation is deemed to be critical.)

Orientation and Training

Town staff provides yearly training with regard to the structure and operation of town government and the legal and ethical duties and responsibilities of board and commission members. All members of town boards and commissions are required to attend the training, either in person or in such other

fashion as the Town Administrator may deem appropriate (such as viewing a video tape of the live training session). This requirement must be fulfilled within six months of the appointment of any member.

Additionally, staff liaisons should provide new board members with pertinent materials which will assist new members in becoming fully functioning members of the board. Established board members are encouraged to share their experience and knowledge with new members.

Meeting Responsibilities

Conduct of Meetings

It is important that boards and commissions conduct their meetings in a manner that is procedurally correct. It is recommended that boards and commissions follow the procedures for the conduct of meetings as established in *Robert's Rules of Order, Newly Revised* be followed, however, the chairpersons of town boards and commissions are permitted to decide on the conduct most appropriate to run an efficient meeting.

Public Input

Each board or commission shall, at or near the beginning of its regular meetings, afford members of the public an opportunity to speak to any matter coming within the purview of the board or commission, regardless of whether such matter is scheduled for consideration at that particular meeting. Time limitations may be imposed by the chairperson of the board or commission on such public input as necessary to conduct the business of the board or commission in a timely and efficient manner.

Meetings and meeting minutes are posted publicly and available on the Town's website.

Open Meetings

Colorado State Statute requires that all meetings of a board or commission, and all meetings of any committee of a board or commission, be open to the public at all times, except when the board or commission is meeting in a validly convened executive session.

The term "meeting" is defined as a gathering of a quorum of three or more members, whichever is fewer, of any board or commission, or any committee of such board or commission, at which any public business is discussed or at which any formal action may be taken. It is important to remember that the open meeting requirements apply to more than just in-person gatherings. They also apply to telephone conference calls, electronic "chat room" conferences, or any other means of communication where conference-like communication can occur. However, the term "meeting" does not include a chance meeting or social gathering at which the discussion of public business is not the central purpose.

Quorum Requirements

In order for a board or commission to conduct any business or take any formal action, it is necessary that a quorum of the membership be present at the meeting. A quorum consists of the majority of the total number of members specified by the Municipal Code to comprise the board or commission. This quorum requirement does not change even if a position on the board or commission is vacant and the

Board of Trustees has not appointed a replacement. In the event that a quorum is not present for a meeting, alternate members can constitute the quorum and may vote. However, if there are not enough regular or alternate members present, those present can adjourn the meeting to a later date and time. Unless otherwise provided in the board or commission bylaws or Municipal Code, members present at the meeting by speaker phone shall be counted toward establishing a quorum, and may participate and vote in a non-quasi-judicial portion of the meeting. Attendance by speaker phone for purposes of establishing a quorum or participating and voting in the meeting is not permissible in quasi-judicial portions of meetings.

Minutes

Minutes must be taken at any meeting of a board or commission (or committee of a board or commission) at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or could occur. Minutes are taken by the appointed secretary, or alternate if the secretary is not present. The minutes must be open to public inspection and a copy must be filed with the Town Clerk upon approval.

Approval of Minutes

Any additions, deletions, or corrections to the minutes should be presented by board and staff members.

A motion should be made and seconded to approve the minutes of the last meeting as amended.

The approved minutes should be signed by the chairperson and secretary of the board or commission. The secretary is responsible for ensuring the approved minutes are sent to the Town Clerk for inclusion in the Board of Trustee packet.

Discussion Items

While the minutes should be as accurate as possible, the secretary is not required to record every remark made at a meeting. The secretary should not make the minutes a verbatim transcript.

The minutes should include a description of each item being discussed. Listing questions and answers during discussion of each item is not necessary; however, comments that summarize board member positions on each item should be included as support for each board member's vote on each issue. The exact wording of any motion made should be included in the minutes and the maker and second of the motion should be noted. If the motion is approved or defeated unanimously, such should be noted. If the vote on a motion is split, the record should reflect those voting in favor of the motion and those voting against the motion.

Adjournment

Recording adjournment of a meeting in the minutes is advisable, since it indicates whether the meeting was finally adjourned, or adjourned to another time prior to the next regular meeting. The adjournment should specify the time the meeting was adjourned to a later date and hour.

Filing and Distribution of Minutes

Written minutes of board and commission meetings are considered permanent records of the municipality. The Municipal Code requires boards and commissions to file minutes with the Town Clerk for incorporation into the records of the municipality. Minutes are approved via the consent agenda by the Board of Trustees.

Conflict of Interest Guidelines

Introduction

The members of town boards and commissions are subject to certain rules of ethical conduct established by the code. The following summary highlights the primary areas of concern addressed by these rules. When in doubt, a board or commission member should ask staff for clarification of any applicable regulations.

Conflicts of Interest

A board or commission member should refrain from voting on or attempting to influence any decision in which he or she has a financial or personal conflict of interest.

Generally, a board or commission member has a financial interest in a decision when the decision entails some foreseeable, measurable financial benefit to the individual member or relative.

Even if a member does not have a financial interest in a decision or recommendation, a personal interest may also create a conflict of interest. The test for a personal interest is whether, in the judgement of a reasonable prudent person, the board or commission member would realize or experience some direct or substantial benefit or detriment different in kind from that experience by the general public. In applying this test in a business context, a board or commission member should check with the town staff before participating in any decision which directly and substantially benefits a business in which he or she either has a substantial financial interest or is engaged as a consultant or representative. Or, if a decision of the town might directly and substantially affect a particular business to its economic detriment, and a board or commission member has a substantial financial interest in a competing firm, the member should also exercise caution in deciding whether to participate in the decision.

Contracts with the Town

Board and commission members and their relatives are prohibited from having a financial interest in sales to the town, but only if they exercise, directly or indirectly, any decision-making or supervisory authority with regard to the goods and services to be sold to the town.

As to purchases from the town, such purchases are permitted only when the property is offered for sale at an established price and not by bid or auction, and the purchase must be on the same terms and conditions as would be available to all members of the general public.

Disclosure of Confidences

Board and commission members sometimes receive confidential information from town staff. Such information should not be used for the private benefit of the board or commission member or any other

individual. Additionally, disclosure of the information is prohibited if a reasonable person would consider that the disclosure would injure the financial interests of the town.

Gifts and Favors

The acceptance of honoraria (compensation for speech or participation in public events as an official of the town) is prohibited. The acceptance of any other gift or favor from persons doing business with the town or desiring to do business with the town is also prohibited if the gift or favor might reasonably be construed as compensation for an official decision or as something that would tend to impair the board or commission member's independence of judgement in the performance of his or her official duties.

The following specific items are excluded from the definition of prohibited gifts or favors and may be accepted:

- Nonpecuniary awards for public service.
- Reimbursement for expenditure for attending job-related conferences or other meetings.
- Invitations to social functions or meetings which are not extraordinary when viewed in the light of the position held by the board or commission member.
- Perishable or nonpermanent items that are insignificant in value, such as meals, lodging, travel, tickets to sporting, recreation, educational or cultural events.
- Salary from outside employment.

Checklist

The following questions are suggested when examining a potential conflict of interest or a question of ethical conduct. If the answer to the question is "yes," the board or commission member should avoid participating in the decision of engaging in the proposed transaction:

- Sales to the town:** Will I or my relative receive some foreseeable, measurable financial benefit? Am I involved in the procurement or supervision?
- Financial interest in a decision:** Will I or my relative receive some foreseeable, measurable financial benefit?
- Personal interests:** Would a reasonably prudent person believe that I or my relative will realize or experience some direct and substantial benefit or detriment from this decision that is different in kind from that experienced by the general public? Will the business that either of us represents directly and substantially benefit? Will a competing firm be directly and substantially harmed?
- Gifts or favors:** Is this gift or favor being offered to me because of a decision I have made or am about to make? Would a reasonably prudent person think that this gift or favor would impair my independence of judgment? (Before deciding to accept a gift, it should fit under one of the exemptions in the code.)
- Confidences:** Am I about to use or disclose a confidence which, in the judgment of a reasonably prudent person, would injure the financial interests of the town? Will I be using it for private gain, either for myself or for another person?

Appeals Procedure

The decisions of certain boards, commissions, and other decision makers can be appealed to the Board of Trustees. Questions regarding the appeal process should be directed to the Town Clerk's Office by calling 719.395.8643 ext.10



Town of Buena Vista 2016

Buena Vista Collective Vision Statement

(Developed from Citizens' direct wording, Comp Plan 1996, 2006, 2015. We want all components of this vision and must work to create all components. This is the Context within which Town must make decisions.)

General Community Character

We envision the town as a clean, safe, quiet and secure community that is a desirable place to live, work, and play.

Community Spirit

Our collective community consists of friendly, well-informed, and engaged people who feel they can make a difference and have an impact in determining their future and their quality of life and enjoy freedom of expression.

Community Appearance

The town we envision has a defined sense of place as expressed in its history and architecture.

Community Services

The town of our vision has high-quality education and medical and emergency response services, as well as quality, efficient, and well maintained parks and public buildings. The town's public servants exhibit an excellent level of public service, including approachability, honesty and helpfulness. Our town government and community leaders demonstrate accountability, consistency and visibility. We engage in a high level of cooperation with surrounding governmental and nongovernmental entities.

Environment

We desire a community where urban, rural and agricultural land uses can coexist in a well-planned pattern. Land use decisions are made with thoughtfulness and an eye toward sustainability. We want a healthy community with clean air and water.

Economy

We envision a community in which all citizens enjoy financial prosperity and can find an affordable place to live. The town has a bustling downtown community core with abundant and diverse retail establishments. We continually strive for economic diversity within the community. Our town government is economically stable and viable.

Mission of Buena Vista Town Government

The Town of Buena Vista is to provide high-quality, reliable services for the benefit of our citizens, guests, and employees, while being good stewards of public resources and our natural setting.

Town Government Key Outcome Areas

(These strategic objectives and policies lead toward the Collective Vision Statement, and seek to fulfill the Mission of Town Government. These are what we focus on to establish Goals.)

Economic Vitality

We want to increase prosperity for Buena Vistans via the long-term that encourages sustainability, smart growth, and diversification, capitalizes on our strengths and improves quality of life. We want to identify and address weaknesses.

Infrastructure

We want to ensure that we maintain existing infrastructure when considering new infrastructure.

Community

We want to create a community with a sense of pride and acceptance where all contribute to the social, economic, political life, and feel respected and safe.

Environment

We want to create an environment that is safe, healthy, encourages conservation, and makes for a friendly place where people want to live, work and play.

Water

We want a safe and reliable water supply that comes from diverse sources, and meets the needs of residents and business now and in the future.

Our priority list for 2016 includes, in no particular order:

- **Continued work on adequate and reliable water supply** - Joint Permit with Upper Ark and US Forest Service, St Charles Mesa, other.
- **Continued honing of Policy Governance** - quarterly meetings, Policies adopted, Collective Vision Revisit
- **Water infrastructure** - upper zone tank, right size water lines, HWY 24
- **Downtown Revitalization** - DDA
- **Hwy 24** - all that is involved
- **Historic Preservation** - CLG designation, funding options
- **Trail Improvements** - Assorted
- **Continued Airport “Sustainability” and/or “Independence”** - Financial planning, settle ground lease, through the fence resolution, snow equipment building
- **Land Use Code rewrite**
- **IGA with county on Growth Area**
- **Broadband Planning**
- **Software upgrades for flow in various departments**
- **Training New Board/Transition**
- **Affordable Housing/Infill**
- **Continue Fire Services up to Par** - fire upgrades, regional emergency management planning

Policy Discussion - Regular Agenda Item, Buena Vista Board of Trustees

Policy List:

- a. Trustee Liaison on advisory boards
- b. Historic preservation
- c. Sponsorships/advertising levels for support of town activities
- d. Rec Board role with private businesses, etc
- e. Community Support Criteria
- f. Parking/use of right of ways

Discussion should bear in mind the Collective Vision Statement, Strategic Objectives and Priorities for Buena Vista

Process:

Until the Board of Trustees desires otherwise, each trustee meeting begins with a time-limited discussion on a particular policy item.

These items come from a list produced and added to each week by the Board with suggested items from staff, the public, etc. We can discuss policies related to the items and use this to further define policy, give direction to staff, uncover further needs, etc.

The list will have 6 items, a-f. We start with item a, discuss until approximately 7:35. The item is then pulled from the list and b moves to a. Trustees can decide whether to continue the discussion of (a) later that meeting, put it back on the list, add it to a future agenda, or other action. A new item can be added to the list by a trustee.

Parking lot of items to be added as desired:

- Affordable Housing
- Mapping
- Religious symbols in town
- VRBO's
- Parklets in downtown



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

DATE: April 26, 2016

TO: Mayor and Board of Trustees

FROM: Brandy Reitter, Town Administrator

AGENDA ITEM: POLICY DISCUSSION – Role of Trustee Liaison

Request

A request is being made for the BOT to discuss and clarify the roles and responsibilities of a trustee liaison to the advisory boards prior to the board assigning trustees to liaison positions.

Overview

There are 7 advisory boards and each board has 7 members, 2 alternates, and 1 trustee liaison. Advisory boards are established by the Town of Buena Vista Municipal Code under Chapter 2. In an effort to standardize how advisory boards operate, the town revised code language in 2014 to standardize the structure of the boards, recently developed the roles and responsibilities of members in the Policy Governance Doctrine in 2015, and the Boards and Commissions Manual in 2016.

The only board that serves as both an advisory board with statutory authority is the Planning & Zoning Commission. The commission is governed by both the Buena Vista Municipal Code and Colorado Revised Statutes. A trustee cannot serve as a liaison to the Planning & Zoning Commission as it is quasi-judicial.

The official advisory boards of the town are listed below:

- Airport Advisory Board
- Beautification Advisory Board
- Economic Vitality Advisory Board
- Recreation Advisory Board
- Trails Advisory Board
- Tree Advisory Board
- Water Advisory Board

Analysis

In the Policy Governance Doctrine approved by the BOT in 2015, the roles and responsibilities of the trustees as it relates to advisory boards can be found under Policy Category: Governance Process. List below is language from that document:

- The Board of Trustees may establish committees to advise the board in carrying out its responsibilities. Other than those statutorily required, all committees appointed by the Town of Buena Vista Board of Trustees exist so that board decisions will be made from an informed position, and will be made in a public forum consistent with board policy.
- The Board of Trustees may appoint an individual trustee to serve as the official liaison of the board to community groups not officially designated by the board.

- Advisory boards will be assigned so as to reinforce the wholeness of the board's job and so as never to interfere with delegation from the board to the Town Administrator. The purpose of advisory boards shall be to provide more in-depth discussion and information on the specific areas assigned to the respective boards.

The Boards and Commission Manual also discusses the role of the trustee liaison under Introduction to Town Government. The trustee liaison role is as follows:

Every two years after the municipal election, the Board of Trustees selects liaisons to the boards and commissions. The roles of the trustee liaisons are:

1. Communicates with the board or commission when needed and serves as the primary two-way communication channel between the Board of Trustees and the advisory board or commission.
2. Serve as the primary trustee contact for the advisory board or commission.
3. Helps resolve questions the board or commission may have about the role of the trustees, municipal government and the advisory board or commission.
4. Establishes formal or informal contact with the chairperson of the board or commission and effectively communicates with the staff liaison.
5. Provides procedural direction about the trustee's position to the advisory board.
6. Serves as trustee contact rather than an advocate for or ex-officio member of the board.
7. Identifies and helps resolve any problems that may exist with respect to the function of the board.
8. Facilitates the training of new board and commission members by providing suggestions and relevant information to town staff responsible for providing such training.
9. Attendance at monthly board meetings is recommended but not required. Attention should not be focused on the trustee liaison and his or her input. (If trustee liaison participation is critical to a particular item, a direct invitation should be made to the trustee liaison, explaining why participation is deemed to be critical.)

Policy Alignment

- Policy Governance Doctrine
- Boards and Commissions Manual

BOT Action

Policy questions:

- A. Does the language included in the policy documents reflect the relationship the board should have with advisory boards?
- B. If not, what changes need to be made to reflect the relationship so that it is accurate?
- C. Does each liaison understand what is expected of them moving forward with their assigned advisory boards?



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

DATE: April 26, 2016
TO: Mayor and Board of Trustees
FROM: Brandy Reitter, Town Administrator

AGENDA ITEM: Discussion Regarding Appointment of Trustee Liaisons to Advisory Boards and Designation of Official Town Representatives to Community Based Boards and/or Activities.

Request

A request is being made for the BOT to assign trustee liaisons to town advisory boards and community based organizations.

Overview

Every two years after the municipal election board members are assigned to advisory boards and community based organizations. The expectation of board members is to attend as many meetings as your schedule allows. Attending meetings and events helps you serve as a conduit to the town on various boards. This will help further your understanding of important community issues when making decisions on behalf of residents and business owners.

All town advisory boards and community based organizations have staff liaisons assigned to them.

Policy Alignment

Policy Governance Doctrine

BOT Action

- Assign trustees to each of the committees/boards attached to this memo.
- Are there anymore boards to include?

Attached

Advisory Boards & Community Liaison List 4/26/2016

**Advisory Boards & Community Liaison List
4/26/2016**

Advisory Board/Community Organization	Current Elected/Staff/Other Town Representative	New Representative
Recreation Advisory Board	Eric Gibb	
Trail Advisory Board	Dave Volpe	
Tree Advisory Board	Phillip Pucket	
Beautification Advisory Board	Eric Gibb	
Airport Advisory Board	Keith Baker	
UAACOG Board	Joel Benson	
Heritage Board	Vacant	
Economic Vitality Advisory Board	Vacant	
Transportation Advisory Board	Keith Baker	
CDOT Region 5 Transportation Planning Region (TPR)	Keith Baker	
Upper Arkansas Water Conservation District (UAWCD)	Keith Baker	
Chamber of Commerce	Vacant	
Water Advisory Board	Keith Baker	
Regional Affordable Housing Working Group	Joel Benson	
BV Main Street	Vacant	
Chaffee County Economic Development Corporation (annual meeting... Town liaisons)	Joel Benson	
CML Legislative Council	Joel Benson	
Arkansas River Basin Roundtable	Jay Moore (Salida City Council) – municipal rep from Chaffee County	



Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643

DATE: April 22, 2016

TO: Mayor and Board of Trustees

FROM: Mark Doering, Principal Planner, Planning Department

AGENDA ITEM: Denial Resolution for Special Use Permit (SUP) for 102 Brookdale Avenue

Request:

Staff has drafted a resolution to ratify the Board's decision on April 12, 2016 on the above referenced application. The Board should ensure that the resolution accurately reflects its basis to deny the application for a SUP at 102 Brookdale Avenue.

Overview:

The Board of Trustees voted at the April 12, 2016 meeting to deny the Special Use Permit application by Steve Wartman for 102 Brookdale Avenue. That Special Use Permit would have allowed a tire and windshield replacement use in the B-1 (General Business) zone district, if it was approved. The Board opened and closed the public hearing, and voted to deny the application by a vote of 4 to 1 with 1 abstention (due to recusal). Staff has prepared the attached resolution to memorialize the Board's decision in writing. The decision on the application has been made and the public hearing cannot be reopened for any additional testimony. Approval of this resolution should not open up any reconsideration of the Board's decision.

Analysis:

The attached resolution reflects staff's documentation of the Board's final decision, including the Board's discussion and comments on the application.

Policy Alignment:

Administrative Policy

BOT Action:

Review the attached resolution. If it accurately reflects the Board's decision, vote to approve the Resolution, the Mayor will sign the Resolution and the Town Clerk will place it in the Town's official records.

Attachments:

Resolution denying SUP for 102 Brookdale Avenue

TOWN OF BUENA VISTA

**RESOLUTION NO. 31
SERIES 2016**

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, DENYING A SPECIAL USE PERMIT FOR 102 BROOKDALE AVENUE, BUENA VISTA, COLORADO.

WHEREAS, Steve Wartman (the “Applicant”) owns 102 Brookdale Avenue, Buena Vista, Colorado (“Property”) in the B-1 Zone District;

WHEREAS, pursuant to Section 16-155(16) of the Buena Vista Municipal Code (“Code”), tire or windshield repair or replacement operations, muffler and exhaust system repair and fabrication operations and oil or vehicular fluid change operations require special use approval;

WHEREAS, the Applicant submitted an application for a Special Use Permit to use a section of the building located on the Property as an auto glass and tire replacement shop pursuant to Section 16-155(16);

WHEREAS, on March 16, 2016, the Planning and Zoning Commission recommended approval with conditions of the special use requested by the Applicant;

WHEREAS, notice of the public hearing before the Board of Trustees was properly posted and published pursuant to Section 16-61 of the Code;

WHEREAS, the Board of Trustees opened the public hearing on April 12, 2016, and took public comment; and

WHEREAS, after reviewing all material provided to it and hearing staff and public testimony, the Board of Trustees desires to deny the special use permit.

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

Section 1. The Board of Trustees, having reviewed the application, all information provided, testimony heard, and the criteria for approval of a Special Use Permit as set forth in Section 16-61 of the Code, finds that:

1. The proposed auto glass and tire replacement shop is a use requiring special use permit in the B-1 Zone District.
2. The adjacent properties, which are used as a hotel and single family residences, would be adversely impacted by the use. Previous use of the property in a similar manner demonstrated adverse impacts to the adjacent properties.

3. The proposed use is not consistent or compatible with the other uses in the neighborhood and adjacent properties.

4. The effects of noise, glare or odor of the special use on adjoining properties and the neighborhood are not acceptable or compatible with the adjoining properties and the neighborhood. In particular, working on vehicles outside of the building on the Property results in a greater impact on neighboring properties related to noise.

5. Screening and buffering of the use cannot adequately address the negative effects of the use on adjacent properties.

Section 2. The Board of Trustees finds that the application for tire or windshield repair or replacement operations, muffler and exhaust system repair and fabrication operations and oil or vehicular fluid change operations does not meet the criteria for approval in Sec. 16-61 of the Code, as described above, and therefore, the Board of Trustees denied the application at their meeting on April 12, 2016.

ADOPTED this 26th day of April, 2016.

Joel Benson, Mayor

ATTEST:

Janell Sciacca, Town Clerk



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

DATE: April 26, 2016
TO: Mayor and Board of Trustees
FROM: Brandy Reitter, Town Administrator

AGENDA ITEM: Resolution #34, Series 2016, entitled "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO REAFFIRMING THOSE PERSONS WHO ARE AUTHORIZED TO SIGN ON TOWN BANK ACCOUNTS."?

Request

A request is being made for the BOT to consider authorizing designated officers of the town to sign town bank account transactions.

Overview

After the appointment/reappointment of town officers the Board of Trustees is required to authorize newly affirmed officers to sign town's bank account transactions. The town has checking accounts with Colorado East Bank, High Country Bank and Colligate Peaks Bank.

To ensure that there are proper accounting controls, different authorizations exist at each bank. The request before the board is to reaffirm that the officials in Resolution #34 can sign on behalf of the Town of Buena Vista.

Analysis

None.

Policy Alignment

- Buena Vista Municipal Code
- Colorado Revised Statutes

BOT Action

Motion to **Approve** or **Deny** Resolution #34, Series 2016, entitled "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO REAFFIRMING THOSE PERSONS WHO ARE AUTHORIZED TO SIGN ON TOWN BANK ACCOUNTS."?

Roll Call vote is required as this relates to money.

TOWN OF BUENA VISTA, COLORADO

RESOLUTION NO. 34

(Series of 2016)

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO REAFFIRMING THOSE PERSONS WHO ARE AUTHORIZED TO SIGN ON TOWN BANK ACCOUNTS.

WHEREAS, the Town of Buena Vista currently has checking accounts at Collegiate Peaks Bank and certificates of deposit at High Country Bank, Colorado East Bank and Collegiate Peaks Bank; and

WHEREAS, the Town of Buena Vista has VISA debit cards secured by checking accounts at Collegiate Peaks Bank for the use of employees for purchasing budgeted items; and

WHEREAS, the Board wishes to reaffirm all signers on the Town accounts.

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

Section 1. The following persons are authorized signatories for all Town bank or financial institution accounts maintained by the Town of Buena Vista other than the debit card checking accounts:

- A. Joel Benson, Mayor
- B. _____, Mayor Pro Tem
- C. Brandy Reitter, Town Administrator
- D. Janell Sciacca, Town Clerk

All checks or other instruments evidencing the withdrawal of Town funds from any bank or other financial institution shall be signed by either the Mayor or Mayor Pro Tem, and by either Janell Sciacca, Town Clerk, or Brandy Reitter, Town Administrator

Section 2. The following persons are authorized signatories for all Town debit card checking accounts:

- A. Michelle Stoke, Town Treasurer
- B. Brandy Reitter, Town Administrator

Section 3: The following persons are authorized to transfer funds between all Town financial accounts held by banks or other financial institutions:

- A. Michelle Stoke, Town Treasurer
- B. Brandy Reitter, Town Administrator

Section 4: All Resolutions of the Town of Buena Vista which are inconsistent herewith are hereby repealed.

Section 5. This resolution shall become effective upon adoption.

RESOLVED, APPROVED AND ADOPTED this 26th day of April, 2016.

TOWN OF BUENA VISTA, COLORADO

By _____
Joel Benson, Mayor

Janell Sciacca, Town Clerk



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

DATE: April 26, 2016

TO: Mayor and Board of Trustees

FROM: Brandy Reitter, Town Administrator

AGENDA ITEM: Selection and appointment of Mayor Pro Tem

Request

A request is being made of the BOT to appoint a current member of the Board of Trustees to fill the Mayor Pro Tem position for the 2016-2018 term.

Overview

The Mayor Pro Tem's duties as assigned Under Chapter 2, Article II: Section 2-23 of the Buena Vista Municipal Code are a function of the Board of Trustees. In the past the Mayor Pro Tem chairs the trustee meetings in the Mayor's absence, facilitates the evaluation of town officers, and performs various tasks assigned by the Board of Trustees.

Analysis

The code spells out the specific duties of the Mayor Pro Tem and they are provided below:

- a) At the first meeting after the regular municipal election, the Board of Trustees shall choose one (1) of the Trustees as Mayor Pro Tem.
- b) In the absence of the Mayor from any meeting of the Board of Trustees, or during the Mayor's absence from Town or his or her inability to act, the Mayor Pro Tem shall perform the Mayor's duties.
- c) When performing the Mayor's duties, the Mayor Pro Tem shall vote as a Trustee.
- d) The Mayor Pro Tem shall serve as the informational liaison between the Board of Trustees and the Town Administrator between regular or special meetings of the Board of Trustees.

Policy Alignment

- Policy Governance Doctrine
- Buena Vista Municipal Code

BOT Action

Motion to Approve the appointment of _____ as Mayor Pro Tem for the Town of Buena Vista.



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

DATE: April 26, 2016
TO: Mayor and Board of Trustees
FROM: Brandy Reitter, Town Administrator
AGENDA ITEM: Items F – J: Reappointments of Town Officers

Request

A request is being made to the Board of Trustees to reappoint/appoint the town officers.

Overview

Within 30 days of the regular municipal election, the Board of Trustees are required to consider reappointing/appointing the officers of the town.

Analysis

The code section that addresses the reappointments/appointments is in Article III, Sec. 2-41, titled: Appointed Officers.

The following officers of the Town shall be appointed by a majority vote of all the members of the Board of Trustees: (a) Town Administrator (b) Town Attorney (c) Municipal Judge (d) Town Clerk (e) Town Treasurer. The appointment and/or reappointment of officers shall occur at the second regular meeting of the Board of Trustees after each regular municipal election.

Policy Alignment

Town of Buena Vista Municipal Code.

BOT Action

The BOT shall consider each resolution 35 – 39 individually.

Motion to **Approve** or **Deny** adoption of Resolution #35, Series 2016, entitled "A RESOLUTION OF THE BOARD OF TRUSTEE OF THE TOWN OF BUENA VISTA, COLORADO REAPPOINTING BRANDY REITTER AS TOWN ADMINISTRATOR"?

Motion to **Approve** or **Deny** adoption of Resolution #36, Series 2016, entitled "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING JEFFERSON PARKER AS TOWN ATTORNEY"?

Motion to **Approve** or **Deny** adoption of Resolution #37, Series 2016, entitled "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING JANELL SCIACCA AS TOWN CLERK"?

Motion to **Approve** or **Deny** adoption of Resolution #38, Series 2016, entitled "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING NEIL REYNOLDS AS MUNICIPAL COURT JUDGE"?

Motion to **Approve** or **Deny** adoption of Resolution #39, Series 2016, entitled "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING MICHELLE STOKE AS TOWN TREASURER"?

TOWN OF BUENA VISTA, COLORADO

**RESOLUTION NO. 35
(Series of 2016)**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA,
COLORADO, REAPPOINTING BRANDY REITTER AS TOWN ADMINISTRATOR.**

WHEREAS, Sec. 2-41 of the Municipal Code authorizes and directs the Board of Trustees to appoint town officers by a majority vote of all members of the Board; and

WHEREAS, the appointment and/or reappointment of town officers shall occur at the second regular meeting of the Board of Trustees after each regular municipal election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO that the following person shall be and is hereby appointed as a Town Officer and that, unless otherwise specified, such person shall hold her respective office until the second regular meeting of the Board of Trustees after the next regular municipal election, and in no event longer than thirty (30) days after the swearing in of the next elected Board, unless removed earlier in accordance with the ordinances of the Town of Buena Vista:

Brandy Reitter is reappointed Town Administrator.

RESOLVED, APPROVED, AND ADOPTED this 26th day of April, 2016.

TOWN OF BUENA VISTA

(Seal)

By: _____
Joel Benson, Mayor

ATTEST:

Janell Sciacca, Town Clerk

TOWN OF BUENA VISTA, COLORADO

**RESOLUTION NO. 36
(Series of 2016)**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA,
COLORADO, REAPPOINTING JEFFERSON PARKER AS TOWN ATTORNEY.**

WHEREAS, Sec. 2-41 of the Municipal Code authorizes and directs the Board of Trustees to appoint town officers by a majority vote of all members of the Board; and

WHEREAS, the appointment and/or reappointment of town officers shall occur at the second regular meeting of the Board of Trustees after each regular municipal election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO that the following person shall be and is hereby appointed as a Town Officer and that, unless otherwise specified, such person shall hold his respective office until the second regular meeting of the Board of Trustees after the next regular municipal election, and in no event longer than thirty (30) days after the swearing in of the next elected Board, unless removed earlier in accordance with the ordinances of the Town of Buena Vista:

Jefferson Parker is reappointed Town Attorney.

RESOLVED, APPROVED, AND ADOPTED this 26th day of April, 2016.

TOWN OF BUENA VISTA

(Seal)

By: _____
Joel Benson, Mayor

ATTEST:

Janell Sciacca, Town Clerk

TOWN OF BUENA VISTA, COLORADO

**RESOLUTION NO. 37
(Series of 2016)**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA,
COLORADO, REAPPOINTING JANELL SCIACCA TOWN CLERK.**

WHEREAS, Sec. 2-41 of the Municipal Code authorizes and directs the Board of Trustees to appoint town officers by a majority vote of all members of the Board; and

WHEREAS, the appointment and/or reappointment of town officers shall occur at the second regular meeting of the Board of Trustees after each regular municipal election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO that the following person shall be and is hereby appointed as a Town Officer and that, unless otherwise specified, such person shall hold her respective office until the second regular meeting of the Board of Trustees after the next regular municipal election, and in no event longer than thirty (30) days after the swearing in of the next elected Board, unless removed earlier in accordance with the ordinances of the Town of Buena Vista:

Janell Sciacca is reappointed Town Clerk.

RESOLVED, APPROVED, AND ADOPTED this 26th day of April, 2016.

TOWN OF BUENA VISTA

(Seal)

By: _____
Joel Benson, Mayor

ATTEST:

Janell Sciacca, Town Clerk

TOWN OF BUENA VISTA, COLORADO

**RESOLUTION NO. 38
(Series of 2016)**

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING JUDGE NEIL REYNOLDS AS MUNICIPAL COURT JUDGE.

WHEREAS, Sec. 2-41 of the Municipal Code authorizes and directs the Board of Trustees to appoint town officers by a majority vote of all members of the Board; and

WHEREAS, the appointment and/or reappointment of town officers shall occur at the second regular meeting of the Board of Trustees after each regular municipal election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO that the following person shall be and is hereby appointed as a Town Officer and that, unless otherwise specified, such person shall hold his respective office until the second regular meeting of the Board of Trustees after the next regular municipal election, and in no event longer than thirty (30) days after the swearing in of the next elected Board, unless removed earlier in accordance with the ordinances of the Town of Buena Vista:

Neil Reynolds is reappointed Municipal Court Judge.

RESOLVED, APPROVED, AND ADOPTED this 26th day of April, 2016.

TOWN OF BUENA VISTA

(Seal)

By: _____
Joel Benson, Mayor

ATTEST:

Janell Sciacca, Town Clerk

TOWN OF BUENA VISTA, COLORADO

**RESOLUTION NO. 39
(Series of 2016)**

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING MICHELLE STOKE TOWN TREASURER.

WHEREAS, Sec. 2-41 of the Municipal Code authorizes and directs the Board of Trustees to appoint town officers by a majority vote of all members of the Board; and

WHEREAS, the appointment and/or reappointment of town officers shall occur at the second regular meeting of the Board of Trustees after each regular municipal election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO that the following person shall be and is hereby appointed as a Town Officer and that, unless otherwise specified, such person shall hold his respective office until the second regular meeting of the Board of Trustees after the next regular municipal election, and in no event longer than thirty (30) days after the swearing in of the next elected Board, unless removed earlier in accordance with the ordinances of the Town of Buena Vista:

Michelle Stoke is reappointed Town Treasurer.

RESOLVED, APPROVED, AND ADOPTED this 26TH day of April, 2016.

TOWN OF BUENA VISTA

(Seal)

By: _____
Joel Benson, Mayor

ATTEST:

Janell Sciacca, Town Clerk



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

DATE: April 21, 2016

TO: Mayor and Board of Trustees

FROM: Janell Sciacca, Town Clerk – Clerk's Office

AGENDA ITEM: The Little Daisy Company dba Little Daisy Company Retail Liquor Store,
Change of Location Application

Request

To change the location of The Little Daisy Company Retail Liquor Store from 302 US Highway 24 North to 401 US Hwy 24 N, Unit B.

Overview

Seldon Turnbull, President of Little Daisy Company dba The Little Daisy Company, submitted an application to the Town Clerk's Office on March 1, 2016 for a Change of Location for his Retail Liquor Store currently located 302 US Hwy 24. The applicant is seeking to move from the current location to 401 US Highway 24 N, Unit B which currently houses 3D Autoglass and Tire.

Analysis

The applicant submitted the required application in a timely fashion. The application is complete with a copy of a Commercial Lease establishing possession of the proposed location, a detailed diagram of the premises and fees for the State of Colorado and the Town of Buena Vista. The applicant applied for a Sign Permit and was granted approval by the Planning & Zoning Commission on April 6, 2016. The applicant also applied for and was granted a Change of Use and he has sought a building permit with Chaffee County for an interior remodel.

As required by law, the proposed new location was posted with a Public Notice on March 2, 2016 and a Notice of Public Hearing on the application appeared in the March 31, 2016 edition of the Chaffee County Times.

Following the hearing on April 12, 2016, the applicant began obtaining signatures to prove the needs and desires of the neighborhood as recommended by the Town Attorney. On Thursday, April 21, 2016, the applicant submitted 249 signatures of residents, managers or business owners in support of the application.

If the application is approved by the Board of Trustees, the license for the new location would be held by the Town Clerk's Office pending final filing of the Building Permit and the applicant will have sixty (60) days from approval to change the location and cease sale of alcoholic beverages at the current location.

Policy Alignment

Administration Policy – A change of location is permitted under the Colorado Liquor Code Section 12-47-303(9)(a) and Chapter 6, Article I of the Buena Vista Town Code.

BOT Action

To approve the application from The Little Daisy Company to Change Location of The Little Daisy Company Retail Liquor Store to 401 US Highway 24 N, Unit B, Buena Vista, CO.

Attachments

Permit Application and Report of Changes
Diagram of Premises
Public Hearing Notice
Needs & Desires Petition

PERMIT APPLICATION AND REPORT OF CHANGES

CURRENT LICENSE NUMBER 05212470000
 ALL ANSWERS MUST BE PRINTED IN BLACK INK OR TYPEWRITTEN
 LOCAL LICENSE FEE \$ 500-
 APPLICANT SHOULD OBTAIN A COLORADO LIQUOR & BEER CODE BOOK TO ORDER CALL (303) 370-2165

1. Applicant is a	PRESENT LICENSE NUMBER
<input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Partnership..... <input type="checkbox"/> Limited Liability Company	<div style="font-size: 1.5em; font-weight: bold;">05212470000</div>

2. Name of Licensee <u>Little Daisy Company</u>	3. Trade Name <u>The Little Daisy Company</u>
--	--

4. Location Address <u>302 US HWY 24 N</u>		
City <u>Buena Vista CO</u>	County <u>Chaffee</u>	ZIP <u>81211</u>

SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.

Section A – Manager reg/change	Section C
• License Account No. <u>05212470000</u> 1983-750 (999) <input type="checkbox"/> Manager's Registration (Hotel & Restr)..\$75.00 2012-750 (999) <input type="checkbox"/> Manager's Registration (Tavern).....\$75.00 <input type="checkbox"/> Change of Manager (Other Licenses) NO FEE	2210-100 (999) <input type="checkbox"/> Retail Warehouse Storage Permit (ea) \$100.00 2200-100 (999) <input type="checkbox"/> Wholesale Branch House Permit (ea).... 100.00 2260-100 (999) <input type="checkbox"/> Change Corp. or Trade Name Permit (ea) .50.00 2230-100 (999) <input type="checkbox"/> Change Location Permit (ea)..... 150.00 2280-100 (999) <input checked="" type="checkbox"/> Change, Alter or Modify Premises \$150.00 x <u>1</u> Total Fee <u>\$150-</u>
Section B – Duplicate License	
• Liquor License No. _____ 2270-100 (999) <input type="checkbox"/> Duplicate License\$50.00	2220-100 (999) <input type="checkbox"/> Addition of Optional Premises to Existing H/R \$100.00 x _____ Total Fee _____ 1988-100 (999) <input type="checkbox"/> Addition of Related Facility to Resort Complex \$75.00 x _____ Total Fee _____

DO NOT WRITE IN THIS SPACE – FOR DEPARTMENT OF REVENUE USE ONLY

DATE LICENSE ISSUED	LICENSE ACCOUNT NUMBER	PERIOD

-750 (999)	-100 (999)	The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.	TOTAL AMOUNT DUE \$ _____ .00
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INSTRUCTION SHEET

FOR ALL SECTIONS, COMPLETE QUESTIONS 1-4 LOCATED ON PAGE 1

Section A

To Register or Change Managers, check the appropriate box in section A and complete question 8 on page 4. Proceed to the Oath of Applicant for signature (Please note: Hotel, Restaurant, and Tavern licensees are required to register their managers).

Section B

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 4 for Oath of Applicant signature.

Section C

Check the appropriate box in section C and proceed below.

- 1) *For a Retail Warehouse Storage Permit*, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 2) *For a Wholesale Branch House Permit*, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 3) *To Change Trade Name or Corporation Name*, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 4) *To modify Premise*, go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 5) *For Optional Premises or Related Facilities* go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 6) *To Change Location*, go to page 3 and complete question 7. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.

STORAGE PERMIT

5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit

Retail Warehouse Permit for:

- On-Premises Licensee (Taverns, Restaurants etc.)
- Off-Premises Licensee (Liquor stores)

Wholesalers Branch House Permit

Address of storage premise: _____

City _____, County _____, Zip _____

Attach a deed/ lease or rental agreement for the storage premises.
Attach a detailed diagram of the storage premises.

CHANGE TRADE NAME OR CORPORATE NAME

6. Change of Trade Name or Corporation Name

- Change of Trade name / DBA only
- Corporate Name Change (Attach the following supporting documents)
 1. Certificate of Amendment filed with the Secretary of State, or
 2. Statement of Change filed with the Secretary of State, and
 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.

Old Trade Name	New Trade Name
Old Corporate Name	New Corporate Name

CHANGE OF LOCATION

7. Change of Location

NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 12-47-311 (1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held.

Date filed with Local Authority 3-1-16 ✓ Date of Hearing 04-12-2016

(a) Address of current premises 302 US HWY 24 N

City Buena Vista County Chaffee Zip 81211

(b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee)

Address 401 US HWY 24 N Unit B

City Buena Vista County Chaffee Zip 81211

(c) New mailing address if applicable.

Address PO BOX 5

City Buena Vista County Chaffee State CO Zip 81211

(d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.

CHANGE OF MANAGER

8. Change of Manager or to Register the Manager of a Tavern or a Hotel and Restaurant liquor license.

(a) Change of Manager (attach Individual History DR 8404-I H/R and Tavern only)

Former manager's name _____

New manager's name _____

(b) Date of Employment _____

Has manager ever managed a liquor licensed establishment?..... Yes No

Does manager have a financial interest in any other liquor licensed establishment?..... Yes No

If yes, give name and location of establishment _____

9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility

NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.

(a) Describe change proposed _____

(b) If the modification is temporary, when will the proposed change:

Start _____ (mo/day/year) End _____ (mo/day/year)

NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00

(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?

(If yes, explain in detail and describe any exemptions that apply) Yes No

(d) Is the proposed change in compliance with local building and zoning laws? Yes No

(e) If this modification is for an additional Hotel and Restaurant Optional Premises or Resort Complex Related Facility, has the local authority authorized by resolution or ordinance the issuance of optional premises?

..... Yes No

(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.

(g) Attach any existing lease that is revised due to the modification.

MODIFY PREMISES OR ADDITION OF OPTIONAL PREMISES OR RELATED FACILITY

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature <i>Seldon E. Lambert</i>	Title <i>President</i>	Date <i>3-1-16</i>
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REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY / COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 12, Articles 46 and 47, C.R.S., as amended. **THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority (City or County)	Date filed with Local Authority <i>03-01-2016</i>
--	--

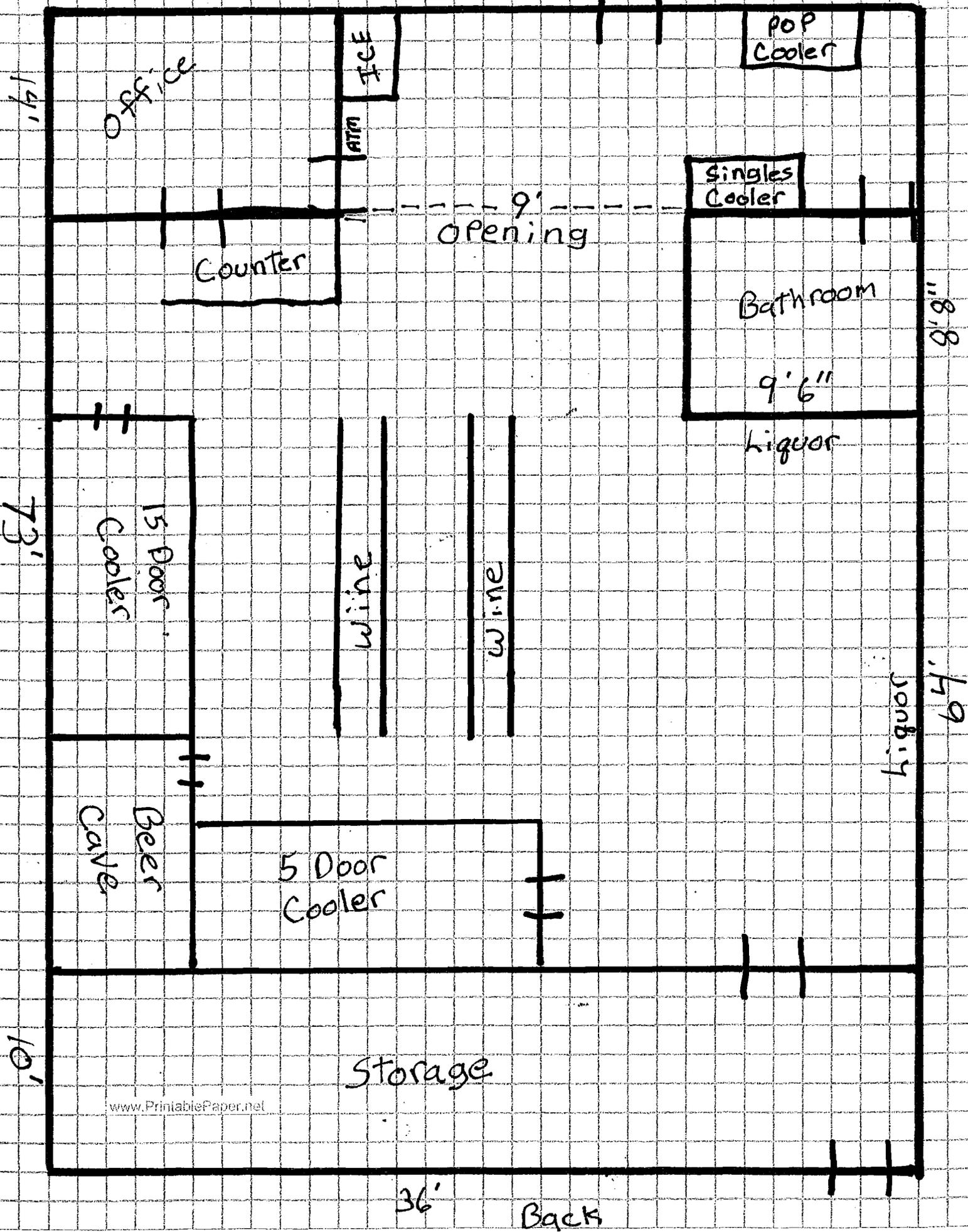
Signature	Title	Date
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REPORT OF STATE LICENSING AUTHORITY

The foregoing has been examined and complies with the filing requirements of Title 12, Article 47, C.R.S., as amended.

Signature	Title	Date
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West front



NOTICE OF PUBLIC HEARING ON LIQUOR LICENSE APPLICATION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Board of Trustees of the Town of Buena Vista, Colorado, in the Piñon Room of the Buena Vista Community Center, 715 East Main Street, Buena Vista, Colorado, on Tuesday, April 12, 2016, beginning at 7:30 PM or approximately thereafter. This hearing is on an application to Change Location of the Little Daisy Company Liquor Store currently located at 302 N. Highway 24, Buena Vista, Colorado as submitted by Little Daisy Company.

The following information is provided:

APPLICATION REQUEST:	Change of Location for Retail Liquor Store
CURRENT LOCATION:	302 US Highway 24 North, Buena Vista, CO
PROPOSED NEW LOCATION:	401 US Highway 24 North – Unit B, Buena Vista, CO
DATE OF APPLICATION:	March 1, 2016
DATE & TIME OF HEARING:	April 12, 2016 – 7:30 PM
APPLICANT:	The Little Daisy Company
Owner/Manager:	Seldon Turnbull, President 227 US Highway 24 N Buena Vista, CO 81211

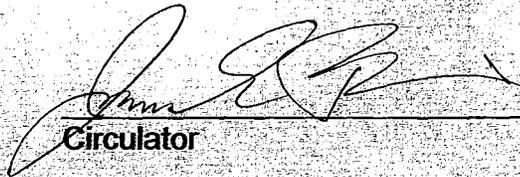
All interested parties are encouraged to attend. Further information can be obtained at the Clerk’s Office, 210 East Main Street in Buena Vista, or by calling (719) 395-8643 ext. 10.

For the Board of Trustees
Town of Buena Vista, Colorado
Janell Sciacca, CMC
Town Clerk

As per Section 12-47-311C.R.S., Public notice - posting and publication - Notice was posted by sign in a conspicuous place on the premises for which this application has been made on or before Thursday, March 31, 2016, and published in *The Chaffee County Times* on Thursday, March 31, 2016.

AFFIDAVIT OF CIRCULATOR

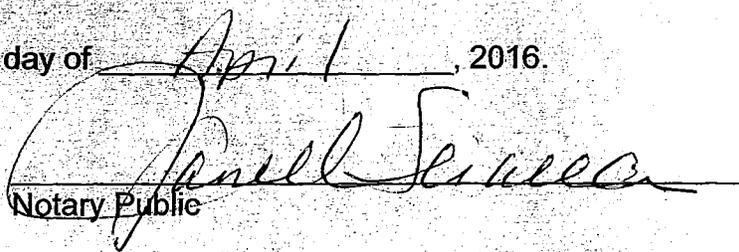
I, JAMES ROBINSON, do hereby certify that I was the circulator of the attached petition and further, that I personally witnessed each signature appearing on the petition. To the best of my knowledge, each signature thereon is the signature of the person whose name it purports to be, each address given opposite each name is the true address of the person that signed, that each person who signed the petition represented him/herself to be 21 years of age or older, and that each person who signed the petition had the opportunity to read, or have read to him/her, the petition in its entirety and understands its meaning. I also hereby affirm that no promises, threats, or inducements were employed whatsoever in connection with the presentation of this petition and that every signature appearing hereon was completely free and voluntarily given.


Circulator

STATE OF COLORADO)
) SS.
COUNTY OF CHAFFEE)

Subscribed and sworn to before me this 21st day of April, 2016.

JANEL L SCIACCA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19974016777
MY COMMISSION EXPIRES OCTOBER 5, 2017


Notary Public

My Commission Expires:

PETITION TO THE BUENA VISTA BOARD OF TRUSTEES

I, the undersigned, am aware that an application for a **CHANGE OF LOCATION FOR A RETAIL Liquor License** has been filed with the Town of Buena Vista by **LITTLE DAISY COMPANY** and doing business as **LITTLE DAISY COMPANY RETAIL LIQUOR STORE** and proposed to be located at **401 US HIGHWAY 24 N, UNIT B, BUENA VISTA CO 81211**. I am at least 21 years of age and a resident or owner or manager of a business located with the defined neighborhood boundaries of the proposed liquor establishment (Town of Buena Vista). I have indicated below whether I consider the granting of the above-mentioned liquor license to be desirable and necessary for the reasonable requirements of the neighborhood:

SIGNATURE	PRINTED NAME	ADDRESS	BUSINESS OWNER OR MANAGER, RESIDENT	DATE SIGNED	YES	NO
	MONTE TRUMBULL	18291 WAGON TRAIL	RESIDENT	4/13/16	✓	
	Tummy Toliver	30070 HWY 24 N	RESIDENT	4/13/16	✓	
	Karen Selging	29057 CR 357	RESIDENT	4/13/16	✓	
	Kevin Thompson	PO BOX 1969 BV	RESIDENT	4/13/16	✓	
	Brandon Cates	17010 CR 1602 NATHROP	RES	4/13/16	✓	
	Michael Abbott	623 CEDAR	RES	4/13/16	✓	
	Larkin Wiegert	15700 CR 353	BUS OWNER	4/13/16	✓	
	DAVE RITZMAN	30540 TIMBERLINE	RES	4/13/16	✓	
	STEPHEN D. LEWIS	515 S. SAN JUAN	RES	4/13/16	✓	
	Shane Cable	17577 CR 386	RES	4-13-16	✓	
	Pearl Delora	903 SO. MAIN ST	RES.	4-13-16	✓	
	Diana Waeker	125 N. Pleasant	RES	4-13-16	✓	
	Karen Steldt	30860 CR 356-3	RESIDENT	4-13-16	✓	
	JEFF ZARLING	106 BAYLOR	RESIDENT	4-13-16	✓	
	Patti Sellers	30444 Habitat	RESIDENT	4/13/16	✓	
	Jesse Orke	Mt. Princeton	RESIDENT	4/13/16	✓	
	Tom Ewas	107 Jane St BV	RESIDENT	4/13/16	✓	
	CHUCK MITCHELL	27975 CT. RD 340	RESIDENT	4/13/16	✓	
	MICHAEL LETOUR	301 ADINA ST #103	RESIDENT	4-13-16	✓	
	Damien Turnbull	277 N Hwy 24	RESIDENT	4-13-16	✓	
	Richard Duran	304 East Main St.	RESIDENT	4-13-16	✓	
	Robbire Anderson	134 Robert Dr	RES	4-13-16	✓	
	John Benkowski	PO Box 4356	RES	4-13-16	✓	
	DAVE LUKENS	POB 4332 BV	RES/BIZ OWN	4/13/16	✓	
	Adrian Walker	30350 CR 16356 BV	RES	4/13/16	✓	
	Laura Talbott	15345 Len Ln	RESIDENT	4-13-16	✓	
	Peter Miskis	109 Raver Way	RES	4/13/16	✓	
	Thomas Schneider	103 Trento Street	RES	4/13/16	✓	
	Amy Eckstein	119 Meadow Lane	BUS OWNER	4/13/16	✓	
	MIKE WIER	13250 CR 353	RES		✓	

PETITION TO THE BUENA VISTA BOARD OF TRUSTEES

I, the undersigned, am aware that an application for a CHANGE OF LOCATION FOR A RETAIL Liquor License has been filed with the Town of Buena Vista by LITTLE DAISY COMPANY and doing business as LITTLE DAISY COMPANY RETAIL LIQUOR STORE and proposed to be located at 401 US HIGHWAY 24 N, UNIT B, BUENA VISTA CO 81211. I am at least 21 years of age and a resident or owner or manager of a business located with the defined neighborhood boundaries of the proposed liquor establishment (Town of Buena Vista). I have indicated below whether I consider the granting of the above-mentioned liquor license to be desirable and necessary for the reasonable requirements of the neighborhood:

SIGNATURE	PRINTED NAME	ADDRESS	BUSINESS OWNER OR MANAGER, RESIDENT	DATE SIGNED	YES	NO
	Susan Miller	19025 CR 306	✓	4/18	✓	
	David Best	412 N. Colorado	✓	4/18	✓	
	Todd Cummins	219 N. Colorado	✓	4/13	✓	
	Jacqueline Accaira	30606 CR 383	✓	4/13	✓	
	Noah Accaira	30606 CR 383	✓	4/13	✓	
	Matthew Taylor		✓	4/13	✓	
	Colby Mackay	28362 CR 317	✓	04/13	✓	
	Alex Diamond	104 Dartmouth, 81211	Res	4/13	✓	
	Jon Bernhart	510 E ARKANSAS	✓	4/13	✓	
	DAVID TRON	P.O. Box 30	✓	4/13	✓	
	JAMES EGGEN	PO Box 1886	✓	4/13	✓	
	Sazmie Holcomb	15105 Alta Vista Drive	✓	4/13	✓	
	Amy Lynch	15302 CR 306	✓	4/13	✓	
	MICHELLE NORRISSETE	239 BROOKDALE AVE	✓	4/13	✓	
	JAMES MARTINEZ	201 Larkin Ln	✓	4/13	✓	
	AGNES	POB 251	✓	4-13	✓	
	JOEL	PO BOX 1491	✓	4-13	✓	
	John	Po Box 213	✓	4.13	✓	
	Kim	Box 1211	✓	4/13	✓	
	JEFF NEW	726 W. MAIN	✓	4/13	✓	
	Todd Laback	29936 CR 371	✓	4/13	✓	
	Mark Walters	5 Tankers Lane	✓	4/13	✓	
	SAM ORTEGA	81 Kathy Dr	✓	4-13	✓	
	PORTER WALL	118 W. STERLING	✓	04-13-16	✓	
	HARRY HARDY	102 Red Tail	✓	4.13.16	✓	
	Jim Brophy	3115 San Juan St	Res	4/13	✓	
	Corina Walker	534 Cedar	✓	4-13	✓	
	Hannah Albertson	106 Shamu Way	✓	4-13	✓	
	Donna Clark	27975 CR 340 B.V.	✓	4/13	✓	

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SIGNATURE	PRINTED NAME	ADDRESS	BUSINESS OWNER OR MANAGER, RESIDENT	DATE SIGNED	YES	NO
	Dana McDowell	134 Oak St, BV, 81211	resident	4/13	X	
	CHAD JENSEN	632 1/2 W. Main St.	resident	4/13	X	
	ROBERT JAMES	13964 Chemical Ln	resident	4/13	X	
	Galena Gallegos	212 Yale Place	Resident	4/13	✓	
	Margo Verkalite	308 West Ark St.	resident	4/13	X	
	Festrict	147 James Dr.	Both	4/13	✓	
	Alfonso	537 Santa Ray Rd	RES	4/13	✓	
	SCOTT TICHUL	516 Hwy 24 N.	MANAGER	4/13/16	X	
	Richw Sans	607 Main St.	Resident	4/13/16	X	
	Wes Thompson	203 Cedar St	resident	4/13/16	X	
	Evan Moffitt	30595 Cr. 383 #1	manager	4/13/16	X	
	David Smith	30210 Hwy 24	owner	4/13/16	X	
	Terry Sandmen	93 Centre Dr.	Resident	4/13/16	X	
	Curtis Yanasak	130 S Sangre de Cristo	Manager	4/13/16	X	
	Dawn Zelen	" "	manager	4/13/16	X	
	CHRIS HERSMAN	6025 Cranstadere	MANAGER	4/13/16	X	
	Alexis Norton	329 Purvis Place #10	resident	4/13/16	X	
	Bob Brown	15773 Cr 352	resident	4/13/16	X	
	Paul Lehmann	118w Sterling Ave #14	Resident	4/13/16	X	
	Dave Smith	1410 Crossman	Resident	4/13/16	X	
	Julian Barbier	549 Park Lane	Resident	4/13/16	X	
	Will Cervy	" "	" "	" "	X	
	Alex Bidranski	15670 Birdlane BV	Resident	4-13-16	X	
	Randy Lbeck	24865 CR 371	Business Owner	4-13-16	X	
	Weston Frazier	606 Marquette Ave.	Resident	4-13-16	X	
	Steve Cable	2316 James St.	Resident	4-14-16	X	
	Alex Oberlin	3750 Mt Valde	Resident	4-14-16	X	
	Phil Moffitt	33693 CR 373A BV	Resident	4/14/16	X	
	Lloyd Turnbull	636 James Place	Resident	4/14/16	X	
	Inza Taylor	122 Bay Lor Dr.	Resident	4/14/16	X	

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SIGNATURE	PRINTED NAME	ADDRESS	BUSINESS OWNER OR MANAGER, RESIDENT	DATE SIGNED	YES	NO
	Austin Andersen	323 Chestnut St	Resident	4/15/16	X	
	Pete Colver	306 Crossmen	Resident	4-15-16	X	
	David Meltzer	103537	"	4-15-16	X	
	J.J. MICKELSON	338 JAMES ST BV	RESIDENT	4-15-16	X	
	Heather Worley	412 hwy 24 north	Resident	4/15/16	X	
	Logan Myers	28915 CR 331	Resident	4/15/16	X	
	Mirayla Smith	136 Oak Street	Residence	04/15/16	X	
	Luis C. Frias	136 Oak Street	Resident	04/15/16	X	
	DEBBIE MORALES	142 Windwalker Rd	Resident	4/15/16	X	
	HERB DAUGHERTY	27665 CR 313 #30	Resident	4/15/16	X	
	JASON PAEZ	16790 CR 306	AFEL	4/15/16	X	
	JEFF HOFFMAN	1000 RIVER PARK	RESIDENT	4/15/16	X	
	Melanie Scott	16240 Mt. Princeton	Resident	4-15-16	X	
	Dennis Felt	12850 CR 314	OWNER	4-15-16	X	
	Pat Felt	117 Samps	Both	4-15-16	X	
	Peggy Willisthain	26303 CR 20	Resident	4-15-16	X	
	CHAD CLOWAN	16920 CR. 338	RESIDENT	4-15-16	X	
	Pam CORR	15378 Bu Falso Meadow	Resid.	4-15-16	X	
	Brett Boren	306 S. Garrison Ave	Res	4-15-16	X	
	MARIANNE MAES	118 HARVARD LANE	RESIDENT	4-15-16	X	
	William Dirke	632.5 West main	Resident	4-15-16	X	
	Beth Jaffe	28827 Castle Rock av	Resident	4-15-16	X	
	Patti Moffitt	P.O. BOX 45	Resident	4-15-16	X	
	Lisa Howls	113 Trenton St	Resident	4-15-16	X	
	Daniel Wayne Johansen	307 Essex St	Resident	4-15-16	X	
	Kacey Ebersole	27200 Cr. Rd 313 #26	Resident	4-15-16	X	
	Beth Macnab	28362 CR 317	Resident	4-15-16	X	
	Beth Mason	102 Meadow Ln	resident	4/15/16	X	
	Susan Miles	2836 CR 340	RESIDING	4/15/16	X	
	Seth Branell	27745 Aspen Ridge	resident	4/16/16	X	

PETITION TO THE BUENA VISTA BOARD OF TRUSTEES

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SIGNATURE	PRINTED NAME	ADDRESS	BUSINESS OWNER OR MANAGER, RESIDENT	DATE SIGNED	YES	NO
	James Robinson	516 Gold Street	Manager	4/14/16	X	
	Daniel Gertner	228 Cedar St	Customer	4/15/16	X	
	Amber Dahlberg	117 Bayl Dr	Res	4/15/16	X	
	James Connell	149 Connie Dr.	resident	4/14/16	X	
	Jeffrey Friedman	420 E. Main St	owner	4/14/16	X	
	CAROLYN SLATER	517 Park Ln		4/19/16	✓	
	Barry Karl-Clark	102 DREAM CATCHER	RESIDENT	4/14/16	✓	
	Danielle Chambers	PO Box 978	resident	4/14/16	X	
	Danielle Andersen	323 Chestnut St	Resident	4/16/16	X	
	Katherine Perry	18960 Vista Dr.	Manager	4/16/16	X	
	Bryan Carr	110 Baylor Dr.	Resident	4-14-16	X	
	Mark Kauffman	146 Windwalker Rd.	Resident	4-14-16	X	
	Chris Nozzen	89600 CR 353	Res. Manager	4-14-16	X	
	Erik Scott Johnson	1111 RIVER PARK RD BV CO	BUSINESS OWNER	4/14/16	X	
	DAVID M SCHULTZ	19835 Mich Jacob Park Rd	NOTHING TO DO	4/14/16	X	
	Devin Rowe	222 B S Gunnison Ave	Resident	4/14/16	X	
	ED BARKULIK	420 CALIFORNIA SR	Res	4-14	X	
	JAMES D. TERRIO	3875 CR 356-6	RES	4/14/16	X	
	Margaret Hankins	P.O. Box 5182	RES	4/14/16	X	
	Lenny Eckstein	119 Meadow Lane PO Box 4660	Business Owner	4/14/16	X	
	Maria A. Thomas	PO Box 5124	Res	4/14/16	X	
	Taylor Woolmington	29865 CR 357	Res	4/14/16	X	
	Sam Fruze	P.O. Box 1740	Res	4/14/16	X	
	Ivan Ozuna	18325 Vista Drive	Res	4/14/16	X	
	Whitney Palma	18325 Vista Dr	RES	4-14-16	X	
	Jim Nutter	406 W 24N	BIZ	4-14-16	X	
	KATHY NUTTER	406 US 24N	BIZ	4-14-16	X	
	Dennis Adamck	33833 Cty Rd 361	Res	4-15-16	X	
	JIM BERGERT	32715 US Hwy 24	RV	4-15-16	✓	
	Carolyn Miller	13975 Maxwell Vista	RV	4-15-16	✓	

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SIGNATURE	PRINTED NAME	ADDRESS	BUSINESS OWNER OR MANAGER, RESIDENT	DATE SIGNED	YES	NO
<i>[Signature]</i>	Dee Dee Brunell	27745 Aspen Ridge Circle	resident	4/16/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Deanna Macnab	29789 CR 353	resident	4/16/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Thomas Fisher	22652 CR 350A	RESIDENT	4/16/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Joy Dawn Brown	31260 Rio Vista Rd	Resident	4/16/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Nick Arnold	118W. Sterling	Resident	4/16/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	<i>[Signature]</i>	33015 Mt. Hermon Rd	resident	4/16/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Bob Reikam	29315 County Rd 558	Resident	4/16/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	DEBRA K LONDIS	29145 CR 330	RESIDENT	4/16/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Bonnie Linza	32290 CR 361	Resident	4/16/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Jane Cole	730 Arizona, BV	Resident	4/16/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Ryan Cole	730 Arizona	Resident	4/16/15	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Cristie Kennedy	105 W Woodwalker Rd	Resident	4/16/15	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Catharine Lemkach	502 S son Juan	Resident	4/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Jevan Hamida	215 Yale Pl	Resident	4/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Cindy Kratt	33505 Wapiti Cir	Resident	4/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Julie Tucker	173 Susan Dr	Resident	4/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Grant Bryans	1155 Guzman	Res	4/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Ted Van Houtum	29913 Wood Oak Hwy	resident	4-16-16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	CHARLES CROSS	22210 Piner Circle	Resident	4-16-16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	WM. M'QUEEN	301 E. MAIN #10	OWNER	4-16-16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Todd Snyder	301 Cedar St	RES	4-16-16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	CHARLES RAY	120A ROBERT DR	RES	4-16-16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Leo Johnson	1580 Tee Rd	RES	4/17/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Klay Kirby	33299 CR 371	Res	4/17/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Lita Cimignano	12935 CR 314B	Res	4/17/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	ARON DUFAL	17157 CR 306	RES	4-17-16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Rhianna Appel	114 S. San Juan	res.	4/17/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Melissa Boyett	328 cedar st.	resident	4/17/16	<input checked="" type="checkbox"/>	
<i>[Signature]</i>	Daniel Gunther	328 cedar st.	resident	4/17/16	<input checked="" type="checkbox"/>	

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SIGNATURE	PRINTED NAME	ADDRESS	BUSINESS OWNER OR MANAGER, RESIDENT	DATE SIGNED	YES	NO
	Jeff Berry	Po Box 72 BV	Resident	4-13-16	✓	
	Jennifer Garcia		Resident	4-13-16	✓	
	Ron Koch	P.O. Box 128	Res	4-13-16	✓	
	Dianne Wolf	P.O. Box 787	Res	4-13-16	✓	
	Andy Amato	136x 1614	RES	4-13-16	✓	
	Matt Proffers	3509 Vista	RES	4-13-16	✓	
	JACK NELSON	PO BOX 5191	RES	4-14-16	✓	
	DAN SCHWITTER	PO BOX 1758	Res	4/14	✓	
	Robert McCormack	PO BOX 4407	Res	4/14	✓	
	Kew Rayner	PO 5198	NO	4/14	✓	
	Keith Boyd	PO BOX 400	yes	4/14/16	✓	
	Wes Fox	PO BOX 227	yes	4/14/16	✓	
	Randy Dorey	P.O. Box 4831	yes	4/14/16	✓	
	CHRIS PARKMAN	PO Box 4768	owner	4/14/16	✓	
	Matt Fox	PO, Box	yes	4-15-16	✓	
	Eric Kase	PO Box 970	✓	4-15-16	✓	
	Mike C...	1236 Luby Mt. Ln	Res	4-16-16	✓	
	CARL PENN	406 S. CALIFORNIA	yes	4-16-16	✓	
	CARLE DAVIS	18350 VISTA DR	yes	4-16-16	✓	
	Matt Williams	BOX 4125	yes	4-15-16	✓	
	MARY ANN WILLIAMS	29620 CR 3726	yes	4/15-16	✓	
	David Garcia	PO Box 1072	yes	4-15-16	✓	
	John Brown	P.O. Box 943	yes	4/15/16	✓	
	R. GIOSCIA	BOX 1499	owner	4/16/16	✓	
	Lane M Kersty	Box 2020	Resident	4/16/16	✓	
	Joann Sullivan	POB 4422	resident	4/17/16	✓	
	Chris A Krocesky	POB 1631	Res	4-17-16	✓	
	JR Hoffman	33897 CR 373a BV Co	resident	4-17-16	✗	
	K.E. Carroll	PO Box 5269 BV Co	RES. Dent	4-17-18	✓	
	Leiloni Spurr	PO Box 1394 BV CO	Resident	4-18-16	✓	

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SIGNATURE	PRINTED NAME	ADDRESS	BUSINESS OWNER OR MANAGER, RESIDENT	DATE SIGNED	YES
1. <i>Charles Slavin</i>	Charles Slavin	1225 City Road 356A B.V. CO 81211		4/13/16	X
2. <i>Jennifer Haggard</i>	Jennifer Haggard	2720 City Rd 313 #2 ^{BV} _{CO 81211}		4/13/16	X
3. <i>MORIN</i>	MORIN	322 N. Railroad		4/13/16	X
4. <i>ZACH ALEXANDER</i>	ZACH ALEXANDER	3000 CR 353		4-18-16	X
5. <i>Brian Casper</i>	Brian Casper	24899 Hwy 285 BV		4/18/16	X
6. <i>Emily Stinnett</i>	Emily Stinnett	16225 Cr 356-A BV		4/18/16	X
7. <i>Sarah Koch</i>	Sarah Koch	26541 CR 319 B.V		4/18/16	X
8. <i>Chuck Mitchell</i>	Chuck Mitchell	27975 CR 440		4/19/16	X
9. <i>Matt Jones</i>	Matt Jones	PO Box 1393		4/27	X
10. <i>Lynn Hodgson</i>	Lynn Hodgson	PO Box 5309		4/19	X
11. <i>Ashley Mitchell</i>	Ashley Mitchell	11255 CR 198 Nathrop		4/19	X
12. <i>Gyff D Lacy</i>	Gyff D Lacy	545 1/2 Hwy 24 N BV	Bus	4/19	X
13. <i>John Ewe</i>	John Ewe	127 James S	Resid	4/20	X
14. <i>Sarah Cravce</i>	SARAH CRAVCE	PO Box 913 172 Robert Dr		4/20/16	X
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SIGNATURE	PRINTED NAME	ADDRESS	BUSINESS OWNER OR MANAGER, RESIDENT	DATE SIGNED	YES	NO
	Marvin Fields	19256 Cot 343	Marvin Fields Grech	4/18/16	X	
	Jeremy Glas	Po Box 1458	resident	4/18/16	X	
	RAY VILLANI	PO Box 1257	resident	4/18/16	X	
	Ashley Ahlert	PO Box 4523	resident	4/18/16	X	
	Thomas Gram	PO BOX 4523	Resident	4/18/16	X	
	Anthony Nunn	PO Box 1697	Resident	4/18/16	X	
	Lauren Turner	224 N San Juan Ave	Resident	4/20/16	X	
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Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643

DATE: April 20, 2016

TO: Mayor and Board of Trustees

FROM: Mark Doering, Principal Planner, Planning Department

AGENDA ITEM: O'Reilly Subdivision Minor Final Plat

Request:

Scott Kraus and Laura Allred are requesting approval of a Minor Subdivision to create three commercial lots from one parcel. The applicants are creating three legal lots from the existing three parcels that were created outside the Town of Buena Vista Subdivision Ordinance. All of the parcels are currently vacant. The properties are all zoned B-2 (Highway Business District).

Overview:

The applicants submitted a Minor Subdivision application to create three lots from three existing parcels. The existing parcels were recently created outside of the Town of Buena Vista Subdivision Ordinance and are not currently legally subdivided lots. If the subdivision plat is approved the existing parcels would become legal lots. The applicants have also submitted for a building permit for the middle lot (Lot 2) to develop an O'Reilly's Auto Parts store. Before a building permit can be issued for that store, the Minor Subdivision must be approved and recorded at the Chaffee County Clerk and Recorder's Office.

Analysis:

The application meets all of the criteria listed in Sections 17-28 of the Subdivision Ordinance.

Policy Alignment:

The proposed use meets the Economic Vitality and Infrastructure policies. The proposed commercial lots are currently vacant and they will allow for commercial uses along the highway. The proposed lots will be able to connect to existing infrastructure as each lot develops, at the expense of those developing the properties.

BOT Action:

Staff and the Planning and Zoning Commission recommend approval of the amended Minor Subdivision Final Plat. The Planning and Zoning Commission voted unanimously for it approval at its April 6, 2016 meeting.

Attachments:

Planning and Zoning Commission Staff Report
Board of Trustees Draft Resolution



Town of Buena Vista

210 East Main St.
P.O. Box 2002
Buena Vista, CO 81211
719-395-8643

PLANNING AND ZONING COMMISSION STAFF REPORT

REPORT DATE: April 1, 2016

CASE ADDRESS: 724 N Highway 24 – O'Reilly's Minor Subdivision Final Plat

HEARING DATE: April 6, 2016

APPLICANTS: Scott Kraus, O'Reilly Auto Enterprises - Owner
Laura Allred, BV Earnings LLC – Owner
Alex Hoime, Tait and Associates – Consultant

REQUESTS: The applicants are requesting approval of a Minor Subdivision to create three commercial lots from one parcel. No public improvements are required with this final plat. The applicants are creating three legal lots from the existing three parcels that were created outside the Town of Buena Vista Subdivision Ordinance. All of the parcels are currently vacant. The properties are all zoned B-2 (Highway Business District).

TOWN STAFF: Mark N. Doering, Principal Planner

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission recommend approval of the O'Reilly's Minor Subdivision Final Plat to the Board of Trustees.

ATTACHMENTS TO THE REPORT:

Attachment A – Vicinity Map
Attachment B – Zoning Map
Attachment C – Final Plat

I. SUMMARY OF REQUESTS

The applicants submitted a Minor Subdivision application to create three lots from three existing parcels. The parcels were recently created outside of the Town of Buena Vista Subdivision Ordinance and are not currently legally subdivided lots. If the subdivision plat is approved the existing parcels would become legal lots.

The properties are located in the B-2 (Highway Business District). Commercial lots are allowed on the resulting proposed lots. The applicants have also submitted for a building permit for the middle lot to develop an O'Reilly's Auto Parts store. Before a building permit can be issued for that store the Minor Subdivision must be approved and recorded at the Chaffee County Clerk and Recorder's Office.

II. PROCESS – REQUIRED APPROVALS

The applicant has submitted a Final Plat application as specified in Section 17-28 of the Town of Buena Vista Subdivision Ordinance. Staff reviewed the application and is forwarding the requests to the Planning and Zoning Commission for a recommendation and then to the Board of Trustees for a final decision on the application.

III. ANALYSIS – MINOR SUBDIVISION FINAL PLAT

Section 17-28 of the Buena Vista Subdivision Ordinance provides specific review criteria for a Minor Subdivision. Each criterion is listed in **bold** text, followed by staff's analysis for each in standard text.

1. The development conforms in all respects to the requirements of the Subdivision Ordinance; and

The Final Plat complies with the requirements listed in the ordinance.

2. New lots to be created by the Minor Development meet the lot size requirements of the Town's zoning ordinance;

The proposed lots meet or exceed the B-2 zone district requirements for new lots. All of the lots will exceed the minimum lot size and width requirements. Additionally, all of the lots have access to a public road and access to existing utilities. Lot 2 will have access to Highway 24 through an utility and access easement across Lot 3 to be able to access Highway 24. Lot 1 will have direct access to Highway 24 via a right-in, right-out access that will be shared with the adjoining lot to the north of the subdivision, as determined by the Colorado Department of Transportation (CDOT) highway access control plan.

3. Adequate utility service is or will be available to serve all new lots, and proper easements for the installation of such utility service exist or will be created; and

Adequate utility service is available to the proposed properties. Proper easements are shown on the proposed plat to serve the proposed three lots.

4. The applicant has dedicated or will dedicate to the Town those easements and rights-of-way lawfully required by the Town for current and future streets, utilities and bicycle/pedestrian trails; and

No new rights-of-way are required for the subdivision. Access and Utility easements are shown on the plat.

5. Proper drainage control has been demonstrated.

Drainage control will be required for the future commercial uses and will need to meet the Town's requirements at the time of the development of each lot. Lot 2 has demonstrated that their drainage can be controlled at the southwest corner of that lot. If future owners develop their properties, drainage controls meeting the Flood Regulations of the Town of Buena Vista (Sections 18-167 through 18-178 of the Municipal Code), will be required at those times.

IV. CONCLUSION AND RECOMMENDATION

Based upon the information and materials provided by the applicant and included in the staff report, staff supports the requested Minor Subdivision Final Plat. Therefore, staff recommends that the Planning and Zoning Commission recommend approval, with conditions, to the Board of Trustees:

1. Laura Allred and Scott Kraus, as agents for the owners, have applied for a Minor Subdivision Final Plat to create three commercial lots; and
2. Notice of the public hearing for the Final Plat was provided as required by the Subdivision Ordinance; and
3. The request was reviewed by the appropriate referral agencies; and
4. The proposed Final Plat is consistent with the applicable standards set forth in Section 17-28 of the Town of Buena Vista Subdivision Ordinance; and

THEREFORE

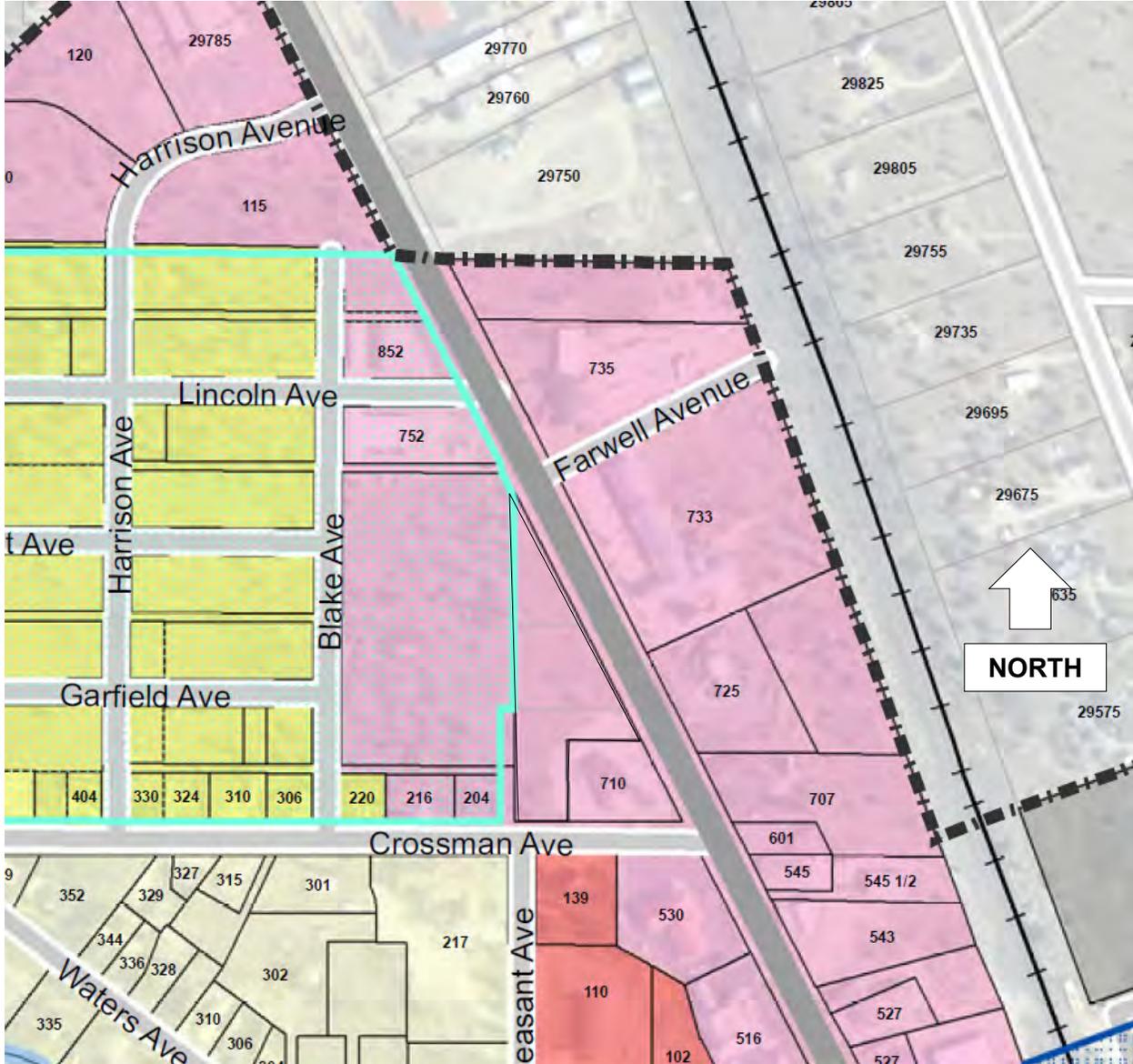
The Planning and Zoning Commission recommends that the Board of Trustees **APPROVE** the Final Plat to create three commercial lots.

Cc: Scott Kraus, O'Reilly Auto Enterprises – Owner
Laura Allred, BV Earnings LLC – Owner
Alex Hoime, Tait and Associates – Consultant

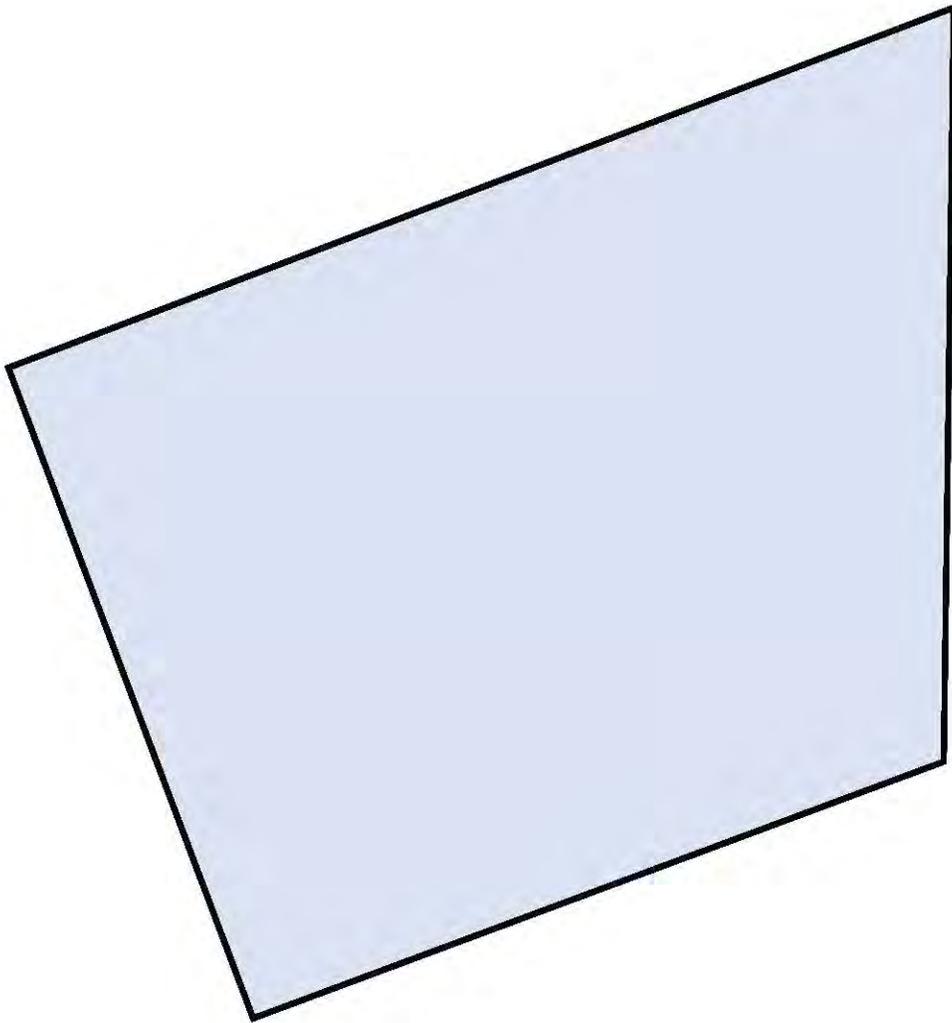
Attachment A – Vicinity Map

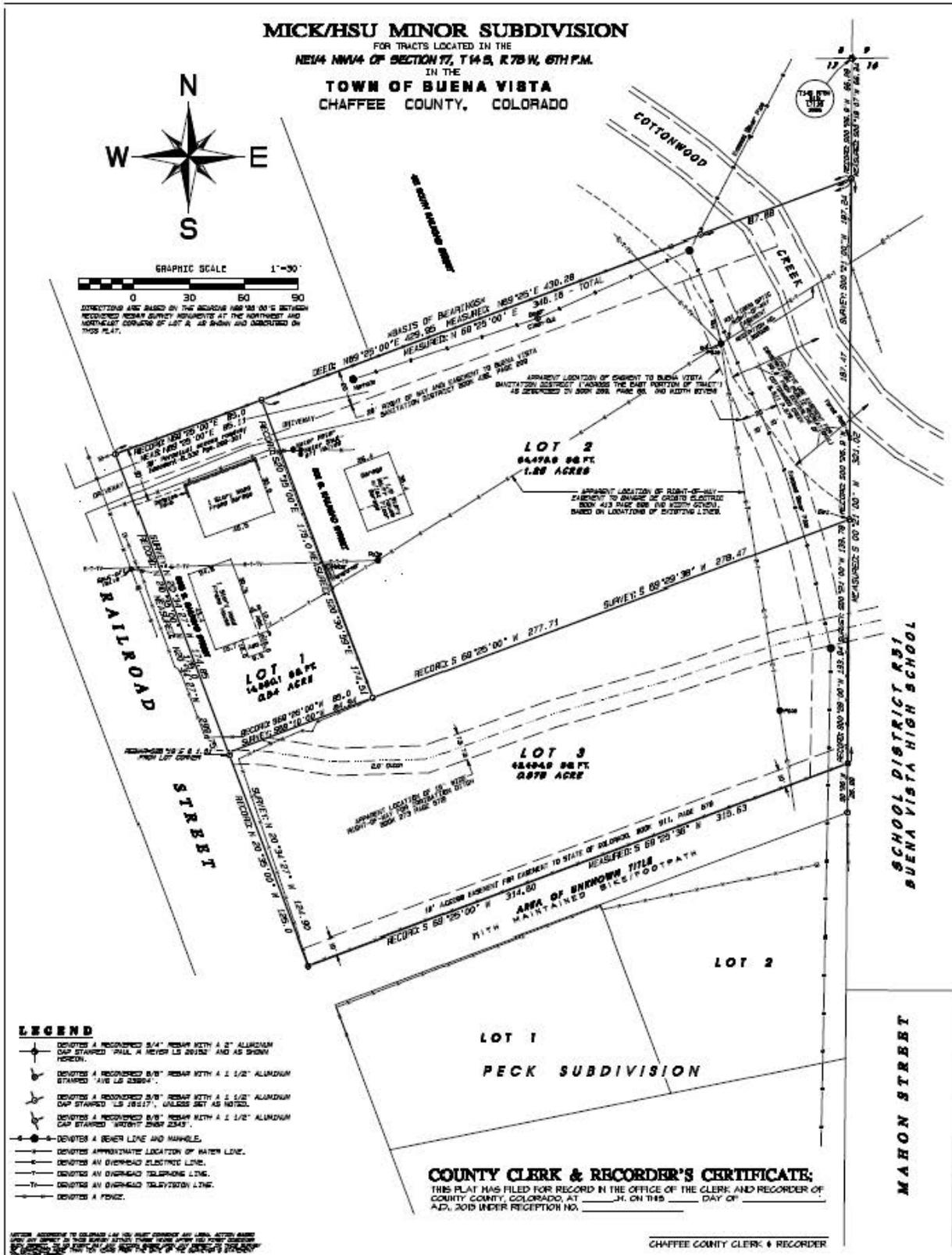


Attachment B – Zoning and Floodplain Map



Attachment C – Final plat





TOWN OF BUENA VISTA

**RESOLUTION NO. 40
SERIES 2016**

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING A MINOR DEVELOPMENT FOR THE PROPERTY LOCATED AT 724 N. HIGHWAY 24, BUENA VISTA, COLORADO.

WHEREAS, O'Reilly Auto Enterprises owns a parcel of property along Highway 24 and BV Earnings, LLC owns two parcels of property along Highway 24, with all parcels being adjacent to one another and all located in Buena Vista, Colorado (collectively the "Property");

WHEREAS, the Property is located in the B-2 Zone District;

WHEREAS, O'Reilly Auto Enterprises and BV Earnings, LLC (collectively the "Owners") filed application for a minor development for the purpose of creating the three parcels of property which were previously subdivided in violation of the Buena Vista Municipal Code ("Code");

WHEREAS, on April 6, 2016, the Planning and Zoning Commission recommended approval of the minor development;

WHEREAS, notice of the public hearing before the Board of Trustees was properly posted, mailed and published pursuant to Section 17-28(c) of the Code;

WHEREAS, the Board of Trustees opened the public hearing on April 26, 2016, and took public comment; and

WHEREAS, after reviewing all material provided to it and hearing staff and public comment, the Board of Trustees desires to approve the minor development.

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

Section 1. The Board of Trustees, having reviewed the application, all information provided and the criteria for minor development as detailed in Section 17-28 of the Code, makes the following findings:

1. The Final Plat complies with the requirements listed in Section 17-28 of the Code.
2. The minor development complies with the B-2 Zone District lot size requirements.

3. Adequate utility service is available for all the lots created by the minor development and all have access to existing utilities. Adequate easements are currently in place to serve the proposed lots.

4. No new rights of way are required for the minor development.

5. Drainage control will be required for the future commercial uses and will need to meet the Town's Flood Regulations at the time of the development of each lot. On Lot 2, drainage can be controlled at the southwest corner of that lot.

Section 2. The Board approves the O'Reilly's Minor Development.

ADOPTED this 26th day of April, 2016.

Joel Benson, Mayor

ATTEST:

Janell Sciacca, Town Clerk



Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643

DATE: April 20, 2016
TO: Mayor and Board of Trustees
FROM: Mark Doering, Principal Planner, Planning Department
AGENDA ITEM: Colorado Center PUD Amended Preliminary Plan, Filing 1

Request:

Ron Southard is requesting a modification to the existing Preliminary Plan for Colorado Center as it relates to Filing 1 in order for the proposed amended Preliminary Plan to match the approved Amended Final Plat for Filing 1, that the Board of Trustees approved earlier this year.

Overview:

The amendment to the Preliminary Plan was required with the approval of the Final Plat for the Colorado Center PUD Filing 1 Modification 1. The changes to the final plat reconfigured lots within Filing 1 and added property that was not included with the original plat.

Analysis:

The application meets all of the criteria listed in Sections 17-30 of the Subdivision Ordinance, with the one condition listed in the approval resolution before the Board.

Policy Alignment:

The proposed use meets the Economic Vitality and Infrastructure policies. The Preliminary Plan matches the approved Colorado Center PUD Filing 1 Modification 1 Final Plat and its Subdivision Improvements Agreement (SIA) to create lots and have the applicant install the infrastructure to support their development.

BOT Action:

Staff and the Planning and Zoning Commission recommend approval of the amended Preliminary Plan with the following condition:

1. The Amended Preliminary Plan, Filing 1, drawings shall be corrected to the Principal Planner's satisfaction based upon any comments from referral agencies.

Attachments:

Planning and Zoning Commission Staff Report
Board of Trustees Draft Resolution



Town of Buena Vista

210 East Main St.
P.O. Box 2002
Buena Vista, CO 81211
719-395-8643

PLANNING AND ZONING COMMISSION STAFF REPORT

REPORT DATE: April 4, 2016

CASE ADDRESS: 27951 County Road 319

HEARING DATE: April 6, 2016 – Planning and Zoning Commission

APPLICANT: Ron Southard, Ridgeway Development Group, Inc.

REQUESTS: The applicant is requesting approval of two related applications. The first is a modification to the existing Preliminary Plan for Colorado Center as it relates to Filing 1 in order for the proposed amended Preliminary Plan to match the approved Amended Final Plat for Filing 1. This was a condition of the approval for the Amended Final Plat for Filing 1. The second application is an amended preliminary plat for Colorado Center PUD related to Filing 3 (which was Phases E, F, and H on the originally approved preliminary plan), to start the platting process for the land to the south of the existing Colorado Mountain College.

TOWN STAFF: Mark N. Doering, Principal Planner

STAFF RECOMMENDATION:

That the Planning and Zoning Commission recommend to the Board of Trustees that they approve the Colorado Center PUD Amended Preliminary Plan, Filing 1 and approve the Colorado Center PUD Amended Preliminary Plan, Filing 3. Staff has prepared two separate resolutions at the end of this report, one for the amended Preliminary Plan, Filing 1 and one for amended Preliminary Plan, Filing 3.

ATTACHMENTS TO THE REPORT:

Attachment A – Vicinity Map

Attachment B – Zoning Map

Attachment C – Colorado Center PUD Amended Preliminary Plan, Filing 1

Attachment D – Colorado Center PUD Amended Preliminary Plan, Filing 3

I. SUMMARY OF REQUESTS

The applicant has submitted two requests. The first request is an amended Preliminary Plan to modify the Colorado Center PUD (Planned Unit Development) Preliminary Plan as it relates to Filing 1 to adjust existing lots, to add lots and remove rights-of-way that were shown in the previously approved Amended Final Plat. See Attachment C. The second request is an application for an Amended Preliminary Plan for Filing 3 to start the subdivision process for creating lots south of Colorado Mountain College. See Attachment D.

When the Amended Final Plat for Filing 1 was previously approved in January 2016, it had a condition of approval to bring an amended Preliminary Plat to match the Amended Final Plat within 120 days of the plat being recorded. The applicant submitted that application along with the second request for to create four new commercial lots south of the college along County Road 319.

The second request is an amended Preliminary Plan for Colorado Center PUD, Filing 3 to create commercial lots south of Colorado Mountain College, just west of County Road 319 (see Attachment D). With this application, the applicant is proposing to create Lot 4 for dedication to the Town to help meet a portion of their park dedication for the entire Colorado Center PUD subdivision.

II. PROCESS – REQUIRED APPROVALS

The applicant has submitted both Preliminary Plans application as specified in Section 17-30 of the Town of Buena Vista Subdivision Ordinance. Staff reviewed both applications and is forwarding the requests to the Planning and Zoning Commission for a recommendation and then to the Board of Trustees for a final decision on both applications.

III. ANALYSIS – MAJOR SUBDIVISION PRELIMINARY PLAT

Section 17-30 of the Buena Vista Subdivision Ordinance provides specific review criteria for a preliminary plat. Each criterion is listed in bold text, followed by staff's analysis for each in standard text.

1. The development conforms in all respects to the requirements of the Subdivision Ordinance.

The amended Preliminary Plan for Filing 1 complies with the requirements as listed in the ordinance, with the additional requirements listed in the conditions of approval. The amended Preliminary Plat for Filing 3 is proposing to dedicate an easement for public road and utilities purposes, and is proposing to develop the lots using wells instead of connecting to Town water. The Town is requiring that the Preliminary Plat dedicate the rights-of-way shown for this portion of the PUD and will require that the lots connect to Town water and install water once the lots develop. The Buena Vista Sanitation District has approved that the commercial lots may utilize individual sanitary disposal systems (septic systems) instead of connecting to sanitary sewer because of the grades of the property being below the existing system to allow gravity to get to the district's facilities. Staff has added conditions of approval to meet Town requirements for the proposed development of Filing 3 that will be required with the Final Plat.

2. The development conforms in all respect to the requirements of the Town's Zoning Ordinance.

The lots shown with both of the preliminary plats will comply with the PUD zone district requirements for each filing. The PUD does not regulate minimum lot size and width requirements.

3. The applicant has taken every effort to mitigate the impact of the proposed development on the public health, safety, and welfare.

Adequate utilities are available to serve the lots with Filing 1 and proper easements were created with the Modified Final Plat. Utilities will be extended to serve lots with the development of that Filing.

Utilities do not exist yet to Filing 3 lots. The applicants were granted an exemption from connecting to sewer utilities and are allowed to use individual septic systems. If in the future, there is the ability to connect to sewer utilities, each lot owner will need to provide those connections at their own cost. The applicant asked to use wells for each of the proposed lots, but must connect to Town water and run utilities through easements to each lot. Wells are not allowed on these lots. The installation of those utilities will be determined with the subdivision improvements agreement with the Final Plat.

No concerns were raise for both filing relating to electric and gas utilities and easements will be shown on the final plats for each filing.

A 50' wide drainage and utility easement is shown on Lot 4 to allow drainage to cross the lot to the regional retention pond at the east end of the lot (Proposed Pond #5). That pond is on a portion of Lot 4 and is also on the adjoining property to the north containing Colorado Mountain College.

The applicant is showing the future streets as easements for the proposed road running through the subdivision and half of the proposed road along the western boundary of the subdivision. Those easements are not allowed and each proposed street must have right-of-way dedicated to the Town with the Final Plat. A condition for that requirement is listed in the approval.

Drainage is provided to the proposed Pond #5 and is acceptable to the Town. Final engineering will be required with the Final Plat.

IV. CONCLUSION AND RECOMMENDATION

Based upon the information and materials provided by the applicant and included in the staff report, staff supports the requested amended Preliminary Plans for the Filing 1 and for Filing 3, with the conditions listed below. Therefore, staff finds that the Planning and Zoning Commission recommend approval of each amended preliminary plat, with conditions, to the Board of Trustees.

FINDINGS

1. Ron Southard has applied for an amended Preliminary Plat for Filing 1 to adjust, combine, and create new lots different from the subdivision shown in the approved Preliminary Plan for Colorado Center PUD Filing 1, and has applied for an amended

Preliminary Plat for Filing 3 to create three commercial lots and one lot for Town park purposes; and

2. Notice of the public hearing for each Preliminary Plat was posted on each site, as required by the Subdivision Ordinance; and
3. The requests were reviewed by the appropriate referral agencies; and
4. The proposed Preliminary Plats are consistent with the applicable standards set forth in Section 17-30 of the Town of Buena Vista Subdivision Ordinance; and

THEREFORE

The Planning and Zoning Commission recommends that the Board of Trustees **APPROVE WITH CONDITIONS** for Colorado Center PUD Amended Preliminary Plan, Filing 1 to reconfigure, combine, and add new lots as shown in the approved Final Plat, and for an amended Colorado Center PUD Amended Preliminary Plan, Filing 3.

The condition of approval for the Colorado Center PUD Amended Preliminary Plan, Filing 1 is:

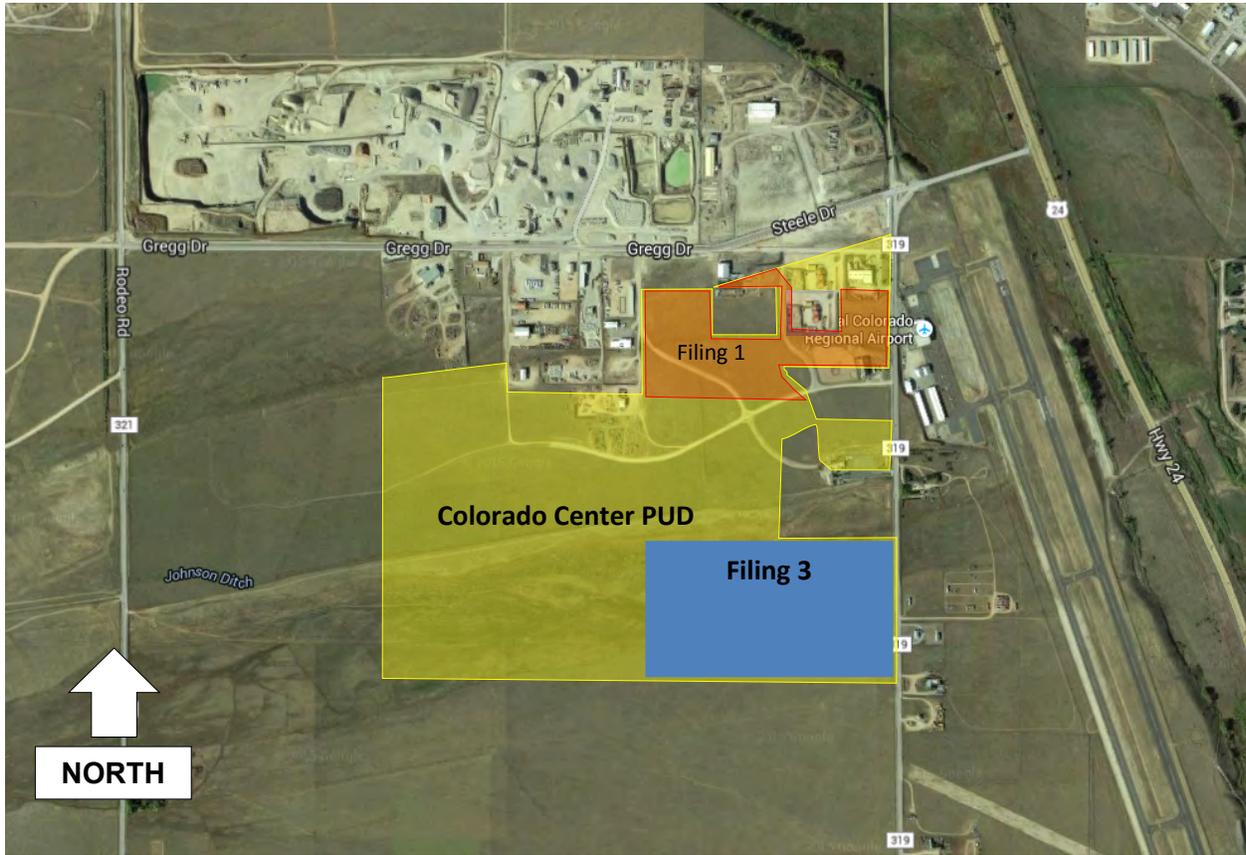
1. The Preliminary Plat drawings shall be corrected to the Principal Planner's satisfaction based upon any comments from referral agencies.

The conditions of approval for the Colorado Center PUD amended Preliminary Plan, Filing 3 are:

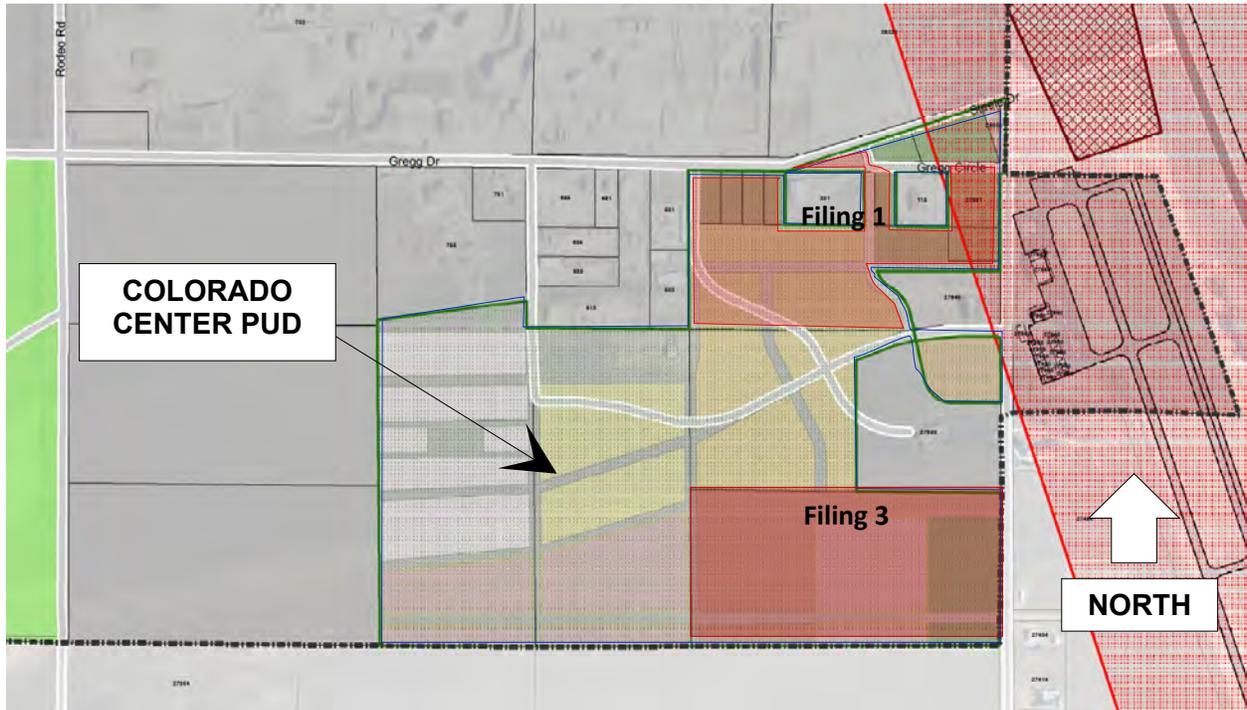
1. The Preliminary Plat drawings shall be corrected to the Principal Planner's satisfaction based upon any comments from referral agencies.
2. The 60-foot easement, shown on the Amended Preliminary Plan, reserved for future street use, shall be amended on the plan to a 60 foot right of way to be dedicated to the Town at the time of the approval of a Final Plat for Filing 3. The 30-foot easement, shown on the Amended Preliminary Plan, reserved for future street use, shall be amended on the plan to a 30-foot right of way to be dedicated to the Town at the time of the approval of a Final Plat for Filing 3.
3. The Preliminary Plan drawings shall be amended to include a signature block for the adjoining property owner's approval of Proposed Pond #5 shown on the plat.
4. Prior to recordation of the Final Plat, the applicant and Town shall execute a Subdivision Improvement Agreement (SIA) to establish the requirements for the timing of installation of public improvements, including but not limited to installation of water lines and public streets.
5. If the ability to serve the lots within Filing 3 with sewer is available, each lot owner shall provide those connections at their own cost.

Cc: Ron Southard, applicant

Attachment A – Vicinity Map



Attachment B – Zoning Map



Attachment C – Colorado Center PUD Filing 1 Modification 1 Preliminary Plat

TOWN OF BUENA VISTA

**RESOLUTION NO. 41
SERIES 2016**

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING AN AMENDED PRELIMINARY PLAN, FILING 1 FOR THE COLORADO CENTER PUD.

WHEREAS, Ridgeway Development Group, Inc. (“Applicant”) owns certain real property, known as the Colorado Center PUD, as described in the preliminary plan, approved by Resolution No. 46, Series 2007;

WHEREAS, the Applicants obtained final plat approval for the Final Plat, Filing 1, of the Colorado Center PUD, in 2011, recorded at reception number 396089 in the records of the Chaffee County Clerk and Recorder;

WHEREAS, the Applicants obtained approval of the Amended Final Plat, Filing 1 on February 9, 2016;

WHEREAS, as a condition of approval of the Amended Final Plat, Filing 1, the Applicant was required to submit an Amended Preliminary Plan to reflect the changes to Filing 1 approved as part of the Amended Final Plat, Filing 1;

WHEREAS, on April 6, 2016, the Planning and Zoning Commission recommended approval of the Amended Preliminary Plan, Filing 1;

WHEREAS, notice of the public hearing before the Board of Trustees was properly posted and published pursuant to Section 17-30 of the Code;

WHEREAS, on April 26, 2016, the Board of Trustees opened the public hearing and took public comment; and

WHEREAS, after reviewing all materials provided to it and hearing staff and public testimony, the Board of Trustees desires to approve the Amended Preliminary Plan, Filing 1, subject to the conditions set forth in this Resolution.

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

Section 1. The Board of Trustees, having reviewed the application, all information provided and the criteria for preliminary plan as detailed in Section 17-30 of the Code, makes the following findings:

1. The Amended Preliminary Plan, Filing 1, conforms in all respects to the requirements of this Chapter 17 of the Code.

2. The Amended Preliminary Plan, Filing 1, conforms in all respects to the requirements of the Chapter 16 of Code and the Colorado Center PUD Plan.

3. The applicant has taken every effort to mitigate the impact of the proposed developments on the public health, safety, and welfare.

Section 2. The Board of Trustees approves the Amended Preliminary Plan, Filing 1, subject to the following conditions:

1. The Amended Preliminary Plan, Filing 1, drawings shall be corrected to the Principal Planner's satisfaction based upon any comments from referral agencies.

ADOPTED this 26th day of April, 2016.

Joel Benson, Mayor

ATTEST:

Janell Sciacca, Town Clerk



Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643

DATE: April 22, 2016
TO: Mayor and Board of Trustees
FROM: Mark Doering, Principal Planner, Planning Department
AGENDA ITEM: Colorado Center PUD Amended Preliminary Plan, Filing 3

Request:

Ron Southard is requesting a modification to the existing Preliminary Plan for Colorado Center as it relates to Filing 3, to create four commercial lots.

Overview:

The proposed Preliminary Plan shows four lots south of Colorado Mountain College, along the west side of County Road 319. One of the proposed four lots is proposed to be dedicated to the Town to help meet the overall subdivision open space dedication requirements for the Colorado Center PUD. The Applicant has shown the proposed roads for the subdivision as easements on the drawing. However, the Town is requiring the dedication of rights-of-way with the final plat that are needed to serve the lots with the subdivision. All lots will be served by the Town's water system, but were granted approval from the Buena Vista Sanitation District for individual septic systems, limited based upon their requirements. If future lot owners exceed the district's requirements, they will need to provide sewer to their lot at their cost. The proposed detention pond shown for the development is located on the applicant's property and on the property owned by Colorado Mountain College, and will require both owners' approval on the final plat. Prior to the subsequent final plat being recorded, the Town and the applicant will enter into a Subdivision Improvement Agreement (SIA) to ensure the installation of public improvements needed to serve the lots.

Analysis:

The application meets all of the criteria listed in Sections 17-30 of the Subdivision Ordinance, with the conditions listed in the approval resolution before the Board.

Policy Alignment:

The proposed use meets the Economic Vitality Policy. The modified Preliminary Plan for Colorado Center PUD Filing 3 will allow for commercial growth in Town.

BOT Action:

The Planning and Zoning Commission recommend approval of the amended Preliminary Plan with the following five conditions:

1. The Amended Preliminary Plan drawings shall be corrected to the Principal Planner's satisfaction based upon the conditions set forth herein and any comments from referral agencies.
2. The 60-foot easement, shown on the Amended Preliminary Plan, reserved for future street use, shall be a 60-foot right of way to be dedicated to the Town at the time of the approval of a Final Plat for Filing 3. The 30-foot easement, shown on the Amended Preliminary Plan, reserved for future street use, shall be a 30-foot right of way to be dedicated to the Town at the time of the approval of a Final Plat for Filing 3.

3. The Amended Preliminary Plan drawings shall be revised to include a signature block for the adjoining property owner's approval of Proposed Pond #5 shown on the plat.
4. Prior to recordation of the Final Plat, Filing 3, the Applicant and Town shall execute a Subdivision Improvement Agreement (SIA) to establish the requirements for installation of public improvements, including but not limited to installation of water lines and public streets.
5. If sewer services are available to serve the lots within Filing 3, each lot owner shall provide those connections at their own cost.

Staff also recommends the Board of Trustees approval of the amended Preliminary Plan, but with changes to the approval conditions as recommended by the Planning and Zoning Commission. If the Board of Trustees agrees, the following conditions should be added to the draft resolution in the packet:

3. Prior to final plat approval, the owner must obtain an easement in a form acceptable to the Town from the owner of the property under the drainage pond, record the easement with the Chaffee County Clerk and Recorder and provide the Town with a recorded copy. The final plat must contain a plat note referencing the reception number of the easement.
6. The property shown to the south of the 60 foot right of way must be designated on the Amended Preliminary Plan as separate lots from the lots shown to the north of the 60 foot right of way. The parcels shown to the south of the 60 foot right of way may be combined into a single lot, rather than two separate lots, if desired by the Applicant.

Attachments:

Planning and Zoning Commission Staff Report
Board of Trustees Draft Resolution



Town of Buena Vista

210 East Main St.
P.O. Box 2002
Buena Vista, CO 81211
719-395-8643

PLANNING AND ZONING COMMISSION STAFF REPORT

REPORT DATE: April 4, 2016

CASE ADDRESS: 27951 County Road 319

HEARING DATE: April 6, 2016 – Planning and Zoning Commission

APPLICANT: Ron Southard, Ridgeway Development Group, Inc.

REQUESTS: The applicant is requesting approval of two related applications. The first is a modification to the existing Preliminary Plan for Colorado Center as it relates to Filing 1 in order for the proposed amended Preliminary Plan to match the approved Amended Final Plat for Filing 1. This was a condition of the approval for the Amended Final Plat for Filing 1. The second application is an amended preliminary plat for Colorado Center PUD related to Filing 3 (which was Phases E, F, and H on the originally approved preliminary plan), to start the platting process for the land to the south of the existing Colorado Mountain College.

TOWN STAFF: Mark N. Doering, Principal Planner

STAFF RECOMMENDATION:

That the Planning and Zoning Commission recommend to the Board of Trustees that they approve the Colorado Center PUD Amended Preliminary Plan, Filing 1 and approve the Colorado Center PUD Amended Preliminary Plan, Filing 3. Staff has prepared two separate resolutions at the end of this report, one for the amended Preliminary Plan, Filing 1 and one for amended Preliminary Plan, Filing 3.

ATTACHMENTS TO THE REPORT:

Attachment A – Vicinity Map

Attachment B – Zoning Map

Attachment C – Colorado Center PUD Amended Preliminary Plan, Filing 1

Attachment D – Colorado Center PUD Amended Preliminary Plan, Filing 3

I. SUMMARY OF REQUESTS

The applicant has submitted two requests. The first request is an amended Preliminary Plan to modify the Colorado Center PUD (Planned Unit Development) Preliminary Plan as it relates to Filing 1 to adjust existing lots, to add lots and remove rights-of-way that were shown in the previously approved Amended Final Plat. See Attachment C. The second request is an application for an Amended Preliminary Plan for Filing 3 to start the subdivision process for creating lots south of Colorado Mountain College. See Attachment D.

When the Amended Final Plat for Filing 1 was previously approved in January 2016, it had a condition of approval to bring an amended Preliminary Plat to match the Amended Final Plat within 120 days of the plat being recorded. The applicant submitted that application along with the second request for to create four new commercial lots south of the college along County Road 319.

The second request is an amended Preliminary Plan for Colorado Center PUD, Filing 3 to create commercial lots south of Colorado Mountain College, just west of County Road 319 (see Attachment D). With this application, the applicant is proposing to create Lot 4 for dedication to the Town to help meet a portion of their park dedication for the entire Colorado Center PUD subdivision.

II. PROCESS – REQUIRED APPROVALS

The applicant has submitted both Preliminary Plans application as specified in Section 17-30 of the Town of Buena Vista Subdivision Ordinance. Staff reviewed both applications and is forwarding the requests to the Planning and Zoning Commission for a recommendation and then to the Board of Trustees for a final decision on both applications.

III. ANALYSIS – MAJOR SUBDIVISION PRELIMINARY PLAT

Section 17-30 of the Buena Vista Subdivision Ordinance provides specific review criteria for a preliminary plat. Each criterion is listed in bold text, followed by staff's analysis for each in standard text.

1. The development conforms in all respects to the requirements of the Subdivision Ordinance.

The amended Preliminary Plan for Filing 1 complies with the requirements as listed in the ordinance, with the additional requirements listed in the conditions of approval. The amended Preliminary Plat for Filing 3 is proposing to dedicate an easement for public road and utilities purposes, and is proposing to develop the lots using wells instead of connecting to Town water. The Town is requiring that the Preliminary Plat dedicate the rights-of-way shown for this portion of the PUD and will require that the lots connect to Town water and install water once the lots develop. The Buena Vista Sanitation District has approved that the commercial lots may utilize individual sanitary disposal systems (septic systems) instead of connecting to sanitary sewer because of the grades of the property being below the existing system to allow gravity to get to the district's facilities. Staff has added conditions of approval to meet Town requirements for the proposed development of Filing 3 that will be required with the Final Plat.

2. The development conforms in all respect to the requirements of the Town's Zoning Ordinance.

The lots shown with both of the preliminary plats will comply with the PUD zone district requirements for each filing. The PUD does not regulate minimum lot size and width requirements.

3. The applicant has taken every effort to mitigate the impact of the proposed development on the public health, safety, and welfare.

Adequate utilities are available to serve the lots with Filing 1 and proper easements were created with the Modified Final Plat. Utilities will be extended to serve lots with the development of that Filing.

Utilities do not exist yet to Filing 3 lots. The applicants were granted an exemption from connecting to sewer utilities and are allowed to use individual septic systems. If in the future, there is the ability to connect to sewer utilities, each lot owner will need to provide those connections at their own cost. The applicant asked to use wells for each of the proposed lots, but must connect to Town water and run utilities through easements to each lot. Wells are not allowed on these lots. The installation of those utilities will be determined with the subdivision improvements agreement with the Final Plat.

No concerns were raised for both filings relating to electric and gas utilities and easements will be shown on the final plats for each filing.

A 50' wide drainage and utility easement is shown on Lot 4 to allow drainage to cross the lot to the regional retention pond at the east end of the lot (Proposed Pond #5). That pond is on a portion of Lot 4 and is also on the adjoining property to the north containing Colorado Mountain College.

The applicant is showing the future streets as easements for the proposed road running through the subdivision and half of the proposed road along the western boundary of the subdivision. Those easements are not allowed and each proposed street must have right-of-way dedicated to the Town with the Final Plat. A condition for that requirement is listed in the approval.

Drainage is provided to the proposed Pond #5 and is acceptable to the Town. Final engineering will be required with the Final Plat.

IV. CONCLUSION AND RECOMMENDATION

Based upon the information and materials provided by the applicant and included in the staff report, staff supports the requested amended Preliminary Plans for the Filing 1 and for Filing 3, with the conditions listed below. Therefore, staff finds that the Planning and Zoning Commission recommend approval of each amended preliminary plat, with conditions, to the Board of Trustees.

FINDINGS

1. Ron Southard has applied for an amended Preliminary Plat for Filing 1 to adjust, combine, and create new lots different from the subdivision shown in the approved Preliminary Plan for Colorado Center PUD Filing 1, and has applied for an amended

Preliminary Plat for Filing 3 to create three commercial lots and one lot for Town park purposes; and

2. Notice of the public hearing for each Preliminary Plat was posted on each site, as required by the Subdivision Ordinance; and
3. The requests were reviewed by the appropriate referral agencies; and
4. The proposed Preliminary Plats are consistent with the applicable standards set forth in Section 17-30 of the Town of Buena Vista Subdivision Ordinance; and

THEREFORE

The Planning and Zoning Commission recommends that the Board of Trustees **APPROVE WITH CONDITIONS** for Colorado Center PUD Amended Preliminary Plan, Filing 1 to reconfigure, combine, and add new lots as shown in the approved Final Plat, and for an amended Colorado Center PUD Amended Preliminary Plan, Filing 3.

The condition of approval for the Colorado Center PUD Amended Preliminary Plan, Filing 1 is:

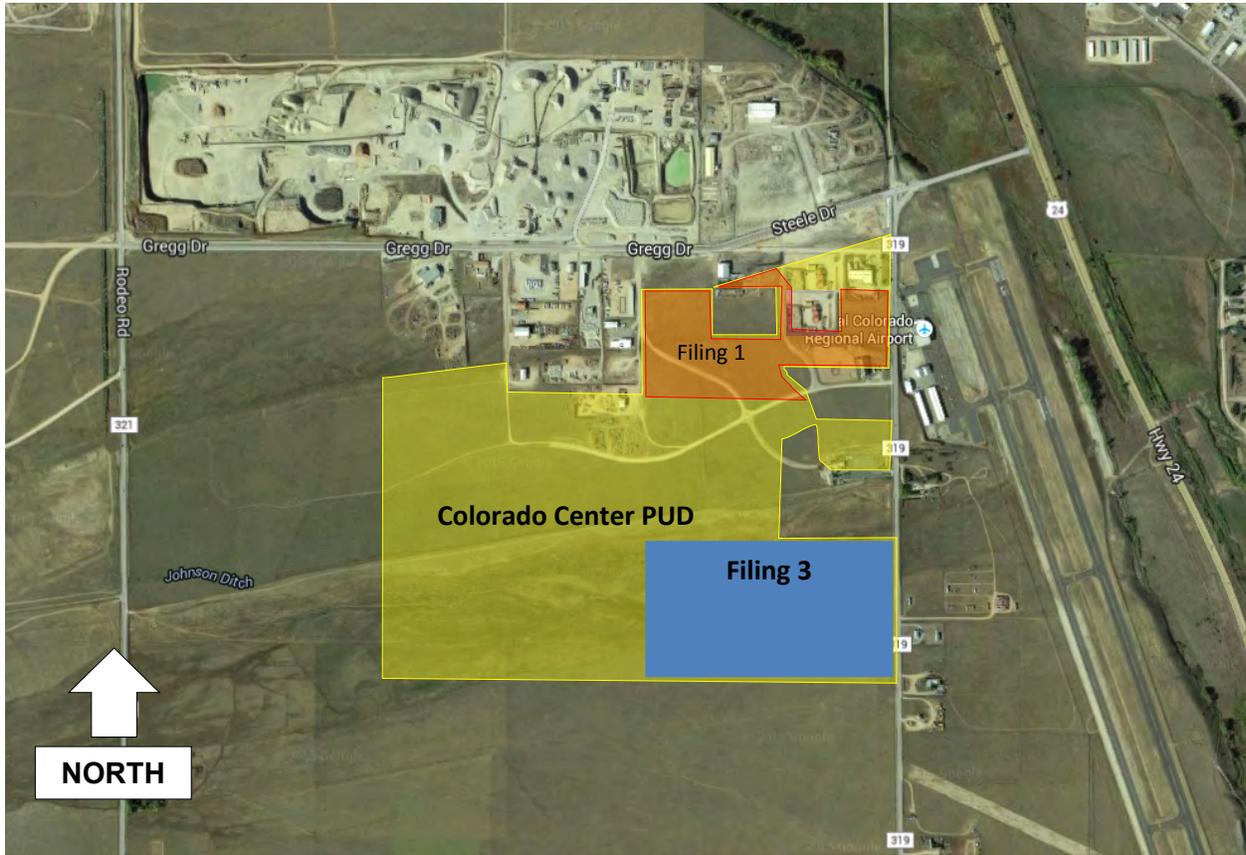
1. The Preliminary Plat drawings shall be corrected to the Principal Planner's satisfaction based upon any comments from referral agencies.

The conditions of approval for the Colorado Center PUD amended Preliminary Plan, Filing 3 are:

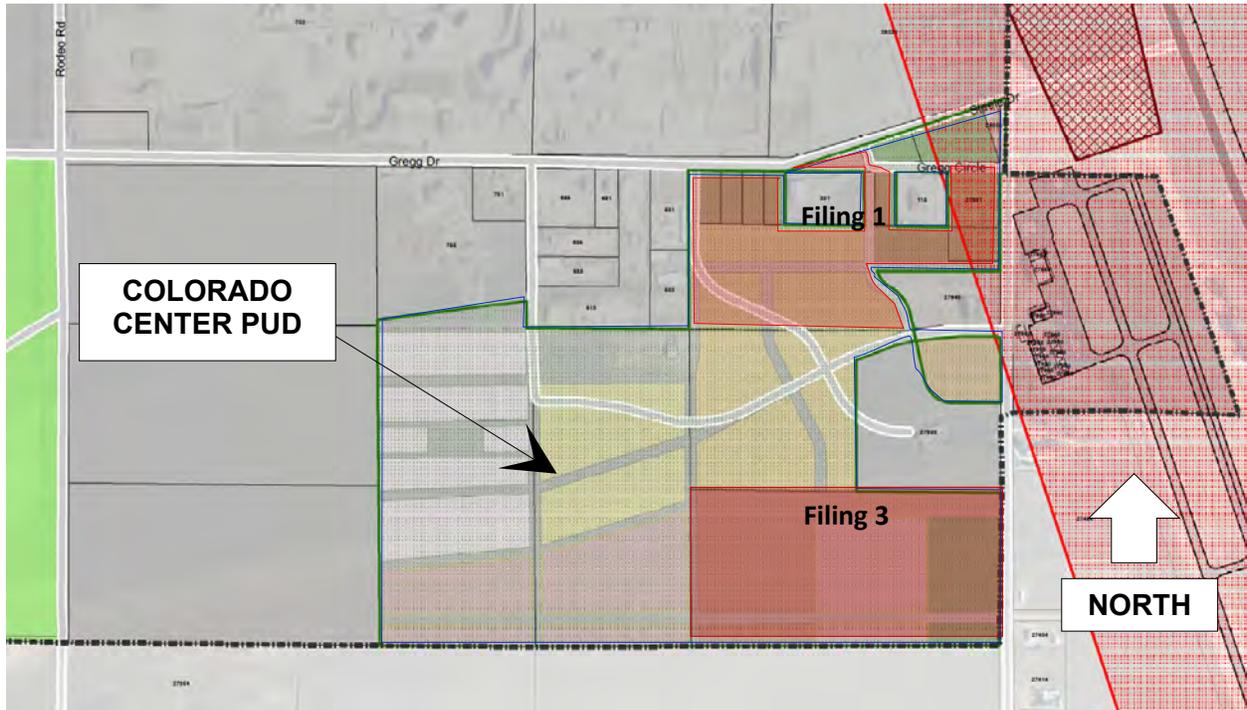
1. The Preliminary Plat drawings shall be corrected to the Principal Planner's satisfaction based upon any comments from referral agencies.
2. The 60-foot easement, shown on the Amended Preliminary Plan, reserved for future street use, shall be amended on the plan to a 60 foot right of way to be dedicated to the Town at the time of the approval of a Final Plat for Filing 3. The 30-foot easement, shown on the Amended Preliminary Plan, reserved for future street use, shall be amended on the plan to a 30-foot right of way to be dedicated to the Town at the time of the approval of a Final Plat for Filing 3.
3. The Preliminary Plan drawings shall be amended to include a signature block for the adjoining property owner's approval of Proposed Pond #5 shown on the plat.
4. Prior to recordation of the Final Plat, the applicant and Town shall execute a Subdivision Improvement Agreement (SIA) to establish the requirements for the timing of installation of public improvements, including but not limited to installation of water lines and public streets.
5. If the ability to serve the lots within Filing 3 with sewer is available, each lot owner shall provide those connections at their own cost.

Cc: Ron Southard, applicant

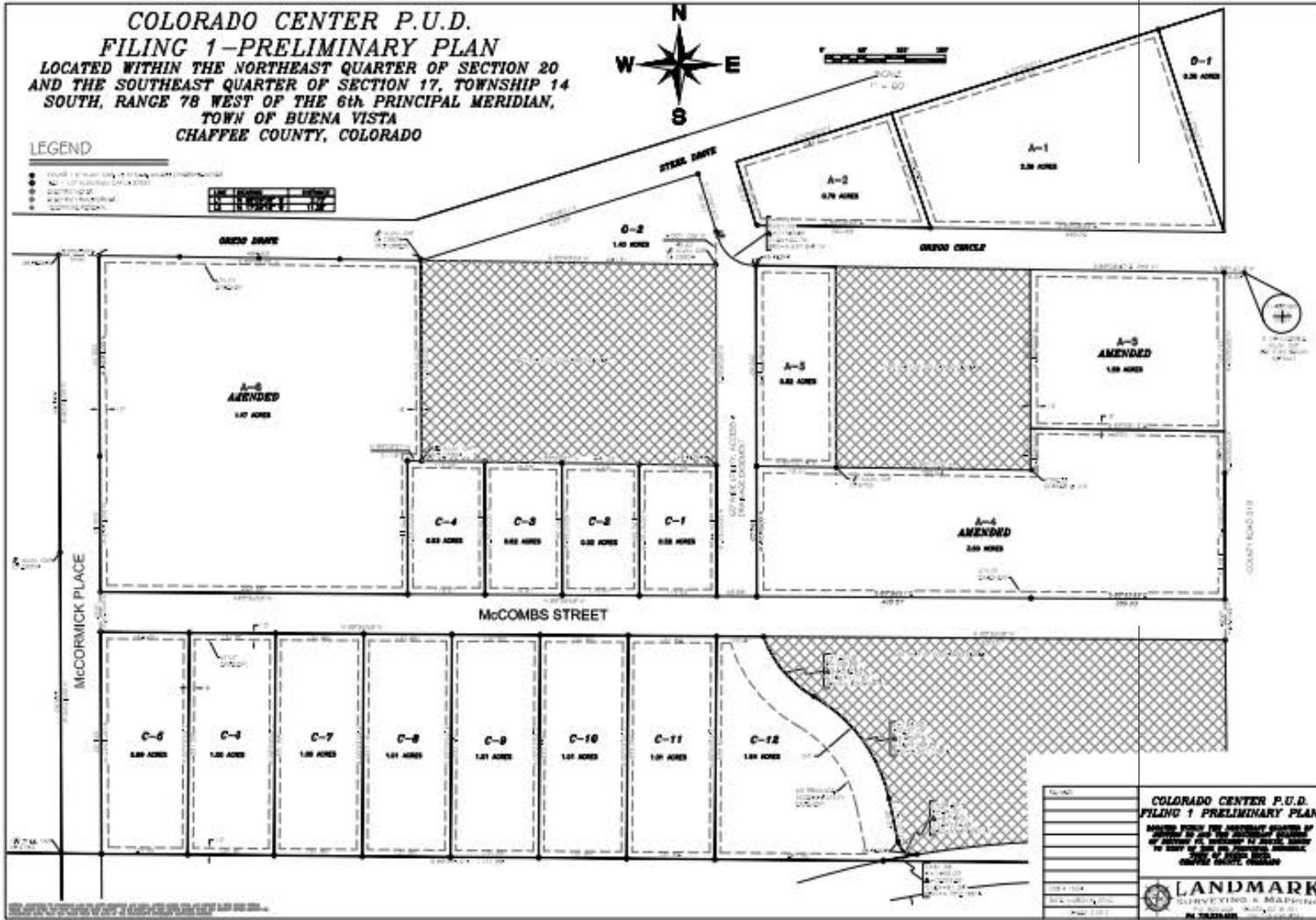
Attachment A – Vicinity Map



Attachment B – Zoning Map



Attachment C – Colorado Center PUD Filing 1 Modification 1 Preliminary Plat



Attachment D – Colorado Center PUD Filing 3 Preliminary Plat

TOWN OF BUENA VISTA

**RESOLUTION NO. 42
SERIES 2016**

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING AN AMENDMENT TO THE COLORADO CENTER PUD PRELIMINARY PLAN RELATED TO FILING 3.

WHEREAS, Ridgeway Development Group, Inc. (“Applicant”) owns certain real property, known as the Colorado Center PUD, as described in the preliminary plan, approved by Resolution No. 46, Series 2007;

WHEREAS, the Applicant submitted an application to amend the Preliminary Plan as it relates to Filing 3;

WHEREAS, Filing 3 includes Phases E, F and H on the Preliminary Plan, approved by Resolution No. 46, Series 2007;

WHEREAS, on April 6, 2016, the Planning and Zoning Commission recommended conditional approval of the Amended Preliminary Plan for Filing 3;

WHEREAS, notice of the public hearing before the Board of Trustees was properly posted and published pursuant to Section 17-30 of the Code;

WHEREAS, on April 26, 2016, the Board of Trustees opened the public hearing and took public comment; and

WHEREAS, after reviewing all materials provided to it and hearing staff and public testimony, the Board of Trustees desires to approve the Amended Preliminary Plan for Filing 3, subject to the conditions set forth in this Resolution.

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

Section 1. The Board of Trustees, having reviewed the application, all information provided and the criteria for preliminary plan as detailed in Section 17-30 of the Code, makes the following findings:

1. Subject to the conditions below, the Amended Preliminary Plan, Filing 3, conforms in all respects to the requirements of this Chapter 17 of the Code.

2. Subject to the conditions below, the Amended Preliminary Plan, Filing 3, conforms in all respects to the requirements of the Chapter 16 of Code and the Colorado Center PUD Plan.

3. Subject to the condition below, the Applicant has taken every effort to mitigate the impact of the proposed developments on the public health, safety, and welfare. Utilities do not exist at this time to serve Filing 3. The Buena Vista Sanitation District has authorized four lots in Filing 3 to be connected to septic systems. The Applicant will need to seek approval from the Buena Vista Sanitation District for any additional lots. Water shall be supplied through the Town's water system.

Section 2. The Board of Trustees approves the Amended Preliminary Plan, Filing 3, subject to the following conditions:

1. The Amended Preliminary Plan drawings shall be corrected to the Principal Planner's satisfaction based upon the conditions set forth herein and any comments from referral agencies.

2. The 60-foot easement, shown on the Amended Preliminary Plan, reserved for future street use, shall be a 60-foot right of way to be dedicated to the Town at the time of the approval of a Final Plat for Filing 3. The 30-foot easement, shown on the Amended Preliminary Plan, reserved for future street use, shall be a 30-foot right of way to be dedicated to the Town at the time of the approval of a Final Plat for Filing 3.

3. The Amended Preliminary Plan drawings shall be revised to include a signature block for the adjoining property owner's approval of Proposed Pond #5 shown on the plat.

4. Prior to recordation of the Final Plat, Filing 3, the Applicant and Town shall execute a Subdivision Improvement Agreement (SIA) to establish the requirements for installation of public improvements, including but not limited to installation of water lines and public streets.

5. If sewer services are available to serve the lots within Filing 3, each lot owner shall provide those connections at their own cost.

ADOPTED this 26th day of April, 2016.

Joel Benson, Mayor

ATTEST:

Janell Sciacca, Town Clerk



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

DATE: April 26, 2016
TO: Mayor and Board of Trustees
FROM: Emily Katsimpalis, Assistant to the Town Administrator
AGENDA ITEM: Historic Structure Assessment (HSA) with Barbara Darden

Dear Mayor and Trustees,

Request

In partnership with the Buena Vista School District, the Town of Buena Vista applied for and received a Historic Structure Assessment (HSA) grant from History Colorado. The grant provides \$10,150 (\$0 match from Town required) to use toward a comprehensive HSA of the National Register listed McGinnis Gymnasium, which is attached to the north elevation of the historic Chaffee County Courthouse. Included in your packet is a contract with Scheuber Darden Architects to complete the historic structure assessment.

Overview

The McGinnis Gymnasium, a one-story building, was constructed in 1936 by the Works Progress Administration (WPA), of concrete blocks with a gambrel truss roof. Later, date unknown, a stage addition was constructed of brick from materials left over from the demolition of the original outhouse that served the courthouse building. The McGinnis Gym is known locally and regionally for its use for a variety of sporting events associated with the school district, and as a school performance venue. It has significance on a statewide level as an example of a WPA project in a mountain community.

The Recreation Department is seeing incredible growth in programs and a lack of space to provide the activities and programs offered. The department has arranged with the school district to lease the building on a long term lease for use as a recreation building. An HSA will provide in-depth information on the structural integrity of the building and next steps in order to rehabilitate the structure, should Town pursue that route.

Policy Alignment

Comprehensive Plan; Preservation of Buena Vista's historic resources

BOT Action

Staff recommends the Town of Buena Vista enter into the contract with Scheuber Darden Architects to complete a Historic Structure Assessment (HSA) of the McGinnis Gymnasium.

TOWN OF BUENA VISTA

**RESOLUTION NO. 43
(Series 2016)**

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH SCHEUBER + DARDEN ARCHITECTS, LLC FOR THE HISTORICAL STRUCTURE ASSESSMENT OF MCGINNIS GYMNASIUM.

WHEREAS, on January 12, 2016, the Board of Trustees approved a contract with the State of Colorado for the use and benefit of the Department of Higher Education, History Colorado, the Colorado Historical Society for Project #2016-HA-012 “Historic Structure Assessment; and

WHEREAS, the Scope of Work and Project Purpose for that contract is to conduct a Historic Structure Assessment of the Chaffee County Courthouse and Jail Buildings – Old Courthouse and McGinnis Gymnasium in Buena Vista, Colorado); and

WHEREAS, Town Staff has recommended that the Project be awarded to the Scheuber + Darden Architects, LLC; and

WHEREAS, the Town and the Architect wish to enter into a Professional Services Agreement for the Project setting forth certain terms and conditions; and

WHEREAS, the Board of Trustees finds and determines that it would be in the best interests of the Town of Buena Vista and its residents to approve the Professional Services Agreement between the Town and the Consultant.

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

1. The Professional Services Agreement between the Town and Scheuber + Darden Architects, LLC, a copy of which is attached hereto and incorporated herein as **Exhibit A**, is hereby approved and adopted.

RESOLVED, APPROVED AND ADOPTED this 26th day of April, 2016.

TOWN OF BUENA VISTA, COLORADO

BY: _____
Joel Benson, Mayor

ATTEST:

Janell Sciacca, Town Clerk

**PROFESSIONAL SERVICES AGREEMENT
HISTORIC STRUCTURE ASSESSMENT – McGINNIS GYMNASIUM
PROJECT NUMBER 2016-HA-012**

This Professional Services Agreement ("AGREEMENT") is made by and between SCHEUBER + DARDEN ARCHITECTS, llc, having a principal place of business at P. O. Box 909, Parker, CO 80134 and TOWN OF BUENA VISTA. ("CLIENT"), having a place of business at 12163 South Perry Park Road, Larkspur, CO 80118. Collectively Scheuber + Darden Architects and Client shall be known as the "PARTIES".

The Parties agree as follows:

1. **SERVICES PROVIDED BY SCHEUBER + DARDEN ARCHITECTS.** Scheuber + Darden Architects shall provide Client certain services ("SERVICES") specified under II.A. – Architectural and Engineering Services in the properly executed Scope of Work ("SOW") in Exhibit A and submit Project Deliverables as outlined in Exhibit C to be incorporated herein and made a part hereof. Each SOW shall incorporate the terms and provisions of this Agreement. To the extent a SOW provides additional and/or conflicting terms to this Agreement, the terms of the SOW shall prevail. All Scheuber + Darden Architect's subcontractors under an SOW, if any, shall be bound to perform all obligations under this Agreement as if they were being performed by Scheuber + Darden Architects.
2. **CONTRACT EFFECTIVE DATES.** All work shall be performed between April 18, 2016 – January 15, 2018. No work shall be completed outside these contract dates.
3. **APPLICABLE STANDARDS.** Scheuber + Darden Architects agrees that it will perform the Architectural and Engineering Service tasks listed in the Exhibit B of the State Historical Fund Contract and Town of Buena Vista with project number SHF 2016-HA-012. In addition, all work shall be completed in accordance with the applicable Interior's *Secretary of Interior's Standards for Archaeology and Historic Preservation*.
4. **CLIENT DUTIES.** Client shall perform such duties and tasks designated in an SOW to facilitate Scheuber + Darden Architect's performance of the Services outlined there under and provide Scheuber + Darden Architects with reasonable and necessary access to Client's facilities during Client's normal business hours and otherwise as reasonably requested by Scheuber + Darden Architects in order to facilitate Scheuber + Darden Architects performance of the Services outlined in each SOW.
5. **COMPENSATION AND METHODS OF PAYMENT.** In consideration of the project described in Exhibit A (SOW), the Town of Buena Vista shall pay to Scheuber + Darden Architects an amount not to exceed ten thousand, one hundred and fifty dollars (\$10,150) as listed in Exhibit B. This amount matches the grant applied for and received from the State Historical Fund and listed in the contract between the State Historical Fund and the Town of Buena Vista.

6. FEES, EXPENSES, & PAYMENT. For all Services performed under a SOW or other request for Services that references this Agreement, Client shall: (i) pay Scheuber + Darden in accordance with each SOW or at the then current Scheuber + Darden Architects standard rates, whichever are applicable; (ii) reimburse Scheuber + Darden Architects for all reasonable and necessary travel expenses Scheuber + Darden Architects incurs performing such Services, provided such expenses are incurred in compliance with Scheuber + Darden Architect's travel and expense policy, and provided further that such expenses are incurred pursuant to an applicable SOW or other request for Services by Client; and (iii) pay Scheuber + Darden Architects within thirty (30) days of receipt of each invoice. Scheuber + Darden Architects reserves the right to invoice Client the lesser of twelve percent (12%) annual interest or the highest interest rate allowable under applicable laws for any outstanding, undisputed invoice not paid within sixty (60) days after receipt. Scheuber + Darden Architects invoices shall describe the following: (i) the time period for which work and expenses are billed; (ii) the quantity of work performed; (iii) the hourly rates charged, if applicable; (iv) travel and living expenses by type and amount; and (v) totals.

7. INSURANCE.

- a. Scheuber + Darden Architects agrees to procure and maintain, at its own cost, a policy or policies of insurance sufficient to insure against all liability, claims, demands, and other obligations assumed by Scheuber + Darden Architects pursuant to this Agreement. At a minimum, Scheuber + Darden Architects shall procure and maintain, and shall cause any subcontractor to procure and maintain, the insurance coverages listed below, with forms and insurers acceptable to the Town.
 1. Worker's Compensation insurance as required by law.
 2. Commercial General Liability insurance with minimum combined single limits of \$1,000,000 each occurrence and \$1,000,000 general aggregate. The policy shall be applicable to all premises and operations, and shall include coverage for bodily injury, broad form property damage, personal injury (including coverage for contractual and employee acts), blanket contractual, products, and completed operations. The policy shall contain a severability of interests provision, and shall include the Town and the Town's officers, employees, and contractors as additional insureds. No additional insured endorsement shall contain any exclusion for bodily injury or property damage arising from completed operations.
 3. Professional liability insurance with minimum limits of \$1,000,000 each claim and \$1,000,000 general aggregate.
- b. Such insurance shall be in addition to any other insurance requirements imposed by law. The coverages afforded under the policies shall not be canceled,

terminated or materially changed without at least 30 days prior written notice to the Town. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage. Any insurance carried by the Town, its officers, its employees or its contractors shall be excess and not contributory insurance to that provided by Scheuber + Darden Architects. Scheuber + Darden Architects shall be solely responsible for any deductible losses under any policy.

- c. Scheuber + Darden Architects shall provide to the Town a certificate of insurance as evidence that the required policies are in full force and effect. The certificate shall identify this Agreement.

8. INDEMNIFICATION

Scheuber + Darden Architects agrees to indemnify and hold harmless the Town and its officers, insurers, volunteers, representative, agents, employees, heirs and assigns from and against all claims, liability, damages, losses, expenses and demands, including attorney fees, on account of 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, which arise out of or are in any manner connected with this Agreement if such injury, loss, or damage is caused in whole or in part by, the act, omission, error, professional error, mistake, negligence, or other fault of Scheuber + Darden Architects, any subcontractor of Scheuber + Darden Architects, or any officer, employee, representative, or agent of Scheuber + Darden Architects, or which arise out of a worker's compensation claim of any employee of Scheuber + Darden Architects or of any employee of any subcontractor of Scheuber + Darden Architects. Scheuber + Darden Architects's liability under this indemnification provision shall be to the fullest extent of, but shall not exceed, that amount represented by the degree or percentage of negligence or fault attributable to Scheuber + Darden Architects, any subcontractor of Scheuber + Darden Architects, or any officer, employee, representative, or agent of Scheuber + Darden Architects or of any subcontractor of Scheuber + Darden Architects. If Scheuber + Darden Architects is providing architectural, engineering, surveying or other design services under this Agreement, the extent of Scheuber + Darden Architects's obligation to indemnify and hold harmless the Town may be determined only after Scheuber + Darden Architects's liability or fault has been determined by adjudication, alternative dispute resolution or otherwise resolved by mutual agreement between the Parties, as provided by C.R.S. § 13-50.5-102(8)(c).

9. COPYRIGHT. Scheuber + Darden Architects acknowledge that the project which is the subject of this agreement is being funded in part by a grant from the History Colorado, State Historical Fund. THE ARCHITECT AGREES THAT, IN THE EVENT OF A CONFLICT BETWEEN THE TERMS OF THE STATE HISTORICAL FUND GRANT CONTRACT AND THIS AGREEMENT, THE TERMS OF THE GRANT CONTRACT SHALL PREVAIL. All products that are submitted to the Society either by the architect or the owner will become matters of public record. NOTWITHSTANDING ANY OTHER

PROVISION IN THIS AGREEMENT TO THE CONTRARY, The architect HEREBY GRANTS TO THE SOCIETY and the TOWN OF BUENA VISTA, FOR all Copyrightable materials and/or submittals developed or produced under this contract, a royalty- free, nonexclusive, and irrevocable license to reproduce, publish, display, perform, prepare derivative works or otherwise use, and authorize others to reproduce, publish, display, perform, prepare derivative works, or otherwise use, the work or works for State Historical Fund purposes.

10. **WARRANTIES AND REPRESENTATIONS.** Each party warrants that it has the right and power to enter into this Agreement and an authorized representative has executed this Agreement. Scheuber + Darden Architects warrants that the Services will be performed in a professional and workmanlike manner in accordance with recognized industry standards. To the extent Services provided by Scheuber + Darden Architects are advisory; no specific result is assured or guaranteed. Scheuber + Darden Architects expressly disclaim all other representations or warranties, whether express, implied, or statutory to the extent permitted by law.

11. **LIMITATION OF LIABILITY.** Except as expressly set forth herein, in no event shall Scheuber + Darden Architects be liable for indirect, special, incidental, or consequential damages.

12. **INDEPENDENT CONTRACTOR STATUS.** Scheuber + Darden Architects perform this Agreement as an independent contractor, not as an employee of Client. Nothing in this Agreement is intended to construe the existence of a partnership, joint venture, or agency relationship between Client and Scheuber + Darden Architects.

13. **EMPLOYING ILLEGAL ALIENS.** Scheuber + Darden Architects shall not knowingly employ or contract with an illegal alien to perform work under this contract. Scheuber + Darden Architects shall not enter into a contract with a subcontractor that fails to certify to Scheuber + Darden Architects that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this contract.

Scheuber + Darden Architects confirmed or has attempted to confirm the employment eligibility of all employees who are newly hired for employment in the United States through participating in the basic pilot program as defined in C.R.S. §8-17.5.101(1) ("Program") and, if Scheuber + Darden Architects has not accepted into the Program prior to entering into this contract, that Scheuber + Darden Architects shall apply to participate in the Program every three months until Scheuber + Darden Architects is accepted or the contract has been completed, whichever is earlier. This provision shall not be required or effective if the Program is discontinued. Scheuber + Darden Architects is prohibited from using the Program procedures to undertake pre-employment screening of job applicants while this contract is being performed.

If Scheuber + Darden Architects obtains actual knowledge that a subcontractor performing work under this contract for services knowingly employs or contracts with an illegal alien, Scheuber + Darden Architects shall:

- a. Notify the subcontractor and the Town of Buena Vista within three days that Scheuber + Darden Architects has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and
- b. Terminate the subcontract with the subcontractor within three days of receiving the notice required pursuant to this paragraph if the subcontractor does not stop employing or contracting with the illegal alien; except that Scheuber + Darden Architects shall not terminate the contract with the subcontractor if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

Scheuber + Darden Architects shall comply with any reasonable request by the Department of Labor and Employment made in the course of an investigation that the Department is undertaking pursuant to the authority established in C.R.S. §8-17.5-102(5).

If Scheuber + Darden Architects violates a provision of this contract requirement pursuant to C.R.S. §8-17.5-102, Town of Buena Vista may terminate the contract for breach of contract. If the contract is so terminated, Scheuber + Darden Architects shall be liable for actual and consequential damages.

14. NOTICE. All notices or other communications referenced under this Agreement shall be made in writing and sent to the address designated above, designated in a specific SOW, or designated from time to time in writing by the Parties. All notices shall be deemed given to the other party if delivered receipt confirmed using one of the following methods: registered or certified first class mail, postage prepaid; recognized courier delivery; or electronic mail.

15. TERMINATION OF PROFESSIONAL SERVICE.. Either Party may terminate this Agreement upon 30 days advance written notice. The Town shall pay Scheuber + Darden Architects for all work previously authorized and completed prior to the date of termination. If, however, Scheuber + Darden Architects has substantially or materially breached this Agreement, the Town shall have any remedy or right of set-off available at law and equity.

16. WAIVER. No modification to this Agreement nor any failure or delay in enforcing any term, exercising any option, or requiring performance shall be binding or construed as a waiver unless agreed to in writing by both parties.

17. FORCE MAJEURE. Except for Client's obligation to pay Scheuber + Darden Architects, neither party shall be liable for any failure to perform its obligations under this Agreement or any SOW if prevented from doing so by a cause or causes beyond its control, including without limitation, acts of God or public enemy, failure of suppliers to perform, fire, floods, storms, earthquakes, riots, strikes, war, and restraints of government.

19. GENERAL. This Agreement shall be governed by the laws of the State of Colorado and venue for the settlement of disputes shall be in Chaffee County, Colorado. If any provision of this Agreement is held to be unenforceable, the other provisions shall nevertheless remain in full force and effect. This Agreement and the SOW(s) constitute the entire understanding between the Parties with respect to the subject matter herein and may only be amended or modified by a writing signed by a duly authorized representative of each party. This Agreement may be executed by facsimile. This Agreement replaces and supersedes any prior verbal or written understandings, communications, and representations between the Parties regarding the subject matter contained herein. No purchase order or other ordering document that purports to modify or supplement the printed text of this Agreement or any Exhibit shall add to or vary the terms of this Agreement or Exhibit. All such proposed variations, edits, or additions (whether submitted by Scheuber + Darden Architects or Client) to this Agreement or to an SOW, are objected to and deemed material unless otherwise mutually agreed to in writing.

The Parties hereby agree to all of the above terms and have executed this Agreement by a duly authorized officer or officer representative.

ACCEPTED BY: TOWN OF BUENA VISTA

ACCEPTED BY: SCHEUBER + DARDEN ARCHITECTS

Barbara Darden

Digitally signed by Barbara Darden
DN: cn=Barbara Darden, o=Scheuber +
Darden Architects, ou,
email=bdarden@scheuberdarden.com, c=US
Date: 2016.04.11 16:24:51 -06'00'

Authorized Signature

Authorized Signature

Printed Name and Title

Barbara Darden – Managing Member
Printed Name and Title



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

DATE: April 26, 2016
TO: Mayor and Board of Trustees
FROM: Brandy Reitter, Town Administrator

AGENDA ITEM: Resolution #44, Series 2016 entitled ““A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, AUTHORIZING AND APPROVING A LEASE AGREEMENT FOR THE ST. ROSE OF LIMA PARK CHAPEL WITH THE BUENA VISTA AREA CHAMBER OF COMMERCE.”?”

Request

A request is being made to the BOT to reauthorize a lease agreement with the Buena Vista Chamber of Commerce and the Town of Buena Vista so that they can continue occupying the historic St. Rose of Lima Park Chapel currently owned by the town. The location is 343 Hwy 24 South, Buena Vista, CO.

Overview

The Town of Buena Vista owns the historic St. Rose of Lima Park Chapel that is occupied and maintained by the Buena Vista Chamber of Commerce and Visitor Center. Every year the town considers a renewal of the lease agreement. This lease is structured to be an annual lease approved by the town.

Analysis

None.

Policy Alignment

Policy Governance Doctrine:

- Economic Vitality
- Community

BOT Action

Motion to **Approve** or **Deny** adoption of Resolution #44, Series 2016 entitled ““A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, AUTHORIZING AND APPROVING A LEASE AGREEMENT FOR THE ST. ROSE OF LIMA PARK CHAPEL WITH THE BUENA VISTA AREA CHAMBER OF COMMERCE.”?”

**TOWN OF BUENA VISTA, COLORADO
RESOLUTION NO. 44
(SERIES OF 2016)**

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, AUTHORIZING AND APPROVING A LEASE AGREEMENT FOR THE ST. ROSE OF LIMA PARK CHAPEL WITH THE BUENA VISTA AREA CHAMBER OF COMMERCE.

WHEREAS, the Town of Buena Vista leases the town-owned Buena Vista Park Chapel, also known as the St. Rose of Lima Park Chapel, to the Buena Vista Area Chamber of Commerce and both the Town and Chamber desire to renew the lease agreement for a period of one (1) year; and

WHEREAS, Section 31-15-713 (1)(c), C.R.S. provides that any lease of municipally-owned property or facilities for one year or less shall be authorized and approved by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, that a one (1) year lease agreement between the Town of Buena Vista and the Buena Vista Area Chamber of Commerce for the St. Rose of Lima Park Chapel, a copy of which is attached hereto and incorporated herein as Exhibit A, be and is hereby authorized and approved, and the Mayor and/or Town Administrator are authorized to execute same on behalf of the Town.

RESOLVED, APPROVED AND ADOPTED this 26th day of April, 2016.

TOWN OF BUENA VISTA, COLORADO

By: _____
Joel Benson, Mayor

ATTEST:

Janell Sciacca, Town Clerk

LEASE AGREEMENT

This Lease Agreement ("Lease") is made and entered into at Buena Vista, Colorado, this _____ day of _____, 2016, by and between the TOWN OF BUENA VISTA, a Colorado Municipal' corporation ("Lessor") and THE BUENA VISTA AREA CHAMBER OF COMMERCE ("Lessee").

WITNESSETH:

In consideration of the payment of the rent by the Lessee as herein provided and the keeping and performance of the covenants and agreements of this Lease by the Lessee as hereinafter set forth, the Lessor hereby leases to the Lessee and the Lessee hereby leases from the Lessor the following described premises situated in the Town of Buena Vista, County of Chaffee and State of Colorado, to wit:

The "Buena Vista Park Chapel", located at Forest Square Park, known as 343 Highway 24 South, as depicted on the attached Exhibit "A" which is incorporated herein by reference (the "Leased Premises").

1. Term. The term of this Lease shall commence as of 12:01 a.m. on May 1, 2016 and shall expire, subject to earlier termination as hereafter provided, at 11:59 p.m. on April 30, 2017.

2. Rent. The rent to be paid to Lessor by Lessee for the full term of the Lease shall be Twenty Dollars (\$20.00), payable in advance at the commencement of the Lease.

3. Insurance. The Lessee hereby agrees that it will cause to be written a policy or policies of insurance in the form generally known as a public liability policy insuring the Lessee and Lessor against any and all claims and demands made by any person or persons whomsoever for injuries received in connection with the Lessee's operation, maintenance and use of the Leased Premises and improvements on the Leased Premises, if any, or for any other lawful use to which the property is put by Lessee, and such policy or policies shall constitute and stand as the primary insurance for the Leased Premises, and shall contain limits of liability of not less than \$500,000.00 for damages incurred or claims by any one person for bodily injury or damage to property, or otherwise, arising from any single occurrence, and \$1,000,000 for damages incurred or claimed by two or more persons arising from any single occurrence for bodily injury or damage to property, or otherwise. Lessee shall further obtain and maintain fire and extended coverage insurance insuring the building located on the Leased Premises for its full insurable value. All such policies shall name the Lessee and the Lessor as their respective interests may appear. Lessee shall pay all premiums associated with such insurance policies, shall maintain such insurance in full force and effect throughout the term of this Lease and shall provide Lessor with a true, correct and complete copy of such policies prior to the commencement of the term of this Lease. The subject insurance policies shall require at least 10 days advance notice to Lessor prior to cancellation of such policies.

4. Use of Premises. Lessee agrees that the Leased Premises shall be used for the operation of Lessee's business office and as a public facility, open to the general public on a non-discriminatory basis, for uses Lessee determines to be compatible with Lessee's allowed use under this Lease. The Leased Premises shall not be used for any other purpose without the Lessor's prior written consent. Lessee shall, at Lessee's expense, promptly comply with all the applicable statutes, ordinances, rules, regulations, orders, restrictions of record and requirements in effect during the term of this lease which regulates the use of the Leased Premises by Lessee. Lessee shall not use or permit the use of the Leased Premises in any manner that will tend to create waste or a nuisance, nor permit any activity to be conducted on or about the Leased Premises which tends to annoy or disturb the peace and quiet of persons occupying premises adjacent or near to the

Leased Premises.

5. Utilities. Lessor agrees to pay for the cost of water and sewer delivered to the Leased Premises. Lessee shall pay for all other utilities including gas, electricity and telephone charges. Lessee shall contract for such utilities in its own name, and shall indemnify and hold Lessor harmless with respect thereto.

6. Taxes. Lessee shall promptly pay all real and personal property taxes, if any, against the Leased Premises.

7. Maintenance.

A. Lessee, at Lessee's expense, shall keep in good order, condition and repair the Leased Premises and every part thereof, including, without limiting the generality of the foregoing, all plumbing, electrical and lighting facilities and equipment within the Leased Premises, fixtures, interior walls and interior surface of exterior walls, ceilings, windows, doors, and plate glass located within the Leased Premises.

B. Lessee shall provide all required janitorial services for the Leased Premises.

C. Lessee shall repair any damage to Leased Premises occasioned by the removal of its trade fixtures, furnishings and equipment which repair includes the patching and filling of holes and repair of structural damage.

D. Lessee shall not make any structural alterations to the Leased Premises without Lessor's prior written consent.

8. Restoration of Leased Premises: Trade Fixtures. At the conclusion of the Lease term the Lessee shall deliver possession of the Leased Premises to the Lessor. The Leased Premises shall be restored by Lessee to substantially the same condition it was in at the time of the commencement of the Leased term, ordinary wear and tear excepted. Lessee shall remove all trade fixtures placed upon the Leased Premises within 10 days following the conclusion of the Lease term. Any trade fixtures not so removed within such time period shall be deemed to have been abandoned by Lessee and may be disposed of by Lessor as it deems best.

9. Assignment and Subletting. Lessee shall not assign, sublet, mortgage or encumber in any way this Lease or any portion thereof, nor suffer or permit the Leased Premises or any part thereof to be used by others, without the prior written consent of the Lessor; provided, however, Lessee shall be permitted to allow other persons or groups to use the Leased Premises on a non-discriminatory basis for public activities and to charge and collect reasonable fees in connection therewith.

10. Lessor Liability. The Lessor shall not be liable to the Lessee or others for any loss or damage to any property by theft or otherwise, nor for any injury to or damage to persons or property resulting from fire, explosion, falling plaster, steam, gas, electricity, water or rain which may leak from any part of the building or from the pipes, appliances or plumbing, or from the roof, street or subsurface, or from any other place or any other cause. Lessee, as a material part of the consideration for this Lease, hereby assumes all risks of damage to property or injury to persons in, upon or about the Leased Premises, from any cause, and hereby waives all claims in respect thereto against Lessor.

11. Indemnification. The Lessee agrees to indemnify and hold harmless Lessor, its officers,

employees, and insurers, from and against all liability, claims, and demands, on account of injury, loss, bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this Lease or Lessee's use of the Leased Premises pursuant to this Lease. The Lessee agrees to investigate, handle, respond to, and to provide defense for and defend against any such liability, claims, or demands at the sole expense of the Lessee. The Lessee also agrees to bear all other costs and expenses related thereto, including court costs, and attorney fees, whether or not any such liability, claims, or demands alleged are groundless, false, or fraudulent.

12. Mechanic's Liens. Lessee shall do nothing which would or might give right to the creation of a mechanic's lien upon the Leased Premises.

13. Lessor Access to Leased Premises. Lessor, and Lessor's officers, agents, employees and contractors, shall have access to the Leased Premises at any reasonable hour.

14. Governmental Immunity. The parties hereto understand and agree that the Town is relying on and does not waive or intend to waive by any provision of this Lease the monetary limitations (presently \$150,000 per person and \$600,000 per occurrence) or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, Section 24-10-101, et seq.. C.R.S., as from time to time amended, or any law or limitation otherwise available to the Town, its officers, or its employees.

15. Default by Lessee. The following events shall be deemed events of default by Lessee under this Lease:

A. Lessee shall fail to pay when due the rent due hereunder.

B. Lessee shall fail to comply with any term, provision or covenant of this Lease, other than payment of rent, and shall not cure such default within fifteen (15) days after receipt of written notice thereof from Lessor.

C. Lessee shall become insolvent, or shall make a transfer in fraud of creditors, or shall make an assignment for the benefit of creditors.

D. Lessee shall file a petition under section or chapter of the Bankruptcy Code, as amended, or any similar law or statute of the United States or any state thereof; or Lessee shall be adjudged bankrupt or insolvent in proceedings filed against Lessee.

E. A Receiver or Trustee shall be appointed for the Leased Premises or all or substantially all of the assets of Lessee or any grantor of Lessee's obligations under this Lease.

F. Lessee shall desert or vacate any substantial portion of the Leased Premises.

G. Lessee shall do or permit to be done anything which creates a lien upon the Leased Premises.

16. Remedies of Lessor. Upon the occurrence of any such event of default, Lessor shall have the option, in addition to any other remedies provided by law, to pursue one or more of the following remedies without any notice or demand whatever:

A. Terminate this Lease by written notice to Lessee, in which event Lessee shall immediately surrender the Leased Premises to Lessor, and if Lessee fails to do so, Lessor may without prejudice to any other remedy which it may have for possession or arrearages in rent, enter upon and take possession of the Leased Premises and expel or remove Lessee and any other person who may be occupying said Leased Premises or any part thereof, by force if necessary, without being liable for prosecution for any claim for damages therefore; and Lessee agrees to pay to Lessor on demand the amount of all loss and damage which Lessor may suffer by reason of such termination. No other act by Lessor other than express written notice shall terminate this Lease.

B. Without terminating the Lease, enter upon the Leased Premises, by force if necessary, without being liable for prosecution or any claim for damages therefore, and do whatever Lessee is obligated to do under the terms of this Lease; and Lessee agrees to reimburse Lessor on demand for any expenses which Lessor may incur in effecting compliance with Lessee's obligations under this Lease, and Lessee further agrees that Lessor shall not be liable for any damages resulting to the Lessee from such action.

17. Attorney's Fees. In any action to enforce or determine the rights of the parties hereunder the prevailing party in such action, at trial or upon appeal, shall be entitled to recover their reasonable attorney's fees in an amount to be fixed by the Court.

18. Construction of Terms.

A. The headings of the articles and paragraphs contained in this Lease are for convenience only and do not define, limit, or construe the contents of the articles and paragraphs. All negotiations, considerations, representations, and understandings between the parties are incorporated herein, and may be modified only by agreement in writing between the parties.

B. The laws of the State of Colorado shall govern the interpretation, validity, performance and enforcement of this Lease. If any provision of this Lease shall be held to be invalid or unenforceable, the validity and enforceability of the remaining provisions of this Lease shall not be affected thereby. Any litigation brought to construe this Lease or the rights and obligations hereunder shall be commenced in Chaffee County, Colorado.

19. Rules and Regulations. From time to time the Lessor may impose rules and regulations for the orderly operation of the Leased Premises which will not be inconsistent with this Lease. After written notice to the Lessee of the rules and regulations, violation thereof will be a breach of this Lease, unless the violation is cured within fifteen (15) days after written notice.

20. Notices. Whenever under this Lease a provision is made for notice of any kind, such notice shall be in writing and signed by or on behalf of the party giving or making the same, and it shall be deemed sufficient notice and service thereof if such notice is to Lessee and sent by registered or certified mail, postage prepaid, to the last Post Office address of Lessee furnished to Lessor for such purpose; and if to Lessor, sent by registered or certified mail, postage prepaid, to Lessor at the address furnished for such purpose, or to the place then fixed for the payment of rent.

Lessee's initial address for notice is:

Executive Director
PO Box 2021
Buena Vista, CO 81211



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

DATE: April 26, 2016
TO: Mayor and Board of Trustees
FROM: Brandy Reitter, Town Administrator

AGENDA ITEM: Resolution #45, Series 2016, entitled "A Resolution of the Board of Trustees for the Town of Buena Vista, Colorado Designating a Creative District to be Named the Buena Vista Arts Community."?

Request

A request is being made for the trustees to consider a resolution in support of the Town of Buena Vista's application to the Office of Economic Development and International Trade's Colorado Creative Industries to be designated as a Creative District.

Overview

The Town of Buena Vista passed this resolution in 2014 as part of the town's application to become a creative district. The town was not accepted at the time but received great feedback. This resolution is required as part of the application due April 28, 2016. Supporting creative industries is important in revitalizing our downtown, supporting local businesses, and diversifying our economy. Creative Districts attract visitors all over the state and county.

Since 2014 the town has made great strides to boast its creative presences. Buena Vista has:

- Six more music venues.
- Madison House Presents Music Festival.
- Growth at venues that include Eddyline and the Beach at South Main.
- More galleries on East and South Main Streets.
- Buena Vista Main Street – People's Stage.
- Two new mural installations in the historic downtown.

The program will be management by staff utilizing the AmeriCorp Vista program organized by Downtown Colorado, Inc.

Analysis

The benefits of the program are provided:

- Attracts artists and creative entrepreneurs to a community, infusing new energy and innovation, which in turn will enhance the economic and civic capital of the community;
- Creates hubs of economic activity, thereby enhancing the area as an appealing place to live, visit and conduct business, as well as create new economic activity;
- Attracts visitors;
- Revitalizes and beautifying communities;
- Provides a focal point for celebrating and strengthening a community's unique identity;
- Showcases cultural and artistic organizations, events and amenities;
- Contributes to the development of healthy communities; and

- Improving the quality of life of the State's residents.

Policy Alignment

Policy Governance Doctrine:

- Economic Vitality
- Community
- Environment

Downtown Colorado Inc. Assessment

Comprehensive Plan

BOT Action

Motion to **Approve** or **Deny** Resolution #45, Series 2016, entitled "A Resolution of the Board of Trustees for the Town of Buena Vista, Colorado Designating a Creative District to be Named the Buena Vista Arts Community."?

Attached

Creative District Brochure
Attorney Memo from 2012

TOWN OF BUENA VISTA, COLORADO
RESOLUTION NO. #45
(Series of 2016)

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO DESIGNATING A CREATIVE DISTRICT TO BE NAMED THE BUENA VISTA ARTS COMMUNITY.

WHEREAS, the Town of Buena Vista Trustees desire to designate a creative district pursuant to C.R.S. § 24-48.5-314 as more specifically set forth in the creative district plan;

WHEREAS, the Trustees desire to assist the creative district and the creative community to develop a public-private partnership to support said district;

WHEREAS, the Colorado Creative Industries Division will be petitioned to certify the Buena Vista Arts Community creative district as a state-certified creative district, pursuant to C.R.S. § 24-48.5-314(4).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA AS FOLLOWS:

Article 1. The Town hereby Endorses the submission of an application for state-certification of the Buena Vista Arts Community creative district as a state-certified creative district pursuant to C.R.S. § 24-48.5-314(4);

Article 2. Subject to funding availability, the Town anticipates participating in the development and financial support of the Buena Vista Arts Community.

Article 3. The Town endorses the goal of economic development of the Buena Vista Arts Community while preserving and rehabilitating the Town's historic buildings.

Article 4. The Town endorses the goal of using the Buena Vista Arts Community to develop tourism and contribute to the overall visitor development goals of the Town.

Article 5. Town staff is directed to support and cooperate with the development of such creative district.

Article 6. The Trustees request all residents of the Town and especially those citizens who own property or businesses within the creative district to support, promote and help maintain activities and events in said district.

RESOLVED, APPROVED AND ADOPTED this _____ day of _____, 2016.

TOWN OF BUENA VISTA

By: _____
Joel Benson, Mayor

ATTEST:

Janell Sciacca, Town Clerk



COLORADO CREATIVE DISTRICTS



OVERVIEW

A division of the Colorado Office of Economic Development, Colorado Creative Industries (CCI) is proud to administer the Colorado Creative District Program. The Creative District enabling legislation passed in 2011 (HB11-1031) and in 2013 (HB13-1208) offers vetted districts access to grant funding, tailored technical assistance, networking and training programs and access to advocacy tools. The Boettcher Foundation is a partner of the CCI in establishing the Colorado Creative Districts Program. Since July of 2012, CCI has supported the development of Creative Districts across the state to:

- Create hubs and clusters of economic activity
- Promote a community's unique identity
- Enhance areas as appealing places to live, conduct business and attract visitors



SNAPSHOT OF COLORADO'S CREATIVE DISTRICTS



data from 2013 CVSuite

Learn more at www.coloradocreativeindustries.org/creativedistricts



CREATIVE DISTRICTS DEFINED

- Contiguous area that includes a mix of uses within its boundaries
- Walkable, distinguished by physical, artistic and cultural resources
- Concentration of arts and cultural organizations and creative enterprises
- Complementary non-arts businesses, such as restaurants, offices, retail, housing and lodging
- Vigorous arts and cultural activity, such as art walks, festivals, concerts and community gathering places

PROGRAM BENEFITS

- National and statewide marketing, advertising and social media opportunities
- CDOT signs marking Certified Creative Districts on state highways
- Technical assistance from professionals for district-specific identified needs
- Customized economic impact data from the Creative Vitality Index
- Training webinars by world renowned consultants
- Assistance with community asset mapping
- Access to capital through OED funding and CCI community loan fund
- Ability to leverage funding for additional funding and partnerships
- Mentoring and coaching from other Colorado Certified Creative Districts

CERTIFIED CREATIVE DISTRICTS

Certified Creative Districts have completed the 2-year candidacy and meet the requirements and standards of the program, and are approved by the Colorado Creative Industries Council for 5-year Certification:

- 40 West Arts District Lakewood
- Corazon de Trinidad Creative District
- Denver's Art District on Santa Fe
- Downtown Colorado Springs Creative District
- Greeley Creative District
- Longmont Arts and Entertainment District
- Pueblo Creative Corridor
- Ridgway Creative District
- RiNo Art District Denver
- Salida Creative District
- Telluride Arts District
- North Fork Valley Creative District

CANDIDATE CREATIVE DISTRICTS

Candidates for Certification are communities that are accepted into a 2-year "candidacy" program through a competitive application process to prepare them to apply for Certification:

- Aurora Cultural Arts District
- Carbondale Historic Creative District
- Crested Butte Creative District
- Crestone Creative District
- Downtown Fort Collins Creative District
- Evergreen Creative District
- Mancos Creative District
- Manitou Springs Creative District



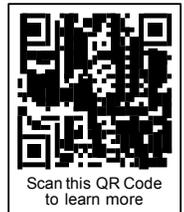
Colorado Creative Industries
 a division of the Colorado Office of Economic Development
 1625 Broadway, Suite 2700 | Denver, Colorado 80202
 303.892.3802 | www.coloradocreativeindustries.org/creativedistricts

Connect with us online for more information on our programs



 /ColoradoCreatives  @CO_Creatives

 /CO_Creatives  /coloradocre0313



Scan this QR Code to learn more



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Fairplay, CO 80440
Telephone: (719) 836-9005
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Elizabeth C. Gross
Christine C. Stretesky
Ryan S. Malarky

John E. Hayes (Retired)

TOWN OF BUENA VISTA
MEMORANDUM

TO: SUE BOYD, TOWN ADMINISTRATOR

FROM: JEFFERSON H. PARKER, TOWN ATTORNEY ^{CHP}
ELIZABETH C. GROSS, ESQ.

DATE: JANUARY 23, 2012

RE: CREATIVE DISTRICTS

This memorandum summarizes the provisions of House Bill 11-1031 (“HB 1031”), signed into law on March 22, 2011, concerning the creation of creative districts. It also describes application process for becoming a state-certified creative district.

Formation of Creative Districts

HB 1031 recognizes that a “creative district” is a “well-recognized, designated mixed-use area of a community in which a high concentration of cultural facilities, creative businesses, or arts-related businesses serve as the anchor of attraction.” C.R.S. § 24-48.5-314(1)(a)(I). “Creative district” is defined by the bill as a “land area designated by a local government ... that contains either a hub of cultural facilities, creative industries, or arts-related businesses or multiple vacant properties in close proximity that would be suitable for redevelopment as a creative district.” C.R.S. § 24-48.5-314(2)(a).

This bill recognizes that sometimes, multiple vacant properties located closely together would be suitable for redevelopment as a creative district. *Id.* In addition, creative districts may be found in all sizes of rural and urban communities, and may be home to both nonprofit and for-profit creative industries and organizations. *Id.* The bill also recognizes that creative districts

promote and improve communities by attracting artists and creative entrepreneurs, create a hub of economic activity, serve as an economic development tool, establish marketable tourism assets, revitalize and beautify areas, and provide a focal point for celebrating and strengthening a community's unique cultural identify. C.R.S. § 24-48.5-314(1)(a)(II).

In addition, it is intended that the State provide leadership and help to local communities wishing to create their own creative districts by: (1) certifying districts; (2) offering incentives to encourage business development; (3) exploring new incentives that are directly related to creative enterprises; (4) facilitating local access to state assistance; (5) enhancing visibility of creative districts; (6) providing technical assistance and planning help; (7) ensuring program benefits; and (8) fostering a supportive climate for the arts and culture. C.R.S. § 24-48.5-314(1)(b). It may be noted that creative districts are not eligible to receive any form of financial incentive that is derived from moneys allocated to the local government limited gaming impact fund created in C.R.S. § 12-47.1-1601(1)(a), unless the local government consents. C.R.S. § 24-48.5-314(5)(b).

Designating a Creative District

A local government may designate a creative district within its territory that is subject to certification by the state as a "state-certified creative district." C.R.S. § 24-48.5-314(3)(a). A "state-certified creative district" is a creative district whose application for certification has been approved by the state. C.R.S. § 24-48.5-314(2)(d). In order to receive state certification, the district must:

- (1) comprise a geographically contiguous area;
- (2) be distinguished by physical, artistic, or cultural resources that play a vital role in the quality and life of a community, including its economic and cultural development;
- (3) be the site of a concentration of artistic or cultural activity, a major arts or cultural institution or facility, arts and entertainment businesses, an area with arts and cultural activities, or artistic and cultural production; and
- (4) be engaged in the promotional, preservation, and educational aspects of the arts and culture of the community and contribute to the public through interpretive, educational, or recreational uses.

C.R.S. § 24-48.5-314(3)(b). Also, the district must satisfy any additional criteria required by the application to the state. The coordinator of the Creative Industries Division (which is within the state Office of Economic Development) creates the process for the review of applications submitted by local governments for certification of state-certified creative districts. *See* C.R.S. §

24-48.5-314(4)(a)(I). It may be noted that in special circumstances, a creative district may be certified if the land area proposed contains multiple vacant properties in close proximity that would be suitable for redevelopment as a creative district. C.R.S. § 24-48.5-314(3)(c). There is no requirement that the proposed district have any precise mix of for-profit or nonprofit industries or organizations. *Id.* Also, two or more municipalities may jointly apply for certification of a creative district that extends across a common boundary. C.R.S. § 24-48.5-314(3)(d). The creation of a creative district may not be used to prohibit any particular business or residential real property development or to burden the operation or use of any business or residential property located within the district. C.R.S. § 24-48.5-314(6).

Applying for State Certification

The Creative Industries Division (“Division”) has indicated that two creative districts will be certified in 2012. *See* Guidelines issued by Division, available at <http://www.coloradoarts.com/programs/economic/creativedistricts/Creative%20District%20Guidelines%202012.pdf>, a copy of which is attached hereto. Each will receive a \$15,000 grant and a technical assistance package on topics such as strategic planning, tax planning, downtown development, fundraising, marketing, and data gathering. *Id.* Five applicants will be classified as “prospective” districts and will receive \$8,000 and a customized package of technical assistance. *Id.* Eight applicants will be classified as “emerging” and will receive \$2,000 and technical assistance. *Id.*

In order to apply for state certification, the applicant must be an existing creative district that already has a single managing entity, or a partnership of government and entity with one partner serving as the lead applicant, or a municipal or county government. *Id.* Also, the applicant must have formal local government endorsement. *Id.* In addition, the proposed creative district must have distinct boundaries and must already include within such boundaries an anchor arts or cultural organization or a cluster of galleries, performing venues, and/or studios of artists or creative entrepreneurs (architects, game designers, etc.). *Id.*

Applicants will be scored based on the following weighted review criteria:

- District characteristics (35%)
 - Specific, identifiable District boundaries
 - Arts and creative industries as a key organizing principal for the District
 - Hub of economic activity with a mix of businesses and venues
 - Regularly scheduled arts and cultural events
 - Identity that has already been or can be branded

- Evidence that the community already considers this a Creative District
- Incorporation of area cultural heritage and uniqueness in signage, streetscape, programming, and promotion
- Projects and/or built environment that indicate ongoing revitalization and beautification
- Management and planning (35%)
 - Designated individual who coordinates District planning, management, marketing, funding, and evaluation
 - Diverse steering committee or board reflecting local government, for-profit business, non-profit business, and artists/creative entrepreneurs
 - Artists/creative entrepreneurs in visible leadership roles
 - Management or business plan that includes marketing and funding strategies and a vision that includes measurable expected impact
 - Formal commitment by local government
 - Method for collecting data on jobs, occupancy, visitors, sale or property tax
- Community buy-in (25%)
 - Active involvement and investment in the District by local government
 - Broad participation by people and organizations
 - Programs and venues that attract participation
- Other factors (5%)
 - Considerations for youth involvement
 - Existence or development of public gathering spaces
 - Creative re-use of vacant spaces
 - Inclusion of live/work space for artists

January 23, 2012

Page 5

See id.

Upon approval for certification, the creative district becomes a state-certified creative district. C.R.S. § 24-48.5-314(4)(b). The Division may remove a certification for failure by a local government to comply with HB 1031 or any agreement executed thereunder. C.R.S. § 24-48.5-314(4)(c). State-certified districts must submit periodic written reports of their activities and compliance to the Division. C.R.S. § 24-48.5-314(5)(a)(IV).

As always, please do not hesitate to contact us with any questions.

GUIDELINES & APPLICATION PROCESS COLORADO CREATIVE DISTRICTS

This document contains guidelines to apply for certification as a Colorado Creative District. To apply, click on Current Programs & Applications button at left.

Applications must be submitted online by 4:00 p.m. on Monday, January 30, 2012.

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ABOUT CCI

Colorado is a magnet for creative enterprises and creative workers. Indeed, with almost 8,000 businesses and 186,000 jobs, the creative sector comprises the state's 5th largest employment cluster. Colorado's Creative Industries Division, within the Office of Economic Development and International Trade, was established in July 2010 to capitalize on the immense potential for our creative sector to drive economic growth in Colorado. The Division merges the former Colorado Council on the Arts, the Office of Film, Television and Media, and the state's Art in Public Places program and renames the governor-appointed, 11-member Council on the Arts the Council on Creative Industries.

Our Mission

The mission of Colorado Creative Industries (CCI) is to promote, support and expand the creative industries to drive Colorado's economy, grow jobs and enhance our quality of life.

Our Objectives

In our 2011-2014 strategic plan, CCI identified the following objectives:

- Non-profit and for-profit creative businesses, artists and creative entrepreneurs will have increased access to financial support, skill development and professional networking.
- Colorado will be recognized as a premier creative hub—a home for world-class creative businesses, productions and experiences.

- Opportunities for arts learning and creativity skills development will be available to Colorado youth to help them succeed in school and to be better prepared to enter the workforce.
- Local governments and coalitions will expand professional and financial support for creative businesses and cultural and artistic programs in their communities.
- All Coloradans will have access to creative environments and experiences.
- Colorado’s unique cultural heritage will be preserved and promoted.

Programs and Services

To achieve our stated objectives, CCI has established five priorities that guide our program development and budget:

- Increase access to direct financial support for creatives
- Create and expand professional development and networking opportunities for creatives
- Promote Colorado as a premier creative hub
- Increase access to arts and creativity skills in preschool through college education and workforce development
- Stimulate increased support for creatives by local governments and coalitions

ABOUT CREATIVE DISTRICTS

In 2011, the Colorado legislature passed HB11-1031. In brief, it encourages the formation of Creative Districts in communities, neighborhoods, or contiguous geographic areas, for the purposes of:

- Attracting creative entrepreneurs and artists to a community, infusing new energy and innovation which in turn will enhance the economic and civic capital of the community
- Creating hubs of economic activity, thereby enhancing the area as an appealing place to live, visit and conduct business, as well as create new economic activity
- Attracting visitors
- Revitalizing and beautifying communities
- Providing a focal point for celebrating and strengthening a community’s unique identity
- Showcasing cultural and artistic organizations, events, and amenities

The legislation charges CCI with certifying Creative Districts and assisting them, as well as other communities desirous of creating Creative Districts in the years ahead. (Note: “Creative District” also refers to “Arts Districts” or “Arts & Entertainment Districts” – names already in use in Colorado.)

The legislation is written broadly enough to ensure that the Creative District concept is relevant to places large and small, urban and rural, well-established and new. Still, they will have things in common: Creative Districts are defined areas that include a mix of uses within their boundaries, and they are typically small enough to be walkable. All include arts/cultural assets and non-profit as well as for-profit creative businesses. Most will incorporate complementary non-arts businesses such as restaurants, offices, retail stores and housing. Districts may offer events like art walks and arts festivals. Often they will include community gathering places such as a plaza or park.

Successful Creative Districts have shown to have a positive impact on jobs, occupancy, sales and property tax, and visits, e.g. foot traffic, pedestrian counts, and customer usage.

- As such, The applicant must agree to collect and report on the following data each year:
 - Number of total jobs in the district
 - Average building occupancy rate within the district
 - One of the following three, depending on local relevance:
 - Sales taxes collected in the district
 - Property values in the district
 - Visitorship in the district

This application is for communities, towns, cities or counties seeking certification for a Creative District within their boundaries.

Two (2) Creative Districts will be certified in 2012. Each will receive a \$15,000 grant and a technical assistance package to enhance their districts. Five (5) applicants will be identified as “Prospective” districts and each will receive \$8,000 and a customized package of technical assistance to enhance the likelihood that they will be certified in the future. Eight (8) applicants will be identified as “Emerging” and each will receive \$2,000 and technical assistance to further their district planning.

Communities must apply for district certification to be eligible for any of the levels of grants and technical assistance.

WHAT CERTIFICATION MEANS

The certification process in other states suggests that certified Creative Districts are able to use their status to leverage other funding, in addition to attaining the obvious benefits of attracting new businesses and visitors, enhancing pedestrian traffic, and even stimulating tax incentives or tax relief from local and state government.

CCI will provide the following benefits to the two certified Creative Districts:

- A \$15,000 grant to enhance the District.
- Technical assistance on topics such as strategic planning, tax planning, downtown development, fundraising, marketing, and data gathering, customized to the community’s needs. Assistance will be provided by other state agencies as well as individual consultants. CCI has retained the Western States Arts Federation (WESTAF) to coordinate these services.
- Recognition by the Governor and the Office of Economic Development and International Trade as a town or city that strategically targets creative activity as an economic development strategy.
- Recognition on the CCI website and other state agency web sites such as the Colorado Tourism Office and the Department of Local Affairs.
- Assistance in identifying other sources of funding.
- Two convenings during the year that provide opportunity to acquire information and network with peers throughout the state.
- Access to membership organizations and networks that can provide additional specialized information or peer contacts.
- Access to web-based tools and information.

CCI will provide the following benefits to the five Prospective and eight Emerging Districts :

- An \$8,000 grant to five (5) Prospective Districts and \$2,000 to up eight (8) Emerging Districts to assist readying a district for future certification.
- Technical Assistance on topics such as strategic planning, tax planning, downtown development, fundraising, marketing, and data gathering, customized to the community's needs. Assistance will be provided by other state agencies as well as individual consultants. CCI has retained the Western States Arts Federation (WESTAF) to coordinate these services.
- Recognition on the CCI website and other state agency sites such as the Colorado Tourism Office and the Department of Local Affairs.
- One convening in Fall 2012.

Since 2012 is the first year that CCI will certify Colorado Creative Districts, it is considered a pilot year. CCI, WESTAF, the two Certified Districts and the 13 Prospective and Emerging Districts will observe, reflect, learn, and provide suggestions for improving the program in subsequent years. The grants that CCI will provide will be used to enhance the planning, development or improvement of each district, but in exchange for that funding CCI will require participation in the convening(s) as well as in the evaluation process.

DEADLINE AND TIMELINE

- Applicants intending to apply for a Creative District designation **must** notify Maryo Gard Ewell at maryo@gard-sibley.org on or before **January 15, 2012**.
- Only online applications will be accepted. You must hit the "submit" button by **4:00 p.m. on Monday January 30, 2012**. Your supplemental materials will be uploaded and submitted as a part of your application. ***No hard copies of work samples will be accepted.***
- A review panel will meet on February 24, 2012. The panel will select up to 15 Districts – Certified, Prospective and Emerging. Those districts will be contacted to submit a final budget for use of grant funds.
- Districts must submit the proposed budget by March 1, 2012. CCI staff will review and, if necessary, negotiate with the District on the use funds. Final recommendations will be confirmed by the Council of CCI on March 9, 2012 after which you will be notified of your status.
- An annual report will be due on March 31, 2013. Future certification and recertification processes will be announced. It is likely that recertification will be every five years, with annual progress reports.

FOR INFORMATION AND ASSISTANCE: Maryo Gard Ewell and Ginger White Brunetti have been retained by WESTAF to provide more information and assist with the application process, as well as to coordinate the technical assistance program after the Creative Districts and the aspiring Districts have been identified. Contact Maryo Gard Ewell, maryo@gard-sibley.org, if you seek assistance on the application process.

APPLICANT ELIGIBILITY CRITERIA

- The applicant must be one of the following:
 - An existing Creative District (see page 2 for definition) that already has a single non-profit or for-profit managing entity; OR
 - A partnership of government, non-profit and/or for-profit entities, with one partner serving as the lead applicant. (If you are the developer of a property to be renovated/rehabilitated and intend to be the lead applicant, contact Maryo Ewell at maryo@gard-sibley.org); OR
 - A municipal or county government.

The lead applicant may not be a church or sectarian organization, which is excluded from eligibility by Article 9, Section 7 of the Colorado Constitution.

- The applicant must have formal local government endorsement, which may include:
 - Existing District designation in the form of a resolution or ordinance passed by the municipal council or county commissioners. This can be in process at the time of application, but evidence of completion must be submitted before the state certification will be officially awarded. The strongest Designation will include evidence of a public hearing.
 - A city or county economic development plan, community master plan, or neighborhood plan that specifically includes the Creative District. The strongest plan will have been accepted by an appointed Planning or Economic Development Commission, or accepted by town, city or county government.
- The proposed Creative District must have distinct boundaries and already include within its boundaries:
 - an anchor arts or cultural organization; OR
 - a cluster of galleries, performing venues, and/or studios of artists or creative entrepreneurs (architects, game designers, etc.).

REVIEW CRITERIA

Applications will be reviewed by a panel of professionals with experience in arts and creative industries, city planning, economic development, and business development. Panelists will review, score and rank the complete application and support materials. All applicants will be scored based on the following weighted review criteria. Based on the total score, panelists will select two Certified Districts, five Prospective Districts and up to eight Emerging Districts.

District Characteristics (35%) The strongest applications will show:

- Specific, identifiable District boundaries
- Arts and creative industries as a key organizing principal for the District
- Hub of economic activity with a mix of businesses and venues
- Regularly scheduled arts and cultural events, e.g. art, music or heritage festivals, art walks
- Identity that has already been or can be branded
- Evidence that the community already considers this a Creative District, e.g. high traffic website or Facebook page, long-running cooperative advertising campaign, strong “First Fridays” participation
- Incorporation of area cultural heritage and uniqueness (whether from the past or from newer immigrants) in District signage, streetscape, programming and promotion

- Projects and/or built environment that indicate ongoing revitalization and beautification

Management and Planning (35%) The strongest applications will show:

- A designated individual – whether paid staff or formally appointed unpaid volunteer such as a board chair – who coordinates district planning, management, marketing, funding, and evaluation
- A diverse steering committee or Board reflecting local government, for-profit business, non-profit business, and artists/creative entrepreneurs
- Artists/creative entrepreneurs in visible leadership roles
- A management or business plan that includes
 - Marketing strategies to promote occupancy and visitation
 - Funding strategies to support planning and development and sustain the District over time
 - A vision that includes measurable expected impact such as attraction and retention of creative businesses and jobs, improved retail sales, and enhanced streetscape
- Formal commitment by local government, as evidenced by inclusion in economic development plan, community master plan, or neighborhood plan, or by resolution or ordinance
- Method for collecting data on jobs, occupancy, and visitors, sales or property tax, and other expected impacts

Community Buy-In (25%) The strongest applications will show:

- Active involvement and investment in the District by local government, such as leadership in planning by the mayor or city council, assistance in funding and management by a municipal agency, creation of local tax incentives to attract artists and creative entrepreneurs, or grant support for non-profit arts and cultural organizations and activities
- Broad participation by people and organizations within the district as demonstrated by membership dues, event execution, event attendance, media coverage, or retail sales
- Programs and venues that attract participation by both local residents and tourists

Other Factors (5%) The strongest applications will also show attention to other factors that are indicators of a successful creative district:

- Considerations for youth involvement
- Existence or development of public gathering spaces
- Creative re-use of vacant spaces
- Inclusion of live/work space for artists

REQUIRED APPLICATION MATERIALS

I. Letters and local government resolutions or plans:

A. Based on the type of lead applicant:

- If the lead applicant is an **existing Arts District**
 - a letter from the District administrator, outlining how the District artists and businesses have worked together to-date. This letter should include a timeline of meetings and benchmarks for progress.
 - a list of District board members, including affiliations
 - District mission statement
- If the lead applicant represents a **Partnership**
 - a letter from the lead applicant, outlining how the partners have worked together to-date or plan to work together. This letter should include a timeline of meetings and benchmarks for progress.

- a letter from each of the partners affirming their multi-year commitment to the development of the Creative District, including a pledge to work together to create or support the management plan and to help identify resources for sustainability. Partnerships must include at least one arts or cultural heritage organization and an entity of local government. A typical partnership will include 3-7 other businesses including artists and for-profit and non-profit businesses.
- If the lead applicant is a **Municipality** or a **County**:
 - a letter outlining how local government has worked with District businesses and other partners to-date or plan to work together. This letter should include a timeline of meetings and benchmarks for progress.
 - letters of support from selected District businesses, artists, and at least one arts or cultural heritage organization, pledging to work together to create or support the management plan and to help identify resources for sustainability.
- B. A copy of the resolution or ordinance, economic development plan, community master plan, or neighborhood plan that designates or includes the Creative District. In the case of a plan, indicate whether it has been accepted by an official body such as a Planning Commission or town, city or county government.

II. **Narrative:** Write a narrative responding to the review criteria and the bullets provided above. Head the sections as follows:

- A. **District Characteristics**
- B. **Management and Planning**
- C. **Community Buy-In**
- D. **Other Factors**

The narratives should be very specific, providing concrete evidence in response to the bullet points identified as “the strongest applications will show...” The narrative will be limited to 15,000 characters (spaces included).

III. **Supplementary Materials:** Organize these in 4 sections:

- A. **District Characteristics:** You **must** include at least one map showing District boundaries and highlighting District arts and creative industry assets. You should also provide sample materials that exemplify the District’s characteristics, such as marketing literature, statistics on occupancy rates, tax revenues, and visitation, photos or videos of events, historic properties and street scenes, and an inventory of arts and cultural organizations, creative industries, and related businesses in the district.
- B. **Management and Planning:** Provide sample materials that exemplify the management practices and planning processes for the District. Existing Creative Districts **must** include their current strategic plan. You **must** include a District budget, if available. You **must** include data on jobs, occupancy and either visitation, sales or property tax data if you have it; if not, you must describe how you will collect it. Other suggestions include a strategic plan and marketing plan, the resume of the current District administrator or a job description for proposed District administrator, and a list of steering committee members.

- C. **Community Buy-in:** Provide evidence of community involvement and investment, such as sign-in sheets for a public hearing, media clippings, list of focus groups, or other evidence that the community finds or will find the District of value
- D. **Other Factors:** Include photos, videos, brochures or plans that address other factors.

IV. **District Next Steps.** In one page, describe how you plan to proceed between January 30 and September 30, 2012 if CCI selects you as a Creative District, or a Prospective or Emerging district. Examples include a public hearing, streetscape improvements, festival planning or other activities that support district development and sustainability.

APPEAL PROCESS

Applicants may appeal the Council's decision concerning a grant application. However, dissatisfaction with the denial or amount of an award is not sufficient reason for an appeal. Grounds for appeal are evidence that:

- The stated review process was not followed, or
- The Council's Conflict of Interest policy was violated.

A written appeal, describing the grounds for appeal and a desired remedy, must be sent to the Chair of the Colorado Creative Industries **no later than three (3) weeks** from the date of the CCI's written notification of denial. The Council will reconsider its decision at its next regularly scheduled meeting after receipt of the written appeal.

GRANTEE REPORTING REQUIREMENTS AND GRANT CANCELLATIONS

Grant recipients must submit a final report by March 31, 2013 detailing the impact of the grant funds and technical assistance package on:

- Number of total jobs in the district
- Average building occupancy rate within the district
- One of the following three, depending on local relevance:
 - Sales taxes collected in the district
 - Property values in the district
 - Visitors to the district

The final report will also detail the extent to which they met any other goals specific to their district plan and a financial accounting that clearly shows how CCI funds were used. **Grant recipients who do not submit final reports are ineligible for further CCI funding.**

The CCI has the right to withhold, reduce or cancel grants if an applicant does any of the following:

- Misses deadlines for final reports
- Does not notify the CCI of changes in project collaborators or other significant management changes or changes in the project
- Fails to comply with the terms of the grant contract
- Demonstrates inadequate financial management and oversight
- Does not properly credit CCI support

OTHER CONDITIONS OF FUNDING

As a condition of the grant contract, Colorado Creative Industries requires the recipient of public funds to provide assurances of compliance with all state and federal laws and regulations pertaining to the following:

- **Fair Labor Standards** – including minimum wage and working conditions.
- **Nondiscrimination** – including statutes prohibiting discrimination on the basis of race, creed, disability, national origin, sex, age or marital status.
- **Audit** – All applications accepted for funding become official records of the State of Colorado and are subject to an audit. CCI requires open access to accounting records for funds expended under the terms of contract award for the purpose of audit examination, reference or transcription.
- **Drug-Free Work Place** – compliance to the extent applicable with the Drug-Free Work Place Act of 1988.
- **Fair Language** – In compliance with Title VI of the Civil Rights Act of 1964, grant recipients must take adequate steps to ensure that people with limited English proficiency receive the language assistance necessary to afford them meaningful access to programs, activities and services.
- **Access for People With Disabilities**– Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 prohibit discrimination against persons with disabilities. Artists and Organizations receiving funding must ensure that facilities used for public presentations will be accessible to people with disabilities. Questions about the Americans with Disabilities Act may be directed to VSA arts of Colorado at 303-777-0797.
- **Credit/Acknowledgment** – Grantee agrees that a CCI logo will be included in all announcements and promotional materials and efforts will be made to publicly credit CCI support in any public events related to the funding program and activities.

APPLICATION SUBMISSION

Applicants intending to apply for a Creative District designation **must** notify Maryo Gard Ewell at maryo@gard-sibley.org on or before **January 15, 2012**.

Only online applications from the CCI online application site will be accepted. To apply for a grant, go to www.coloradocreativeindustries.org and click on *Creative Districts Certification*. You will be required to complete several online forms, including narrative questions and budgets. **You will also upload your support materials on the online system.** No hard copies of the application or support materials will be accepted.

We suggest you verify that your application is complete and that your narrative does not exceed specified character count limits by printing and reviewing a PDF of your application prior to submitting it. Applications must be submitted online by **4:00 p.m. on Monday January 30, 2012**.

After you have hit the Submit key for the online application, print a hard-paper copy of your application for your records. You will immediately receive an email confirmation that your online application was received. Applications and support materials must be complete upon submission. Late applications or applications that have not been confirmed by CCI through e-mail are ineligible. Faxed, e-mailed or hard copy applications will not be accepted.

Approximately three weeks after the application deadline, the CCI will confirm your eligibility via email.

SELECTING AND SUBMITTING SUPPORT MATERIALS

For all applicants:

You *are required* to submit support materials as described below.

- **Only support materials submitted electronically** through the Colorado Grants Online (CGO) system will be accepted.
- Provide **up to 10 items** of support materials. An “item” may be a single web link, an Adobe PDF, a Word document and a Excel spreadsheet
- **Web links must be embedded in a Word document or PDF** saved as “Web Links”. Each link counts as one of your 10 items. Each link should include a brief description.
- Your submissions may only include written documents in the following formats:
 - Word (.doc), Adobe (.pdf) or Excel (.xls)
- **IMPORTANT:** The system will not permit you to upload other formats such as Power Point .ppt, .docx or .xlsx. Convert any files with these extensions to one of the allowable formats above.
- When you are choosing items, think about the **review criteria**, so that you provide evidence of District characteristics, Management and Planning, Community Buy-In and Other Factors in your support materials.
- Support materials illustrate and expand upon what you have told us in your narrative. In fact, you **must reference** each support item in the narrative so the panel can understand why you have included it.

Files must be uploaded online through the CGO system. [Click here](#) for a tutorial on how to do this.



Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643

DATE: April 22, 2016
TO: Mayor and Board of Trustees
FROM: Mark Doering, Principal Planner, Planning Department
AGENDA ITEM: BVSD Mahon Street Quit Claim Deed

Request:

The Buena Vista School District (BVSD) is requesting that the Town sign a Quit Claim Deed to allow BVSD to develop its school facilities on land it owns.

Overview:

In the past, the BVSD was supposed to have granted land for the right-of-way for Mahon Street to the Town, as part of the land that it received. That property was never deeded to the Town, although the Town's map showed the right-of-way. The deed was never recorded at the Chaffee County Clerk and Recorder's Office, and the Town has never developed improvements within that proposed right-of-way. The BVSD is seeking to expand its middle school facilities and needs to clear the title issues from the Town around the property shown on the attached maps and in the Quit Claim Deed.

Analysis:

The Town has never legally taken the property from the School District, but has shown maps on what was supposed to have been transferred from the BVSD to the Town in the past. The Town has not developed infrastructure within that area and has no immediate plans to provide infrastructure in the area. The school has the land surrounding the north and east sides of the property, while the adjacent properties to the west are served by Railroad Street right-of-way infrastructure.

Policy Alignment:

The proposal meets the Infrastructure Policy. The Town does not have any plans to develop another road or water line within that proposed right-of-way and has adequate services for the adjoining properties to allow the existing properties to meet the Town's access and infrastructure requirements. Signing the Quit Claim Deed will allow the BVSD to improve its facilities with the existing Town infrastructure, and the Town will not need to extend its resources for the property, thus allowing the Town more opportunities to maintain its existing infrastructure.

BOT Action:

Staff recommends that the Board of Trustees approve the attached resolution to sign the Quit Claim Deed, allowing the BVSD to clear up title for the property to allow them to develop and improve their existing school facilities.

Attachments:

Exhibit A - Map of the subject property
Exhibit B – Aerial Map
Quit Claim Deed
Board of Trustees Draft Resolution

Exhibit A – Map of the subject property

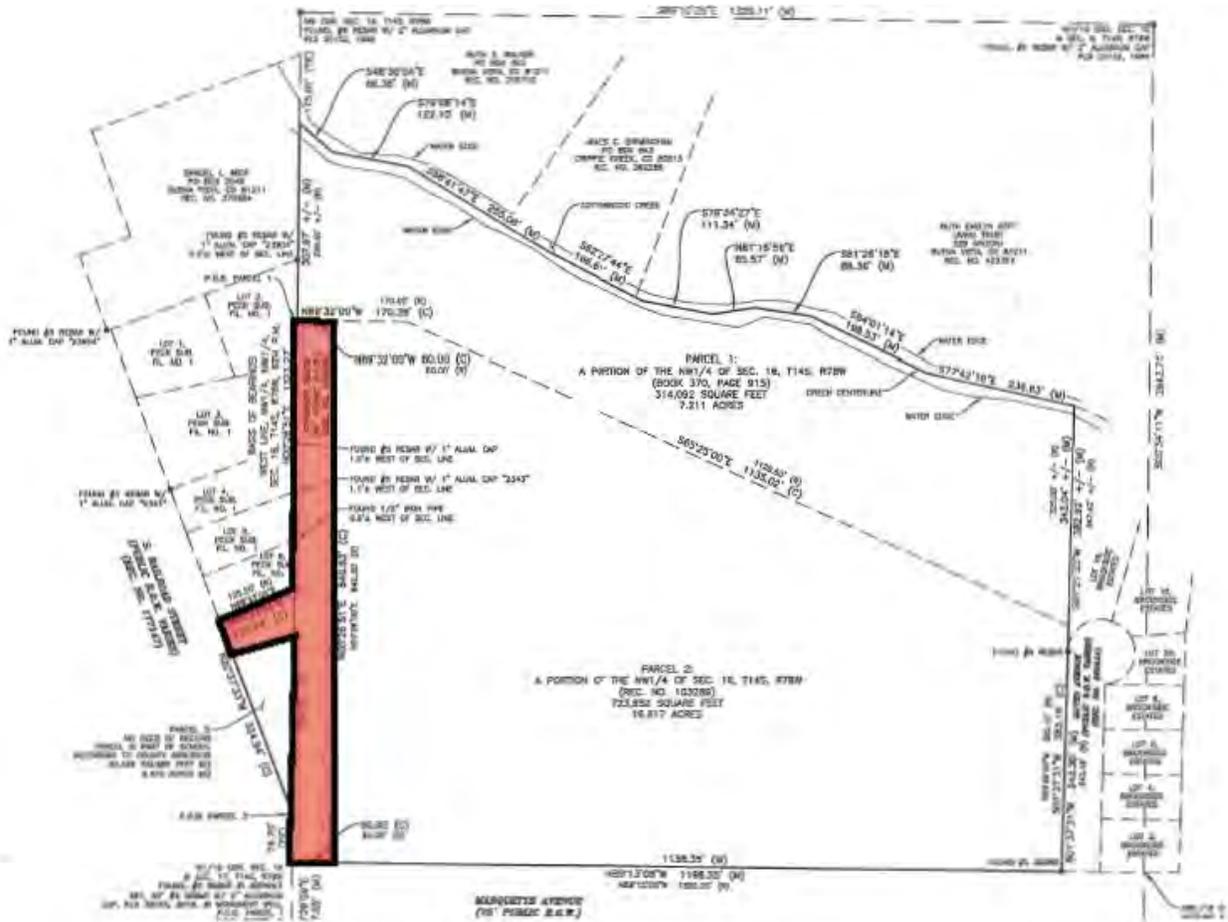


Exhibit B – Aerial Map



TOWN OF BUENA VISTA, COLORADO

**RESOLUTION NO. 46
(Series 2016)**

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING A QUIT CLAIM DEED TO THE BUENA VISTA SCHOOL DISTRICT R-31.

WHEREAS, the Buena Vista School District, R-31 (“School District”), has requested that the Town assist in clarifying title to certain property, as described in **Exhibit A** attached hereto (“Property”);

WHEREAS, in 1962, when property adjacent to the Property was conveyed to the School District by Frank L. and Eugene G. Short for use as a school, the Shorts intended to convey the Property to the Town;

WHEREAS, there is no record that the Property was ever conveyed to the Town by the Shorts or any other party;

WHEREAS, the Town has never used the Property and the School District has consistently and continually used the Property as part of its school facilities on the adjacent property; and

WHEREAS, the Town, per the request of the School District, desires to quit claim deed any interest it may have in the Property to resolve any discrepancies with the School District’s ownership of the Property.

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

Section 1. The Quit Claim Deed to the School District, attached hereto as **Exhibit A** is hereby approved and the Mayor is authorized to execute the same.

Section 2. The revocable encroachment license for the Property granted to the School District by the Town, dated August 14, 2001, is hereby terminated upon mutual agreement of the Town and School District.

RESOLVED, APPROVED AND ADOPTED this 26th day of April, 2016.

TOWN OF BUENA VISTA, COLORADO

BY: _____
Joel Benson, Mayor

ATTEST:

Janell Sciacca, Town Clerk

Roadway Description

A tract of land located in the Northeast $\frac{1}{4}$ of of the Northeast $\frac{1}{4}$ of Section 17 and in the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 16, both in Township 14 South, Range 78 West of the 6th Principal Meridian, and in the Town of Buena Vista, Chaffee County, Colorado, being described as follows:

Beginning at the Southeast Corner of said Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 17, being an iron rod with a $\frac{5}{8}$ inch steel reinforcing bar along side, said point being the northwest corner of Collegiate Heights Addition; thence proceeding around the roadway thence South $89^{\circ} 15'$ East along the south boundary of said Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ 60 feet; North $0^{\circ} 28'$ East 840 feet; to a rebar in concrete; thence North $89^{\circ} 32'$ West 60 feet; thence South $0^{\circ} 28'$ West 414.9 feet; thence South $68^{\circ} 33'$ West 125.2 feet; thence South $21^{\circ} 27'$ East 50.00 feet; thence North $68^{\circ} 33''$ East 105.0 feet; thence South $0^{\circ} 28'$ West to the point of beginning.

**Exhibit A to Quit
Claim Deed from
Town of Buena Vista
to Buena Vista School
District R-31**

PARCEL 1:
A PORTION OF THE NW1/4 OF SEC. 16, T14S, R78W
(BOOK 370, PAGE 915)
314,092 SQUARE FEET
7.211 ACRES

LOT 2,
PECK SUB.
FIL. NO. 1

LOT 3,
PECK SUB.
FIL. NO. 1

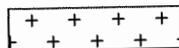
LOT 4,
PECK SUB.
FIL. NO. 1

LOT 5,
PECK SUB.
FIL. NO. 1

LOT 6,
PECK SUB.
FIL. NO. 1

**MAHON ST.
(60' PUBLIC R.O.W.)
(REC. NO. 103289)**

PARCEL 2:
A PORTION OF THE NW1/4 OF SEC. 16, T14S, R78W
(REC. NO. 103289)
723,852 SQUARE FEET
16.617 ACRES



Area described by document provided
called "Roadway Description"



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

DATE: April 26, 2016
TO: Mayor and Board of Trustees
FROM: Brandy Reitter, Town Administrator

AGENDA ITEM: Ordinance #3, Series 2016, entitled "AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING SECTION 6-65 OF THE BUENA VISTA MUNICIPAL CODE REGARDING SIGNAGE REQUIREMENTS FOR MEDICAL MARIJUANA BUSINESSES."?

Request

A request is being made to amend the Buena Vista Municipal Code to ensure that it is consistent with signage requirements for medical marijuana businesses as outlined in the Colorado Revised Statutes.

Overview

The BOT reviewed this policy on January 19th and it was tabled pending the municipal election in April. Trustee Lacy mentioned that there were updated sign code regulations for medical marijuana businesses and the town attorney drafted an ordinance to update the code. Staff is bringing back the ordinance for the board to consider.

Analysis

The ordinance references Chapter 6, Article IV, Section 6-65 (b): Hours of operation; signage and advertising.

Under the existing code the language reads:

All signage and advertising for a medical marijuana center or a medical marijuana-infused products manufacturing operation shall comply with all applicable provisions of this Article and other applicable provisions of this Code, including Section 16-242 of this Code. In addition, no signage or advertising shall use the word "marijuana" or "cannabis" or any other word, phrase or symbol commonly understood to refer to marijuana unless such word, phrase or symbol is immediately preceded by the word "medical" in type and font that is at least as readily discernible as all other words, phrases or symbols. Such signage and advertising must clearly indicate that the products and services are offered only for medical marijuana patients and primary caregivers.

The proposed language reads:

All signage and advertising for a medical marijuana center or medical marijuana infused products manufacturing operation shall comply with all applicable state laws as well as the provisions of this Article and other applicable provisions of this Code. No off site premises signage is permitted. Advertisements, signs, displays or other promotional material depicting marijuana uses or symbols shall not be shown 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 marijuana center or medical marijuana infused products manufacturing operation 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"; provided that no signage shall contain words such as "reefer," "ganga," "weed" or other similar slang references to marijuana or cannabis.

Policy Alignment

- Colorado Revised Statutes
- Buena Vista Municipal Code

BOT Action

Motion to **Approve** or **Deny** the adoption of Ordinance #3, Series 2016, entitled "AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING SECTION 6-65 OF THE BUENA VISTA MUNICIPAL CODE REGARDING SIGNAGE REQUIREMENTS FOR MEDICAL MARIJUANA BUSINESSES."?

**TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 3
(SERIES OF 2016)**

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO,
AMENDING SECTION 6-65 OF THE BUENA VISTA MUNICIPAL CODE
REGARDING SIGNAGE REQUIREMENTS FOR MEDICAL
MARIJUANA BUSINESSES.**

WHEREAS, the Board of Trustees desires to amend Section 6-65(b) of the Buena Vista Municipal Code regarding medical marijuana signage in the Town.

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

Section 1. Section 6-65(b) of the Buena Vista Municipal Code is hereby repealed and reenacted to read as follows:

All signage and advertising for a medical marijuana center or medical marijuana infused products manufacturing operation shall comply with all applicable state laws as well as the provisions of this Article and other applicable provisions of this Code. No off site premises signage is permitted. Advertisements, signs, displays or other promotional material depicting marijuana uses or symbols shall not be shown 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 marijuana center or medical marijuana infused products manufacturing operation 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"; provided that no signage shall contain words such as "reefer," "ganga," "weed" or other similar slang references to marijuana or cannabis.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this _____ day
of _____, 2016.

**THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM
PUBLICATION.**

TOWN OF BUENA VISTA, COLORADO

By: _____
Mayor, Joel Benson

ATTEST:

Janell Sciacca, Town Clerk

(SEAL)



Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643

DATE: April 22, 2016

TO: Mayor and Board of Trustees

FROM: Mark Doering, Principal Planner, Planning Department

AGENDA ITEM: Amending Section 17-26 of the Municipal Code regarding subdivision exemptions for lot line adjustments

Request:

Staff is requesting the Board approve an amendment to the current Subdivision Ordinance that limits a Lot Line Adjustment Plat to no more than two lots.

Overview:

Section 17-26 allows for properties to move property lines legally as part of the Subdivision Exemption process. Lot line adjustments do not create more lots than currently exist, they only correct the existing lots to meet current needs for the owners. They are limited to lots that have already been through a subdivision process, and are not allowed when the property has never been subdivided. The limitation of a lot line adjustment to only between two lots requires that lot line adjustments between three or more properties must follow the Minor Subdivision process. That requires public hearings before both the Planning and Zoning Commission and the Board of Trustees before they can be approved, which results in more time before the plat can be recorded and the lots can be corrected.

Analysis:

All subdivision exemptions are currently done without a public hearing before the plat can be recorded. The proposed amendment will allow more lots to be corrected using an administrative process reviewed by staff, and will encourage applicants to make those corrections with the legal subdivision process instead of trying to make those changes outside the Town's subdivision process. If the properties have never been through a subdivision, they still must follow other subdivision processes to correct the lot lines between the properties, as required by state law and the Town's ordinances.

Policy Alignment:

Administrative Policy

BOT Action:

Staff recommends approval of the amendments to the current Subdivision Ordinance to remove the limitation of a maximum of two lots that are eligible for a Lot Line Adjustment Plat.

Attachments:

Board of Trustees Draft Resolution amending Section 17-26 of the Municipal Code

TOWN OF BUENA VISTA, COLORADO

**ORDINANCE NO. 6
(SERIES OF 2016)**

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO,
AMENDING SECTION 17-26 OF THE TOWN OF BUENA VISTA
MUNICIPAL CODE REGARDING SUBDIVISION EXEMPTIONS**

WHEREAS, the Town is in the processing of revising its subdivision regulations; and

WHEREAS, the Board of Trustees finds that it is the best interest of the Town to revise the scope of certain subdivision exemptions in the interim period.

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

Section 1. Sections 17-26(d)(1) and (2) of the Buena Vista Municipal Code are hereby amended to read as follows:

(1) Lot line adjustment. The Town may approve an adjustment of a lot line between contiguous lots if all of the following conditions have been met:

- a. All lots subject to the adjustment are contained in a previously approved subdivision.
- b. All owners whose lot line(s) or boundary line(s) are subject to the adjustment join in the lot line adjustment application.
- c. The adjustment results in the same amount of lots existing at the time of the application for the exemption or a reduced number of lots.
- d. The adjustment of the lot line will not result in a violation of any zoning restrictions provided for in Chapter 16 of this Code.
- e. The proposed adjustment of the lot line is not intended or will result in an avoidance of the purposes of this Chapter.

(2) Elimination of lot lines. The Town may approve an elimination of lot lines to merge lots, if all of the following conditions have been met:

- a. The lots to be consolidated are under the same ownership.
- b. The elimination of the lot line will not result in a violation of any zoning restrictions provided for in Chapter 16 of this Code.
- c. The proposed elimination of the lot line is not intended or will result in an avoidance of the purposes of this Chapter.

Section 2. Section 17-26(e) shall be renumbered as Section 17-26(d)(4) and the remainder of the section shall be renumbered accordingly.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 26th day of April, 2016.

THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM PUBLICATION.

TOWN OF BUENA VISTA, COLORADO

By: _____
Joel Benson, Mayor

ATTEST:

Janell Sciacca, Town Clerk

(SEAL)



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

DATE: April 26, 2016
TO: Mayor and Board of Trustees
FROM: Brandy Reitter, Town Administrator

AGENDA ITEM: Strategic Objectives Quarterly Monitoring Report.

Request

A request is being made for the trustees to review the town administrator's strategic quarterly objectives monitoring report.

Overview

Per the BOT adopted Policy Governance approach, the town administrator is subject to quarterly monitoring reports. The goal is for the administrator and the BOT to have a quarterly dialog about how the town is progressing against measurable strategic outcomes. Quarterly reports apply to both the administrator and treasurer. The next report is scheduled for the last meeting in July.

The treasurer's report is not included in the April report because of the following reasons:

- The new treasurer started April 11.
- 2015 wasn't closed until April 10.
- Reconciliations for first and second quarter were completed April 10.

A full report will be given to the BOT in July as scheduled.

Analysis

The report is attached to this memo. Items that are in bold represent significant changes from the last quarter in January.

Lists of those changes are provided below:

- Broadband study
- Broadband pilot project
- Creative District
- Wayfinding, branding, and marketing
- Arizona Trail project
- Snow Equipment Removal Building (SRE)
- Parks design
- Cooperative Management Plan
- Recreation Event Center
- Planting Guide
- UAWCD IGA
- Substitute Water Supply Plan – Town Lake
- Source Water Protection Plan

- Financial policies
- Boards & commissions policy
- Compensation and classification study

Policy Alignment

Policy Governance Doctrine:

- Water
- Economic Vitality
- Community
- Environment
- Infrastructure
- Administrative

BOT Action

Give feedback on progress.

Attached

Project status update for 4/26/16

Buena Vista Quarterly Project Status Update - As of 4/26/16

Policy Priority	Department	Project	Description	Year Prioritized	Funded	Status	Status Description
Key Outcome Area - Economic Vitality							
Economic Vitality	Planning	Downtown Development Authority (DDA)	The town will establish a DDA in 2016 via an ordinance. The DDA will determine a TIF at a later date.	2014	No	Scheduled	Working with a stakeholder group to assess the need with a possible request to the BOT early summer.
Economic Vitality	Public Works	Main Street Light Replacement	Replacing old street lights along Main Street	2014	Yes	Scheduled	Obtained quotes for lights and will replace phase I of lights by 3rd quarter of 2016.
Economic Vitality	Airport	Ground Lease Buy Out	Town will buy back ground leases from Ron Southard resulting from litigation several years ago.	2015	Yes	Scheduled	Working with attorney on the best approach for this transaction.
Economic Vitality	Information Technology	Broadband Study	Feasibility study for broadband expansion in town. Study will make town eligible for grant funding later and will encourage public/private partnership.	2015	Yes	Scheduled	Applied for a USDA grant to conduct a study and wasn't awarded. Will work with DOLA as originally proposed.
Economic Vitality	Information Technology	Broadband Pilot Project	Aerial network project to connect town facilities, downtown and park WiFi initiative.	2015	Yes	In progress	Applied for a DOLA grant on April 1st.
Economic Vitality	Recreation	Historic Gym Restoration	State historical fund project to restore gym and turn into a community facility.	2015	No	In progress	BOT approved architecture firm for the project and the assessment will start early fall.
Economic Vitality	Planning	Unified Development Code	Rewrite of town regulatory document.	2015	Yes	In progress	Module one is complete, module two is under review. Contract was extended through 8/8/16.
Economic Vitality	Planning	Creative District	Colorado Creative Industries program that supports and nurtures creative economies in rural Colorado.	2016	No	Scheduled	Presentation to the BOT on 4/26, application due 4/28.
Economic Vitality	Planning	Urban Inc. Affordable Housing	Low income housing tax project BVSD land swap.	2015	Partially	In progress	Rezoning and a ROW vacation for the site design are planned for May. Up to \$35K was approved for design and land use work. June 1st is the application date.
Economic Vitality	Planning	County IGA	Intergovernmental agreement with county regarding land use and annexations.	2014	N/A	In progress	Working on draft to go to county.
Economic Vitality	Administration	Wayfinding & Branding	Town marketing and signage campaign.	2014	Yes	Completed	Finished with the project, still waiting on logo to finalize all reports needed for implementation.
Economic Vitality	Administration	Certified Local Government	Historic preservation program, partnering with BV Heritage.	2015	Yes	In progress	Ordinance will be presented to the BOT in May of 2016.
Key Outcome Area - Infrastructure							
Infrastructure	Water	Ivy League Conversion	Ivy League connection to town water system.	2012	Yes	In progress	Construction started, will be completed in May.
Infrastructure	Water	Upper Zone Water Tank	750,000 gallon water storage tank to serve Ivy League and the Upper Zone.	2012	Yes	In progress	Loan application submitted, obtained a grant to conduct a needs assessment.
Infrastructure	Streets	Hwy 24 Stormwater Improvement	Stormwater improvements at City Market will be addressed in the highway project	2012	Yes	Scheduled	CDOT wrapped this project into reconfiguration.
Infrastructure	Public Works	Arizona Trail	Trail and bridge improvements on Arizona Street: CDOT project.	2011	No	Delayed	Grant expired, meeting with CDOT 4/27 to close out project.
Infrastructure	Streets	Street Condition Assessment	A complete assessment of town streets for CIP purposes will be developed.	2015	N/A	In progress	After spring thaw PW will start analysis and create the plan in the CIP for 2017 budget.
Infrastructure	Public Works	US 24 Reconstruction	US 24 overlay and reconfiguration.	2013	Yes	In progress	Construction begins late June.
Infrastructure	Public Works	Gregg Drive Trail	Paving trail on Gregg Drive between Steele Street and Rodeo Road.	2014	Yes	Scheduled	Requesting IGA from CDOT. Requesting additional grant funding in 2016.
Infrastructure	Airport	Snow Equipment Removal (SRE) Building	Purchase of a hangar to repurpose as an SRE building using FAA entitlement funds.	2013	Yes	In progress	Meeting with the FAA to determine eligibility requirements.
Infrastructure	Public Works	Rodeo Rd. Trail	Paving attached trail along Rodeo Rd. between Gregg Drive and West Main St. (C.R. 306)	2015	Yes	Scheduled	Developing RFP and will bid in late February.

Infrastructure	Public Works	Town Hall Stair Improvements	Reconstruction of fire escape stairs between the Lariat and town hall for safety access.	2014	Yes	Scheduled	Will start the bidding process in May for a summer build.	
Infrastructure	Streets	Beldan St. Paving	Water and Sewerlines were constructed in 2015. Paving is planned now that infrastructure is completed	2015	Yes	In progress	Paving planned for spring of 2016.	
Key Outcome Area - Community								
Community	Recreation	Updating Recreation Master Plan	The recreation master plan is almost completed and needs an update.	2016	No	Scheduled	Will work with graduate student in the fall to start the process of updating the plan.	
Community	Recreation	Park Designs	Sunset Vista IV, Community Center, Community Garden, and River Park Baseball Field.	2016	Partially	Scheduled	Developing an RFP for publishing April 29th.	
Community	Recreation	Cooperative Trails Management Plan Update	Prioritizing upgrades and new trails to include in the CMP in partnership with the BLM.	2015	No	In progress	Developing a proposal with advisory boards.	
Community	Airport	Master Plan	Airport 20 year vision and capital planning document.	2012	Yes	In progress	PAC meeting occurred 4/14. One more public meeting. Projected completion in December.	
Community	Administration	Parking Study	Developing an analysis and plan for parking in the downtown and River Park	2015	Yes	In progress	Draft submitted to town for review. Presentation to BOT in spring.	
Key Outcome Area - Environment								
Environment	Recreation	Town Dump Assessment	Brownfield mitigation planning.	2015	Yes	In progress	Level one assessment completed. Waiting on a level two assessment	
Environment	Recreation	Recreation Event Center	Feasibility study in preparation of 2017 election.	2015	Yes	Completed		
Environment	Recreation	Sunset Vista IV Pocket Park	New park in subdivision.	2014	Yes/Partially	Scheduled	Prioritized in the 2017 CIP. Design work in 2016.	
Environment	Public Works	EV Stations	Installation of two level II charging stations.	2015	Yes	In progress	RFP published, bids close 5/5.	
Environment	Fire	ARF Truck	Acquiring a working airport specific fire truck.	2013	Partially	In progress	Searching for a truck.	
Environment	Parks	Xeriscap Garden	Installation of a Xeriscap garden to demonstrate plants that promote water conservation.	2014	Yes	Scheduled	Working with beautification board to develop the SOW and vendor selection, and maintenance training.	
Environment	Public Works	LED Facility Light Conversion	Converting old lights in town facilities with LED lights to conserve energy and save town money in electric bills.	2014	Yes	Scheduled	Developing RFP for publication second quarter.	
Environment	Parks	Planting Guide Update	Working with the tree board, town will update planting guide.	2014	Yes	Completed		
Key Outcome Area - Water								
Water	Administration	Upper Ark Cottonwood IGA	Intergovernmental Agreement to increase water storage on Cottonwood Lake.	2013	Partially	Completed		
Water	Water	Arkansas Well #3	Non-potable irrigation 75 foot well located in the River Park.	2013	Yes	In progress	Pump house is being constructed.	
Water	Water	Substitute Water Supply Plan	Augment evaporation on the Town Lake.	2015	N/A	In progress	Plan filed with the state.	
Water	Water	SFE Calculation	Developing a running total of remaining SFEs for planning purposes.	2013	Yes	In progress	Engineering is working on the calculations and a presentation to the BOT will occur second quarter.	
Water	Water	Source Water Protection Plan	A plan that identifies best practices to protect town's water supplies and watersheds.	2013	Yes	Completed		
Water	Administration	St. Charles Mesa Agreement	Agreement to ensure that both town and SCM needs are met through creative exchanges on Cottonwood Creek.	2000	N/A	In progress	Proposed draft finalized, document sent to St. Mesa.	
Water	Water	Tier Water Rate Structure	During the 2017 budget process, town will update water rate model to reflect more tiers.	2016	N/A	Scheduled	Presented to the BOT during budget process.	
Water	Water	2017 Forest Service Permit Renewal	A joint permit between the Upper District and town to address storage operations on Cottonwood Lake.	2013	Yes	In progress	A joint meeting is scheduled in May with the FS.	
Water	Water	Cottonwood Lake Dam Improvements	Partnership with Upper Ark to expand storage capacity on Cottonwood Lake.	2013	Partially	In progress	Notice to proceed was sent to the district to move forward with engineering of the dam.	
Water	Administration	Water Project Financing	Financing from Colorado Rural Water and Power Authority for water tank and looping system	2014	No	Scheduled	Pre-application submitted to CWRPA.	
Key Outcome Area - Administration								



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

DATE: April 26, 2016
 TO: Mayor and Board of Trustees
 FROM: Brandy Reitter, Town Administrator
 SUBJECT: TOWN ADMINISTRATOR REPORT

Administration

Reminders:

- April 27 – 28: Arkansas River Basin Water Forum at the Salida Steam Plant.
- May 2: BOT Post-Election Retreat at 5:30 PM. Location at the Airport.
- May 5: Transportation Planning Region Meeting at 10:30 AM in the Alamosa County Services Center.
- June 21- 24 CML annual conference in Vail, CO.

Alex Junker, the new Code Enforcement Officer starts on May 3.

Staff will submit a grant letter to DOLA in May to start the process of securing funds for the town-wide broadband strategy plan. Once funds are in place staff will conduct an RFP process.

2016 Audit Season Updates:

- The auditor finished up the week of April 11 and will return in May to follow up.

Request for Proposals Update:

- The RFP park design project will be placed out to bid April 27 and bids close May 18.
- The level two electric vehicle charging stations will be put out to bid Monday, April 11. Bids close on May 5.
- The Rodeo Rd. trail paving project will be placed out to bid late April.
- The town server RFP will be published mid-May.

Recreation & Events & Trails

Events:

- New climbing boulder routes will be set in May.
- Concerts in the parks start on June 9 at 7 PM and runs through August 4.
- The Tiny Detour event organized by Colorado Creative Industries agenda is finalized. Below is an agenda with a list of events:

Tues May 3	1-3pm	Tiny Village	The whole TinyDetour crew sets up camp, and you're invited to help!
	1-4pm	Tiny Home stage	Multimedia artist Laura Goldhamer builds a tiny-home-inspired stage with you!
	1-4pm	Tiny Postcards	The archivists at Meep Records record your tiny songs

			onto a vinyl postcard!
	3-6pm	Tiny Cinema	Mad scientist Davey B. Gravey projects Super 8 films with live musical accompaniment!
	4-6pm	Tiny Rhythms	Ultimate percussive guru Carl Sorenson leads you in some group beat-making!
	6-8pm	Tiny Potluck	Join local culinary hero Eddie Sandoval and bring a tinydish of your own!
Weds May 4	6:30-8am	Tiny Bike Ride	The Tiny Detouris all about sustainability, whether in art or transportation!
	10-12pm	Tiny Dance Party	Explore the songwriting process and other creative musical games with Chimney Choir!
	1-3pm	Tiny Filmsplice	Professor Davey B. Gravey brings you along on a magical film editing session!
	2-3:30pm	Tiny Songsmith	Explore the songwriting process and other creative musical games with Chimney Choir!
	3-6pm	Tiny Postcards	The archivists at Meep Records record your tiny songs onto a vinyl postcard!
	6-8:30pm	Tiny Concert	The tiny grand finale culminates with everyone - Chimney Choir, Laura Goldhamer, and YOU!

Trails

- A new trail proposal is being evaluated by both the Trails and Recreation Advisory Board and will be brought to the BOT this summer.

Programming:

Summer programming starts in June. The following programs are scheduled:

- Softball
- Adventure Camp
- Bike Polo
- Swim Lessons

Upper Arkansas Water Conservancy District, Augmentation Plan, and Water Planning

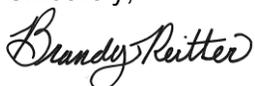
Staff presented the source water protection plan to the UAWCD on April 14th. The next steps are to bring the plan to the BOT for consideration and to develop MOUs with various jurisdictions.

Main Street & Creative District, Community/Economic Development Initiatives

The first Economic Vitality Advisory Board meeting is on April 28 at 6 PM. The agenda will contain an introduction of members, a discussion about the purpose this board wants to serve and to develop initial ideas related to mission statements and 2016 work plans.

This concludes my report. If you have any questions please let me know.

Sincerely,



Brandy Reitter, Town Administrator
Town of Buena Vista, CO

Office of the Town Treasurer
Memorandum



To: Board of Trustees, Town of Buena Vista, Colorado
From: Michelle Stoke, Treasurer
Date: April 20, 2016
Subject: Report Transmittal for the April 26, 2016 Meeting

Town Expenditures

Since the April 12, 2016 report, the Town has issued:

- 118 Accounts Payable checks for Town expenditures for a total of \$98,641.75.
- ACH withdrawals to the IRS, FPPA, and Colorado Department of Revenue for \$18,684.09 for the pay periods, ending 4/9/16.
- Net payroll of \$48,956.94 for the last pay period.

The breakdown by Fund for AP and payroll-related check disbursements plus the ACH payments is as follows:
(Note that all expenditures are not expenses since some are reimbursed or are withholdings from employees' gross payroll.)

• General Fund -	\$ 53,499.94
• Water Fund -	\$ 37,479.87
• Capital Improvement Fund	\$ 2,559.55
• Airport Enterprise Fund -	<u>\$ 5,102.39</u>
• Total all Funds -	<u>\$ 98,641.75</u>

Large expenditures this period:

Sangre De Cristo Electric Association for \$9,900.41 for March 2016 electric charges.

Pridemore Construction for \$28,641.74 for the final pay app and retainage for work on the Water Fill Station.

Enchantment in Light for \$4,999.00 for Beautification: Giant Everest



Obj Categori...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 01 - General Fund						
Department: 100 - General Government						
Revenue						
31 - Taxes	2,902,705.60	2,902,705.60	113,019.22	140,033.71	-2,762,671.89	95.18 %
34 - Development Fees	200.00	200.00	150.00	150.00	-50.00	25.00 %
36 - Park & Facility Fees	40.00	40.00	0.00	0.00	-40.00	100.00 %
37 - Grants / Donations / Refunds / Misc	5,005.52	5,005.52	1,317.78	14,128.79	9,123.27	182.26 %
Revenue Total:	2,907,951.12	2,907,951.12	114,487.00	154,312.50	-2,753,638.62	94.69 %
Department: 100 - General Government Total:	2,907,951.12	2,907,951.12	114,487.00	154,312.50	-2,753,638.62	94.69 %
Department: 110 - Mayor & Board of Trustees						
Expense						
41 - Personnel	14,249.76	14,249.76	1,187.48	3,562.44	10,687.32	75.00 %
42 - Supplies	250.00	250.00	0.00	0.00	250.00	100.00 %
44 - Services	34,666.45	34,666.45	2,472.68	9,170.50	25,495.95	73.55 %
Expense Total:	49,166.21	49,166.21	3,660.16	12,732.94	36,433.27	74.10 %
Department: 110 - Mayor & Board of Trustees Total:	49,166.21	49,166.21	3,660.16	12,732.94	36,433.27	74.10 %
Department: 115 - Elections						
Expense						
42 - Supplies	900.00	900.00	366.26	366.26	533.74	59.30 %
44 - Services	3,940.00	3,940.00	2,548.26	2,588.26	1,351.74	34.31 %
Expense Total:	4,840.00	4,840.00	2,914.52	2,954.52	1,885.48	38.96 %
Department: 115 - Elections Total:	4,840.00	4,840.00	2,914.52	2,954.52	1,885.48	38.96 %
Department: 120 - Town Clerk						
Revenue						
32 - Licenses & Permits	26,582.00	26,582.00	1,715.00	6,560.75	-20,021.25	75.32 %
33 - Charges for Services	588.00	588.00	91.75	204.25	-383.75	65.26 %
Revenue Total:	27,170.00	27,170.00	1,806.75	6,765.00	-20,405.00	75.10 %
Expense						
41 - Personnel	75,289.81	75,289.81	7,305.52	17,285.59	58,004.22	77.04 %
42 - Supplies	645.00	645.00	32.66	60.57	584.43	90.61 %
44 - Services	22,244.64	22,244.64	478.36	1,574.18	20,670.46	92.92 %
45 - Capital Outlay	975.00	975.00	0.00	0.00	975.00	100.00 %
Expense Total:	99,154.45	99,154.45	7,816.54	18,920.34	80,234.11	80.92 %
Department: 120 - Town Clerk Surplus (Deficit):	-71,984.45	-71,984.45	-6,009.79	-12,155.34	59,829.11	83.11 %
Department: 125 - Municipal Court						
Revenue						
35 - Municipal Court Fines / Fees	39,288.75	39,288.75	5,761.66	7,767.18	-31,521.57	80.23 %
37 - Grants / Donations / Refunds / Misc	786.00	786.00	0.00	0.00	-786.00	100.00 %
Revenue Total:	40,074.75	40,074.75	5,761.66	7,767.18	-32,307.57	80.62 %
Expense						
41 - Personnel	46,788.46	46,788.46	4,642.59	11,601.50	35,186.96	75.20 %
42 - Supplies	375.00	375.00	0.00	0.00	375.00	100.00 %
44 - Services	25,114.00	25,114.00	2,016.00	3,348.00	21,766.00	86.67 %
Expense Total:	72,277.46	72,277.46	6,658.59	14,949.50	57,327.96	79.32 %
Department: 125 - Municipal Court Surplus (Deficit):	-32,202.71	-32,202.71	-896.93	-7,182.32	25,020.39	77.70 %
Department: 130 - Town Administrator						
Expense						
41 - Personnel	221,842.93	221,842.93	38,058.04	100,447.15	121,395.78	54.72 %

Budget Report

For Fiscal: 2016 Period Ending: 03/31/2016

Obj Categori...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
42 - Supplies	6,739.88	6,739.88	291.34	412.48	6,327.40	93.88 %
43 - Utilities / Insurance	64,499.72	64,499.72	29.28	12,672.56	51,827.16	80.35 %
44 - Services	41,744.00	41,744.00	4,818.41	10,536.37	31,207.63	74.76 %
45 - Capital Outlay	9,469.88	9,469.88	1,052.00	1,172.00	8,297.88	87.62 %
Expense Total:	344,296.41	344,296.41	44,249.07	125,240.56	219,055.85	63.62 %
Department: 130 - Town Administrator Total:	344,296.41	344,296.41	44,249.07	125,240.56	219,055.85	63.62 %
Department: 135 - Financial Administrator						
Expense						
41 - Personnel	150,608.00	150,608.00	17,407.17	38,895.43	111,712.57	74.17 %
42 - Supplies	6,729.60	6,729.60	32.65	261.57	6,468.03	96.11 %
44 - Services	36,877.18	36,877.18	2,422.29	4,894.49	31,982.69	86.73 %
45 - Capital Outlay	1,314.88	1,314.88	0.00	0.00	1,314.88	100.00 %
Expense Total:	195,529.66	195,529.66	19,862.11	44,051.49	151,478.17	77.47 %
Department: 135 - Financial Administrator Total:	195,529.66	195,529.66	19,862.11	44,051.49	151,478.17	77.47 %
Department: 140 - Town Hall Operations						
Expense						
41 - Personnel	2,121.00	2,121.00	0.00	0.00	2,121.00	100.00 %
42 - Supplies	4,430.42	4,430.42	205.86	360.09	4,070.33	91.87 %
43 - Utilities / Insurance	11,973.60	11,973.60	1,043.38	2,177.25	9,796.35	81.82 %
44 - Services	125.00	125.00	0.00	0.00	125.00	100.00 %
45 - Capital Outlay	12,091.00	12,091.00	84.90	388.36	11,702.64	96.79 %
Expense Total:	30,741.02	30,741.02	1,334.14	2,925.70	27,815.32	90.48 %
Department: 140 - Town Hall Operations Total:	30,741.02	30,741.02	1,334.14	2,925.70	27,815.32	90.48 %
Department: 150 - Public Support						
Expense						
43 - Utilities / Insurance	16,900.00	16,900.00	0.00	0.00	16,900.00	100.00 %
44 - Services	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
49 - Public Support / Transfers	628,342.99	628,342.99	2,839.42	24,321.17	604,021.82	96.13 %
Expense Total:	650,242.99	650,242.99	2,839.42	24,321.17	625,921.82	96.26 %
Department: 150 - Public Support Total:	650,242.99	650,242.99	2,839.42	24,321.17	625,921.82	96.26 %
Department: 160 - Information Technology						
Expense						
41 - Personnel	70,561.00	70,561.00	8,426.48	19,508.30	51,052.70	72.35 %
44 - Services	5,000.00	5,000.00	4,970.00	5,966.00	-966.00	-19.32 %
45 - Capital Outlay	9,300.00	9,300.00	0.00	0.00	9,300.00	100.00 %
Expense Total:	84,861.00	84,861.00	13,396.48	25,474.30	59,386.70	69.98 %
Department: 160 - Information Technology Total:	84,861.00	84,861.00	13,396.48	25,474.30	59,386.70	69.98 %
Department: 210 - Police Department						
Revenue						
37 - Grants / Donations / Refunds / Misc	1,731.90	1,731.90	0.00	980.00	-751.90	43.41 %
Revenue Total:	1,731.90	1,731.90	0.00	980.00	-751.90	43.41 %
Expense						
41 - Personnel	707,587.31	707,587.31	84,811.56	192,605.85	514,981.46	72.78 %
42 - Supplies	58,238.31	58,238.31	1,500.25	5,916.92	52,321.39	89.84 %
43 - Utilities / Insurance	15,052.10	15,052.10	1,391.11	2,794.07	12,258.03	81.44 %
44 - Services	57,290.73	57,290.73	8,067.90	19,102.40	38,188.33	66.66 %
45 - Capital Outlay	11,717.78	11,717.78	24.95	4,124.80	7,592.98	64.80 %
Expense Total:	849,886.23	849,886.23	95,795.77	224,544.04	625,342.19	73.58 %
Department: 210 - Police Department Surplus (Deficit):	-848,154.33	-848,154.33	-95,795.77	-223,564.04	624,590.29	73.64 %
Department: 220 - Public Safety Complex						
Expense						
41 - Personnel	1,273.00	1,273.00	0.00	0.00	1,273.00	100.00 %
42 - Supplies	3,754.00	3,754.00	0.00	0.00	3,754.00	100.00 %
43 - Utilities / Insurance	14,302.86	14,302.86	1,317.26	2,753.15	11,549.71	80.75 %

Budget Report

For Fiscal: 2016 Period Ending: 03/31/2016

Obj Categor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
44 - Services	1,067.00	1,067.00	149.94	149.94	917.06	85.95 %
45 - Capital Outlay	500.00	500.00	0.00	0.00	500.00	100.00 %
Expense Total:	20,896.86	20,896.86	1,467.20	2,903.09	17,993.77	86.11 %
Department: 220 - Public Safety Complex Total:	20,896.86	20,896.86	1,467.20	2,903.09	17,993.77	86.11 %
Department: 230 - Volunteer Fire Department						
Revenue						
37 - Grants / Donations / Refunds / Misc.	11,300.00	11,300.00	150.00	150.00	-11,150.00	98.67 %
Revenue Total:	11,300.00	11,300.00	150.00	150.00	-11,150.00	98.67 %
Expense						
41 - Personnel	149,154.00	149,154.00	17,231.11	38,049.35	111,104.65	74.49 %
42 - Supplies	27,578.00	27,578.00	811.55	2,702.26	24,875.74	90.20 %
43 - Utilities / Insurance	612.24	612.24	194.60	237.04	375.20	61.28 %
44 - Services	28,232.04	28,232.04	2,235.17	8,786.70	19,445.34	68.88 %
45 - Capital Outlay	13,403.00	13,403.00	329.00	7,466.53	5,936.47	44.29 %
Expense Total:	218,979.28	218,979.28	20,801.43	57,241.88	161,737.40	73.86 %
Department: 230 - Volunteer Fire Department Surplus (Deficit):	-207,679.28	-207,679.28	-20,651.43	-57,091.88	150,587.40	72.51 %
Department: 310 - Planning (Development)						
Revenue						
22 - Developer Deposits / Receivables	0.00	0.00	2,200.00	2,700.00	2,700.00	0.00 %
34 - Development Fees	112,051.00	112,051.00	3,893.43	36,337.68	-75,713.32	67.57 %
Revenue Total:	112,051.00	112,051.00	6,093.43	39,037.68	-73,013.32	65.16 %
Expense						
41 - Personnel	227,563.41	227,563.41	15,222.90	35,348.92	192,214.49	84.47 %
42 - Supplies	3,650.20	3,650.20	32.65	420.57	3,229.63	88.48 %
44 - Services	90,896.65	90,896.65	10,334.62	21,926.49	68,970.16	75.88 %
45 - Capital Outlay	22,400.00	22,400.00	653.00	2,655.00	19,745.00	88.15 %
49 - Public Support / Transfers	4,265.68	4,265.68	0.00	0.00	4,265.68	100.00 %
Expense Total:	348,775.94	348,775.94	26,243.17	60,350.98	288,424.96	82.70 %
Department: 310 - Planning (Development) Surplus (Deficit):	-236,724.94	-236,724.94	-20,149.74	-21,313.30	215,411.64	91.00 %
Department: 320 - Community Center						
Revenue						
36 - Park & Facility Fees	7,336.00	7,336.00	407.00	1,323.00	-6,013.00	81.97 %
Revenue Total:	7,336.00	7,336.00	407.00	1,323.00	-6,013.00	81.97 %
Expense						
41 - Personnel	11,032.76	11,032.76	0.00	0.00	11,032.76	100.00 %
42 - Supplies	4,650.00	4,650.00	170.83	229.26	4,420.74	95.07 %
43 - Utilities / Insurance	13,342.74	13,342.74	1,252.56	2,346.73	10,996.01	82.41 %
45 - Capital Outlay	3,874.63	3,874.63	98.89	712.61	3,162.02	81.61 %
Expense Total:	32,900.13	32,900.13	1,522.28	3,288.60	29,611.53	90.00 %
Department: 320 - Community Center Surplus (Deficit):	-25,564.13	-25,564.13	-1,115.28	-1,965.60	23,598.53	92.31 %
Department: 330 - BVTV - Public Access Television						
Expense						
41 - Personnel	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
42 - Supplies	3,485.11	3,485.11	0.00	0.00	3,485.11	100.00 %
44 - Services	0.00	0.00	0.00	3,000.00	-3,000.00	0.00 %
45 - Capital Outlay	1,102.15	1,102.15	0.00	0.00	1,102.15	100.00 %
Expense Total:	7,587.26	7,587.26	0.00	3,000.00	4,587.26	60.46 %
Department: 330 - BVTV - Public Access Television Total:	7,587.26	7,587.26	0.00	3,000.00	4,587.26	60.46 %
Department: 410 - Public Works						
Revenue						
34 - Development Fees	1,240.00	1,240.00	60.00	120.00	-1,120.00	90.32 %
36 - Park & Facility Fees	9,089.00	9,089.00	0.00	0.00	-9,089.00	100.00 %
Revenue Total:	10,329.00	10,329.00	60.00	120.00	-10,209.00	98.84 %

Budget Report

For Fiscal: 2016 Period Ending: 03/31/2016

Obj Categor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Expense						
41 - Personnel	245,108.75	245,108.75	31,677.81	73,619.18	171,489.57	69.96 %
42 - Supplies	24,275.00	24,275.00	3,436.78	5,174.78	19,100.22	78.68 %
43 - Utilities / Insurance	74,838.64	74,838.64	7,369.99	14,300.72	60,537.92	80.89 %
44 - Services	12,749.92	12,749.92	856.09	3,664.17	9,085.75	71.26 %
45 - Capital Outlay	9,700.18	9,700.18	680.40	1,201.02	8,499.16	87.62 %
Expense Total:	366,672.49	366,672.49	44,021.07	97,959.87	268,712.62	73.28 %
Department: 410 - Public Works Surplus (Deficit):	-356,343.49	-356,343.49	-43,961.07	-97,839.87	258,503.62	72.54 %
Department: 415 - Street Maintenance						
Revenue						
34 - Development Fees	810.00	810.00	120.00	300.00	-510.00	62.96 %
Revenue Total:	810.00	810.00	120.00	300.00	-510.00	62.96 %
Expense						
45 - Capital Outlay	11,222.00	11,222.00	0.00	0.00	11,222.00	100.00 %
Expense Total:	11,222.00	11,222.00	0.00	0.00	11,222.00	100.00 %
Department: 415 - Street Maintenance Surplus (Deficit):	-10,412.00	-10,412.00	120.00	300.00	10,712.00	102.88 %
Department: 510 - Parks Department						
Revenue						
36 - Park & Facility Fees	5,725.00	5,725.00	30.00	300.00	-5,425.00	94.76 %
37 - Grants / Donations / Refunds / Misc	2,750.00	2,750.00	0.00	1,550.00	-1,200.00	43.64 %
Revenue Total:	8,475.00	8,475.00	30.00	1,850.00	-6,625.00	78.17 %
Expense						
41 - Personnel	105,272.33	105,272.33	7,239.40	16,657.69	88,614.64	84.18 %
42 - Supplies	35,800.00	35,800.00	2,187.44	2,808.78	32,991.22	92.15 %
43 - Utilities / Insurance	25,300.00	25,300.00	1,753.81	3,800.25	21,499.75	84.98 %
44 - Services	32,050.00	32,050.00	0.00	0.00	32,050.00	100.00 %
45 - Capital Outlay	9,100.00	9,100.00	4,705.69	4,705.69	4,394.31	48.29 %
49 - Public Support / Transfers	1,300.00	1,300.00	0.00	0.00	1,300.00	100.00 %
Expense Total:	208,822.33	208,822.33	15,886.34	27,972.41	180,849.92	86.60 %
Department: 510 - Parks Department Surplus (Deficit):	-200,347.33	-200,347.33	-15,856.34	-26,122.41	174,224.92	86.96 %
Department: 515 - Rodeo Grounds						
Revenue						
36 - Park & Facility Fees	550.00	550.00	0.00	0.00	-550.00	100.00 %
Revenue Total:	550.00	550.00	0.00	0.00	-550.00	100.00 %
Expense						
42 - Supplies	770.34	770.34	0.00	0.00	770.34	100.00 %
43 - Utilities / Insurance	1,430.00	1,430.00	67.62	147.91	1,282.09	89.66 %
Expense Total:	2,200.34	2,200.34	67.62	147.91	2,052.43	93.28 %
Department: 515 - Rodeo Grounds Surplus (Deficit):	-1,650.34	-1,650.34	-67.62	-147.91	1,502.43	91.04 %
Department: 520 - Cemetery						
Revenue						
36 - Park & Facility Fees	7,445.00	7,445.00	690.00	1,045.00	-6,400.00	85.96 %
Revenue Total:	7,445.00	7,445.00	690.00	1,045.00	-6,400.00	85.96 %
Expense						
41 - Personnel	7,124.00	7,124.00	0.00	0.00	7,124.00	100.00 %
42 - Supplies	650.20	650.20	0.00	0.00	650.20	100.00 %
43 - Utilities / Insurance	2,490.00	2,490.00	68.25	136.50	2,353.50	94.52 %
44 - Services	470.00	470.00	0.00	0.00	470.00	100.00 %
Expense Total:	10,734.20	10,734.20	68.25	136.50	10,597.70	98.73 %
Department: 520 - Cemetery Surplus (Deficit):	-3,289.20	-3,289.20	621.75	908.50	4,197.70	127.62 %
Department: 550 - Recreation Department						
Revenue						
39 - Recreation Fees	39,875.00	39,875.00	4,118.15	12,050.60	-27,824.40	69.78 %

Budget Report

For Fiscal: 2016 Period Ending: 03/31/2016

Obj Categor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Revenue Total:	39,875.00	39,875.00	4,118.15	12,050.60	-27,824.40	69.78 %
Expense						
41 - Personnel	141,776.22	141,776.22	12,107.06	27,889.64	113,886.58	80.33 %
42 - Supplies	1,400.00	1,400.00	72.18	72.18	1,327.82	94.84 %
43 - Utilities / Insurance	2,650.00	2,650.00	221.14	389.15	2,260.85	85.32 %
44 - Services	10,769.60	10,769.60	1,797.66	3,972.16	6,797.44	63.12 %
45 - Capital Outlay	6,700.00	6,700.00	3,401.53	13,787.91	-7,087.91	-105.79 %
47 - Recreation	23,850.00	23,850.00	1,465.68	6,420.59	17,429.41	73.08 %
Expense Total:	187,145.82	187,145.82	19,065.25	52,531.63	134,614.19	71.93 %
Department: 550 - Recreation Department Surplus (Deficit):	-147,270.82	-147,270.82	-14,947.10	-40,481.03	106,789.79	72.51 %
Total Revenues	3,175,098.77	3,175,098.77	133,723.99	225,700.96	-2,949,397.81	1888335461
Total Expenses	3,796,932.08	3,796,932.08	327,669.41	801,647.43	2,995,284.65	3030628243
Fund: 01 - General Fund Surplus (Deficit):	-621,833.31	-621,833.31	-193,945.42	-575,946.47	45,886.84	7.38 %
Report Surplus (Deficit):	-621,833.31	-621,833.31	-193,945.42	-575,946.47	45,886.84	7.38 %

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
01 - General Fund	-621,833.31	-621,833.31	-193,945.42	-575,946.47	45,886.84
Report Surplus (Deficit):	-621,833.31	-621,833.31	-193,945.42	-575,946.47	45,886.84



Obj Categor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 02 - Water Enterprise Fund						
Department: 710 - Water Distribution Operations						
Revenue						
32 - Licenses & Permits	700.00	700.00	0.00	200.00	-500.00	71.43 %
33 - Charges for Services	802,527.28	802,527.28	58,306.00	176,678.72	-625,848.56	77.98 %
37 - Grants / Donations / Refunds / Misc	5,704.55	5,704.55	50.00	231.50	-5,473.05	95.94 %
Revenue Total:	808,931.83	808,931.83	58,356.00	177,110.22	-631,821.61	78.11 %
Expense						
41 - Personnel	272,986.34	272,986.34	33,974.41	77,903.79	195,082.55	71.46 %
42 - Supplies	25,150.00	25,150.00	1,337.67	5,347.37	19,802.63	78.74 %
43 - Utilities / Insurance	12,700.00	12,700.00	162.88	2,700.65	9,999.35	78.74 %
44 - Services	82,190.00	82,190.00	847.02	3,913.49	78,276.51	95.24 %
45 - Capital Outlay	13,100.00	13,100.00	867.55	3,538.21	9,561.79	72.99 %
Expense Total:	406,126.34	406,126.34	37,189.53	93,403.51	312,722.83	77.00 %
Department: 710 - Water Distribution Operations Surplus (Deficit):	402,805.49	402,805.49	21,166.47	83,706.71	-319,098.78	79.22 %
Department: 715 - Treatment Plant Operations						
Expense						
42 - Supplies	29,150.00	29,150.00	1,279.47	2,098.22	27,051.78	92.80 %
43 - Utilities / Insurance	14,600.00	14,600.00	1,137.44	2,505.66	12,094.34	82.84 %
44 - Services	13,339.00	13,339.00	0.00	0.00	13,339.00	100.00 %
48 - Capital Improvements	5,500.00	5,500.00	0.00	0.00	5,500.00	100.00 %
Expense Total:	62,589.00	62,589.00	2,416.91	4,603.88	57,985.12	92.64 %
Department: 715 - Treatment Plant Operations Total:	62,589.00	62,589.00	2,416.91	4,603.88	57,985.12	92.64 %
Department: 720 - Infrastructure Maintenance & Replacement						
Expense						
48 - Capital Improvements	60,000.00	60,000.00	0.00	0.00	60,000.00	100.00 %
Expense Total:	60,000.00	60,000.00	0.00	0.00	60,000.00	100.00 %
Department: 720 - Infrastructure Maintenance & Replacement Total:	60,000.00	60,000.00	0.00	0.00	60,000.00	100.00 %
Department: 730 - System Development Capital Improvement						
Revenue						
36 - Park & Facility Fees	100,678.00	100,678.00	11,700.00	17,700.00	-82,978.00	82.42 %
37 - Grants / Donations / Refunds / Misc	802,717.00	802,717.00	47.54	149.32	-802,567.68	99.98 %
Revenue Total:	903,395.00	903,395.00	11,747.54	17,849.32	-885,545.68	98.02 %
Expense						
45 - Capital Outlay	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
48 - Capital Improvements	1,119,000.00	1,119,000.00	1,298.20	1,558.20	1,117,441.80	99.86 %
Expense Total:	1,122,000.00	1,122,000.00	1,298.20	1,558.20	1,120,441.80	99.86 %
Department: 730 - System Development Capital Improvement Surplus ..	-218,605.00	-218,605.00	10,449.34	16,291.12	234,896.12	107.45 %
Department: 740 - Water Debt Service						
Expense						
46 - Debt Service	86,361.00	86,361.00	0.00	41,334.57	45,026.43	52.14 %
Expense Total:	86,361.00	86,361.00	0.00	41,334.57	45,026.43	52.14 %
Department: 740 - Water Debt Service Total:	86,361.00	86,361.00	0.00	41,334.57	45,026.43	52.14 %
Total Revenues	1,712,326.83	1,712,326.83	70,103.54	194,959.54	-1,517,367.29	9435149597
Total Expenses	1,737,076.34	1,737,076.34	40,904.64	140,900.16	1,596,176.18	5924403415
Fund: 02 - Water Enterprise Fund Surplus (Deficit):	-24,749.51	-24,749.51	29,198.90	54,059.38	78,808.89	318.43 %
Report Surplus (Deficit):	-24,749.51	-24,749.51	29,198.90	54,059.38	78,808.89	318.43 %

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
02 - Water Enterprise Fund	-24,749.51	-24,749.51	29,198.90	54,059.38	78,808.89
Report Surplus (Deficit):	-24,749.51	-24,749.51	29,198.90	54,059.38	78,808.89



Obj Categor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 03 - Capital Improvement Fund						
Department: 100 - General Government						
Revenue						
31 - Taxes	345,520.00	345,520.00	0.00	0.00	-345,520.00	100.00 %
37 - Grants / Donations / Refunds / Misc	-3,810.00	-3,810.00	0.00	0.00	3,810.00	100.00 %
38 - Transfers to / From Funds	265,000.00	265,000.00	0.00	0.00	-265,000.00	100.00 %
Revenue Total:	606,710.00	606,710.00	0.00	0.00	-606,710.00	100.00 %
Department: 100 - General Government Total:	606,710.00	606,710.00	0.00	0.00	-606,710.00	100.00 %
Department: 140 - Town Hall Operations						
Expense						
16 - Depreciable Assets	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
48 - Capital Improvements	23,000.00	23,000.00	0.00	0.00	23,000.00	100.00 %
Expense Total:	33,000.00	33,000.00	0.00	0.00	33,000.00	100.00 %
Department: 140 - Town Hall Operations Total:	33,000.00	33,000.00	0.00	0.00	33,000.00	100.00 %
Department: 210 - Police Department						
Expense						
16 - Depreciable Assets	9,100.00	9,100.00	0.00	0.00	9,100.00	100.00 %
48 - Capital Improvements	43,000.00	43,000.00	18,606.11	48,205.11	-5,205.11	-12.10 %
Expense Total:	52,100.00	52,100.00	18,606.11	48,205.11	3,894.89	7.48 %
Department: 210 - Police Department Total:	52,100.00	52,100.00	18,606.11	48,205.11	3,894.89	7.48 %
Department: 230 - Volunteer Fire Department						
Expense						
48 - Capital Improvements	22,575.00	22,575.00	1,394.00	1,394.00	21,181.00	93.83 %
Expense Total:	22,575.00	22,575.00	1,394.00	1,394.00	21,181.00	93.83 %
Department: 230 - Volunteer Fire Department Total:	22,575.00	22,575.00	1,394.00	1,394.00	21,181.00	93.83 %
Department: 310 - Planning (Development)						
Expense						
48 - Capital Improvements	60,000.00	60,000.00	2,000.00	3,850.00	56,150.00	93.58 %
Expense Total:	60,000.00	60,000.00	2,000.00	3,850.00	56,150.00	93.58 %
Department: 310 - Planning (Development) Total:	60,000.00	60,000.00	2,000.00	3,850.00	56,150.00	93.58 %
Department: 320 - Community Center						
Expense						
48 - Capital Improvements	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
Expense Total:	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
Department: 320 - Community Center Total:	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
Department: 410 - Public Works						
Expense						
48 - Capital Improvements	48,000.00	48,000.00	0.00	17,402.00	30,598.00	63.75 %
Expense Total:	48,000.00	48,000.00	0.00	17,402.00	30,598.00	63.75 %
Department: 410 - Public Works Total:	48,000.00	48,000.00	0.00	17,402.00	30,598.00	63.75 %
Department: 415 - Street Maintenance						
Revenue						
36 - Park & Facility Fees	5,000.00	5,000.00	0.00	0.00	-5,000.00	100.00 %
Revenue Total:	5,000.00	5,000.00	0.00	0.00	-5,000.00	100.00 %
Expense						
46 - Debt Service	250.00	250.00	0.00	250.00	0.00	0.00 %
48 - Capital Improvements	864,296.00	864,296.00	1,069.00	2,174.60	862,121.40	99.75 %

Budget Report

For Fiscal: 2016 Period Ending: 03/31/2016

Obj Catergor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Expense Total:	864,546.00	864,546.00	1,069.00	2,424.60	862,121.40	99.72 %
Department: 415 - Street Maintenance Surplus (Deficit):	-859,546.00	-859,546.00	-1,069.00	-2,424.60	857,121.40	99.72 %
Department: 510 - Parks Department						
Revenue						
37 - Grants / Donations / Refunds / Misc	251,322.00	251,322.00	0.00	0.00	-251,322.00	100.00 %
48 - Capital Improvements	352,049.00	352,049.00	0.00	0.00	-352,049.00	100.00 %
Revenue Total:	603,371.00	603,371.00	0.00	0.00	-603,371.00	100.00 %
Expense						
48 - Capital Improvements	460,300.00	460,300.00	0.00	10,337.30	449,962.70	97.75 %
Expense Total:	460,300.00	460,300.00	0.00	10,337.30	449,962.70	97.75 %
Department: 510 - Parks Department Surplus (Deficit):	143,071.00	143,071.00	0.00	-10,337.30	-153,408.30	107.23 %
Total Revenues	1,215,081.00	1,215,081.00	0.00	0.00	-1,215,081.00	1
Total Expenses	1,550,521.00	1,550,521.00	23,069.11	83,613.01	1,466,907.99	3155565129
Fund: 03 - Capital Improvement Fund Surplus (Deficit):	-335,440.00	-335,440.00	-23,069.11	-83,613.01	251,826.99	75.07 %
Report Surplus (Deficit):	-335,440.00	-335,440.00	-23,069.11	-83,613.01	251,826.99	75.07 %

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
03 - Capital Improvement Fund	-335,440.00	-335,440.00	-23,069.11	-83,613.01	251,826.99
Report Surplus (Deficit):	-335,440.00	-335,440.00	-23,069.11	-83,613.01	251,826.99



Town of Buena Vista

Budget Report Group Summary

For Fiscal: 2016 Period Ending: 03/31/2016

Obj Categor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 04 - Conservation Trust Fund						
Department: 590 - Conservation Trust Fund						
Revenue						
31 - Taxes	27,000.00	27,000.00	0.00	0.00	-27,000.00	100.00 %
37 - Grants / Donations / Refunds / Misc	117.00	117.00	0.00	0.00	-117.00	100.00 %
Revenue Total:	27,117.00	27,117.00	0.00	0.00	-27,117.00	100.00 %
Expense						
41 - Personnel	13,471.00	13,471.00	0.00	0.00	13,471.00	100.00 %
Expense Total:	13,471.00	13,471.00	0.00	0.00	13,471.00	100.00 %
Department: 590 - Conservation Trust Fund Surplus (Deficit):	13,646.00	13,646.00	0.00	0.00	-13,646.00	100.00 %
Total Revenues	27,117.00	27,117.00	0.00	0.00	-27,117.00	1
Total Expenses	13,471.00	13,471.00	0.00	0.00	13,471.00	1
Fund: 04 - Conservation Trust Fund Surplus (Deficit):	13,646.00	13,646.00	0.00	0.00	-13,646.00	100.00 %
Report Surplus (Deficit):	13,646.00	13,646.00	0.00	0.00	-13,646.00	100.00 %

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
04 - Conservation Trust Fund	13,646.00	13,646.00	0.00	0.00	-13,646.00
Report Surplus (Deficit):	13,646.00	13,646.00	0.00	0.00	-13,646.00



Obj Catergor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 07 - Airport Enterprise Fund						
Department: 810 - Airport Cost of Goods Sold						
Revenue						
33 - Charges for Services	351,459.66	351,459.66	0.00	0.00	-351,459.66	100.00 %
Revenue Total:	351,459.66	351,459.66	0.00	0.00	-351,459.66	100.00 %
Expense						
42 - Supplies	708.00	708.00	0.00	0.00	708.00	100.00 %
44 - Services	281,331.00	281,331.00	92.00	138.00	281,193.00	99.95 %
Expense Total:	282,039.00	282,039.00	92.00	138.00	281,901.00	99.95 %
Department: 810 - Airport Cost of Goods Sold Surplus (Deficit):	69,420.66	69,420.66	-92.00	-138.00	-69,558.66	100.20 %
Department: 815 - Terminal Building						
Expense						
42 - Supplies	884.35	884.35	460.80	585.04	299.31	33.85 %
43 - Utilities / Insurance	900.00	900.00	0.00	0.00	900.00	100.00 %
Expense Total:	1,784.35	1,784.35	460.80	585.04	1,199.31	67.21 %
Department: 815 - Terminal Building Total:	1,784.35	1,784.35	460.80	585.04	1,199.31	67.21 %
Department: 820 - Airport Grounds/Infrastructure						
Expense						
44 - Services	4,500.00	4,500.00	0.00	0.00	4,500.00	100.00 %
Expense Total:	4,500.00	4,500.00	0.00	0.00	4,500.00	100.00 %
Department: 820 - Airport Grounds/Infrastructure Total:	4,500.00	4,500.00	0.00	0.00	4,500.00	100.00 %
Department: 830 - Airport Operational Support						
Revenue						
33 - Charges for Services	76,678.00	76,678.00	45.60	474.00	-76,204.00	99.38 %
37 - Grants / Donations / Refunds / Misc	28,300.00	28,300.00	0.00	0.00	-28,300.00	100.00 %
38 - Transfers to / From Funds	321,000.00	321,000.00	0.00	0.00	-321,000.00	100.00 %
Revenue Total:	425,978.00	425,978.00	45.60	474.00	-425,504.00	99.89 %
Expense						
41 - Personnel	181,545.30	181,545.30	21,217.82	47,744.90	133,800.40	73.70 %
42 - Supplies	7,947.70	7,947.70	388.40	774.26	7,173.44	90.26 %
43 - Utilities / Insurance	44,158.26	44,158.26	2,638.42	7,827.27	36,330.99	82.27 %
44 - Services	40,002.58	40,002.58	792.00	842.00	39,160.58	97.90 %
45 - Capital Outlay	1,081.88	1,081.88	0.00	513.89	567.99	52.50 %
Expense Total:	274,735.72	274,735.72	25,036.64	57,702.32	217,033.40	79.00 %
Department: 830 - Airport Operational Support Surplus (Deficit):	151,242.28	151,242.28	-24,991.04	-57,228.32	-208,470.60	137.84 %
Department: 835 - Airport Maintenance						
Expense						
42 - Supplies	13,452.03	13,452.03	3,018.83	6,392.20	7,059.83	52.48 %
44 - Services	4,308.13	4,308.13	0.00	0.00	4,308.13	100.00 %
Expense Total:	17,760.16	17,760.16	3,018.83	6,392.20	11,367.96	64.01 %
Department: 835 - Airport Maintenance Total:	17,760.16	17,760.16	3,018.83	6,392.20	11,367.96	64.01 %
Department: 850 - Airport Capital Improvements						
Revenue						
37 - Grants / Donations / Refunds / Misc	700,013.00	700,013.00	11,664.03	11,664.03	-688,348.97	98.33 %
Revenue Total:	700,013.00	700,013.00	11,664.03	11,664.03	-688,348.97	98.33 %
Expense						
48 - Capital Improvements	874,513.00	874,513.00	21,584.20	21,584.20	852,928.80	97.53 %

Budget Report

For Fiscal: 2016 Period Ending: 03/31/2016

Obj Categori...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Expense Total:	874,513.00	874,513.00	21,584.20	21,584.20	852,928.80	97.53 %
Department: 850 - Airport Capital Improvements Surplus (Deficit):	-174,500.00	-174,500.00	-9,920.17	-9,920.17	164,579.83	94.32 %
Total Revenues	1,477,450.66	1,477,450.66	11,709.63	12,138.03	-1,465,312.63	0233888149
Total Expenses	1,455,332.23	1,455,332.23	50,192.47	86,401.76	1,368,930.47	1418502564
Fund: 07 - Airport Enterprise Fund Surplus (Deficit):	22,118.43	22,118.43	-38,482.84	-74,263.73	-96,382.16	435.75 %
Report Surplus (Deficit):	22,118.43	22,118.43	-38,482.84	-74,263.73	-96,382.16	435.75 %

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
07 - Airport Enterprise Fund	22,118.43	22,118.43	-38,482.84	-74,263.73	-96,382.16
Report Surplus (Deficit):	22,118.43	22,118.43	-38,482.84	-74,263.73	-96,382.16



MEMORANDUM

To: Mayor and Board of Trustees
From: Janell Sciacca, Town Clerk
Melanie Jacobs, Deputy Town Clerk
Date: April 21, 2016
RE: March 2016 Clerk's Office Activities

March 2016 official actions for the Town Clerk's Office are as follows:

LIQUOR LICENSES

- **Special Events License(s) Issued:**
 - **Buena Vista Rotary Interact Charitable Fund, Inc.** – Bike Fest, McPhelemy Park, June 4, 2016 9AM-8PM
- **License(s) Transferred:**
 - **Quincy's**, 605 Hwy 24 S – Hotel & Restaurant License – Transferred to EJ's Restaurants, Inc., Eva Stamatelos Owner/Manager
- **License(s) Renewed:**
 - **The Branding Iron Bar & Grill**, Hotel & Restaurant License, 710 US Highway 24 North, owner Melissa McFee
 - **House Rock Kitchen**, Hotel & Restaurant License, 421 East Main Street, owner Kenneth Cook and Jessica Jones
 - **Jan's Restaurant**, Hotel & Restaurant License, 304 US Hwy 24 South, owner Jan Delp
- **Other:**
 - **Love's Country Store #115**, 3.2% Beer License issued March 17 with Certificate of Occupancy

BUSINESS LICENSES

- **New License(s) Issued:**
 - **The Bearded Lady** – 321 East Main., BV / Jennifer Welch (Retail Food Service)
 - **Oxygen Hog, LLC** – 113 N. Railroad, BV / Mark & Diana Walters (Apparel & Accessories)
- **Licenses(s) Renewed: 9**

CEMETERY

- Two (2) interments
- One (1) plot sale

NOTARY SERVICES PERFORMED

- 24 Notaries were performed in March by Town Hall Staff.

ELECTION

- Ballots mailed to active, registered voter on March 16, 2016.
- Election Judge Training conducted March 30, 2016.
- Processing / Counting of Ballots began March 30, 2016.



PLANNING DEPARTMENT MONTHLY REPORT

March 2016

Staff Levels	
Principal Planner, Mark Doering	Full Time
Planner I, Scott Reynolds	Full Time
Planning Tech, Jill Abrell	Full Time
Planning Assistant, Melanie Jacobs	50%
2016 Total Revenue	\$13,408.93

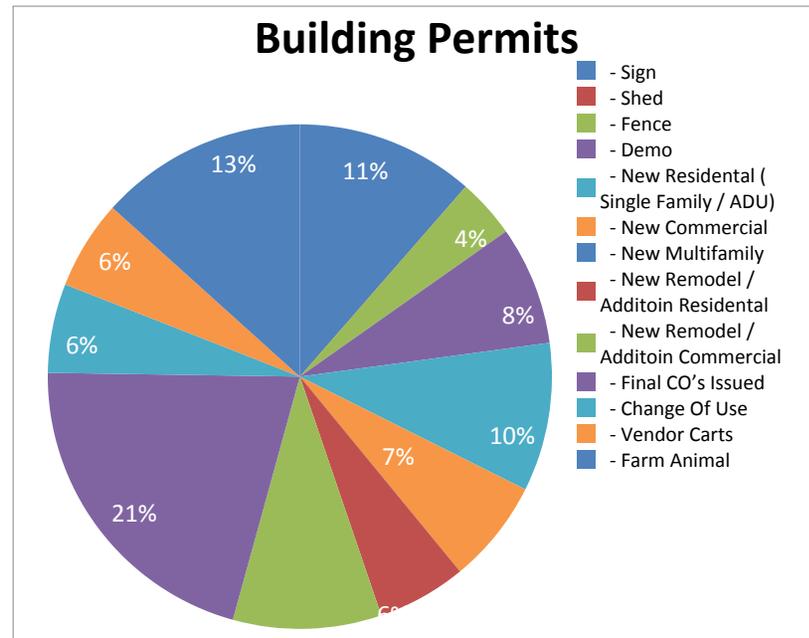
Projects coming before the Board of Trustees in the near future:

- Unified Development Code (UDC) rewrite – Module 2 has arrived from our consultant

Other Items:

- Our Planner Technician, Jill Abrell, started April 11, 2016

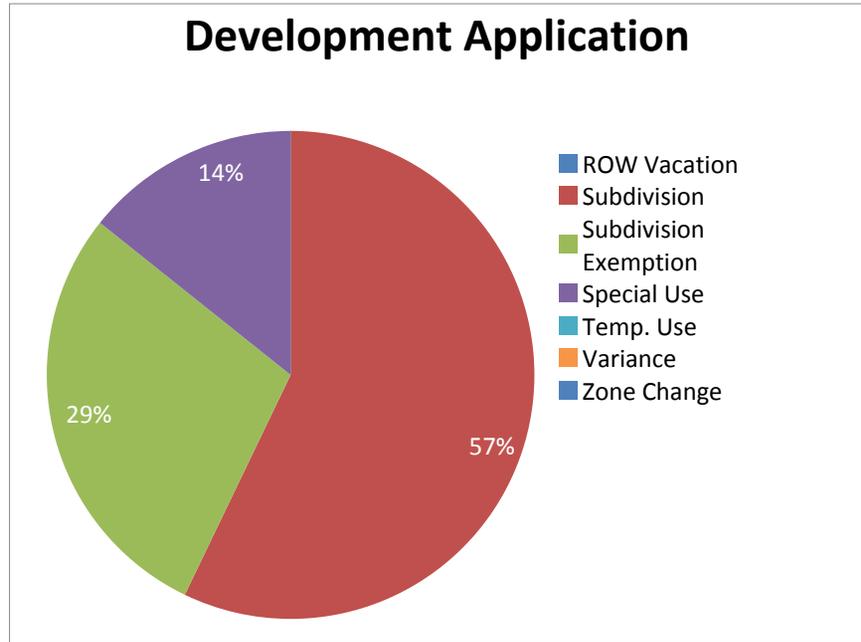
Building Permit Totals			
Type	Mar-16		
	#	\$	Year Total
Planning Clearances			
-Sign	2	\$180.00	\$500.00
-Fence	1	\$20.00	\$40.00
Building Permits (Commercial and Residential)			
-New Residential	2	\$389.63	\$1,104.63
-New Commercial	1	\$1,134.30	\$7,658.18
- New Remodel / Addition Residential	3	\$230.00	\$286.00
- New Remodel / Addition Commercial	4	\$361.00	\$1,223.12
- Final CO's Issued	4	N.A	11
Reviews			
-Change Of Use	1	N/A	1
-Vendor Carts	3	\$400.00	\$400.00
-Farm Animal	4	\$150.00	\$330.00
- Encroachment	1	\$150.00	\$150.00
Total	26	\$3,014.93	\$11,708.93

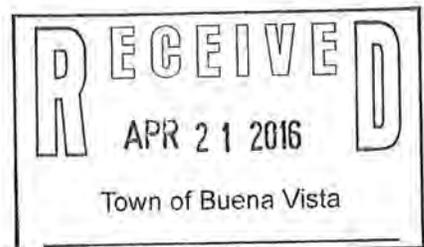




PLANNING DEPARTMENT MONTHLY REPORT

Development Project Totals			
Type	Mar-16		
	#	\$	Total
Subdivision	3	\$900.00	\$900.00
Subdivision Exemption	1	\$300.00	\$600.00
Total	4	\$1,200.00	\$1,700.00





Dear Members of the Board of Trustees:

On behalf of the Boys and Girls Club of Chaffee County, the Buena Vista site, I respectfully request a waiver of fees for the use of the Community Center. The Boys and Girls Club would like to use the Community Center to implement, successfully, a new summer program: Culture and Cooking Club. Culture and Cooking Club is designed to teach your participants about a variety of cultures and then, subsequently, reinforcing and extending learning by cooking a dish associated with the culture of the week. Culture and Cooking will convene every Wednesday afternoon in June and July.

The Community Center is essential for the success of Cooking and Culture because the Boys and Girls Club of Buena Vista does not have its own kitchen space. Though we do have a meeting room, we request the use of an extra room so presenters can have a space to share their experiences and then easily begin with the instruction of cooking the dish. Holding the program in the Community Center also allows for more opportunities for community enrollment and involvement.

Culture and Cooking Club is open to members of the Boys and Girls Club. If we can afford to use the Community Center, we can afford to open enrollment of Culture and Cooking to any member of the public (presenters willing). Culture and Cooking Club will benefit this community as a whole because it will introduce different cultures to youth who may not have the opportunity to have an in-depth experience with a diverse population. Having this experience will help youth be more successful if/when they interact with people from different place. The Boys and Girls Club greatly appreciates the support of the Board of Trustees.

Yours Truly,

Reba Jackson

Reba Jackson
Senior Program Director
Boys and Girls Club- Buena Vista
719-395-7014



Chaffee County Office of Emergency Management
P.O. Box 699
16550 Highway 285
Salida, Colorado 81201
Telephone: 719-539-6856 Cellular: 719-207-2730
pgraham@chaffeecounty.org



Town of Buena Vista,

This letter is to request a waiver of the \$60 use fee for the Buena Vista Rodeo Grounds. The county's Office of Emergency Management is hosting a county-wide wildland fire training on April 30th with the intent to refresh on strategy and tactics as well as get to know the county-wide, state and federal resources available to us in the event of a large wildfire. There will be participants from Colorado Division of Fire Prevention and Control, Colorado State Forest Service and the Federal Forest Service helping to teach skills as well as participating in the response scenarios. The training will consist of several stations throughout the area focusing on strategies and tactics like structure assessments, triage and protection as well as other advanced wildland firefighting tactics. An incident command post will be set-up at the rodeo grounds and the training will be run similar to a real incident with an incident commander and supporting staff assisting throughout the training. Please let me know if you have any questions about this request or the training and I will be glad to answer them at any time.

Respectfully,

Phil Graham
Chaffee County Emergency Manager
EOC-719-539-6856
Cell-719-207-2730
pgraham@chaffeecounty.org



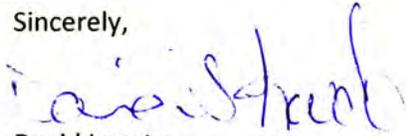
4/11/2016

To whom it may concern,

My name is David Lovato and I am an ATV / UTV instructor for the United States Forest Service. I am teaching an agency ATV refresher class for the Leadville and Salida Ranger Districts and have filled out an application for use of the Aspen Room on April 27, 2016 from 0800-1200.

I am a local Buena Vista resident and the U.S. Forest Service has used the community center in the past for various trainings and meetings at no cost to the government. Is it possible to waive the fee for use of the Aspen Room for 4 hours on April 27?

Sincerely,



David Lovato