



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

September 14, 2016

WORK SESSION – Joint Work Session with Recreation Advisory Board Regarding Recreation Master Plan Board of Trustee members present for the work session: Mayor Joel Benson, Trustees Lawanna Best, Eric Gibb, Mark Jenkins, Duff Lacy and Dave Volpe. Staff present: Recreation Supervisor Emily Osborn, Recreation Program Coordinator Ashley Davis, Fire Chief Dixon Villers and Town Clerk Janell Sciacca. Recreation Advisory Board members present were Dan Hamme, Gary Crowder, Marcus Trusty, McKenzie Lyle, Julie Robinson, and Luke Urbine.

Richmond, Rec Board Co-Chair, opened the work session. Richmond reported he has been on the board for 15 years and the group is happy and excited to be addressing the Trustees. Osborn thanked the Trustees and stated the group is excited about what the future holds for BV Rec. She shared the Board's Vision and Mission which were recently adopted a little over 2 months ago and also the Rec Department Vision and Mission. Osborn briefly reviewed the scope of the Master Plan from the Executive Summary. Davis reviewed the current facilities managed by the Rec Department. She also reviewed some safety concerns of the Town's insurance company CIRSA, specifically railings and back enclosure at the Rodeo Grounds and surface depth, border and ADA accessibility of the Community Center. She then reviewed the short term goals being Community Center maintenance, Skate Park / Perimeter, Whitewater Park maintenance, McPhelemy Park slab covering, and Splash Park covering. Hamme addressed the Ice Rink project noting issues have been identified with the current proposed location. The best alternative location identified is across from the Community Center in the River Park. Hamme also reviewed the anticipated rink costs. The board is looking at donations of labor and materials and working with local businesses to conduct fundraisers. The rink will be used for other activities throughout the year when not in use for hockey. Crowder reviewed goals for the Rodeo Grounds and grandstands noting they were constructed in 1936 and designated a State Historical Landmark in 2015. He reviewed some of the items needed such as speakers, a concession stand rebuild, maintenance of corrals and chutes and the grandstands. Osborn noted the current annual operating budget for the Rodeo Grounds is only \$750 and she asked that the Trustees keep that in mind during the upcoming budget process. Trusty reviewed the proposed long range improvements which include a Gym Facility for programming, updating the west entry to the Community Center to include a reception area for Rec Offices, updates to Millie Crymble Park, restoration of Forest Square Park basketball court and construction of pickle ball court and buildout of Sunset Vista IV Park. Richmond reviewed the priority of needs. He reminded the Trustees that in 2013 the Town Administrator recommended hiring a Rec Director, which occurred in 2014. In July 2015 the Rec Director requested a full-time additional employee to manage special events, facility rentals, etc. Richmond stated there were two approaches to resolve the staffing matter – hire new staff or obtain and implement systems to help offset the increased population and programming needs. There was a brief question and answer session followed by distribution of draft Master Plan which is proposed for adoption by Resolution of the Trustees on September 28, 2016. The work session ended at 6.54 PM.

CALL TO ORDER :20

A Regular meeting of the Board of Trustees was called to order at 7:01 PM on Wednesday, September 14, 2016, at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado by Mayor Benson. Present were Mayor Joel Benson, Trustees Lawanna Best, Eric Gibb, Duff Lacy, Mark Jenkins, and David Volpe. Town Staff present were Town Administrator Brandy Reitter (by phone for beginning portion of the meeting), Town Attorney Kathryn Parker, Principal Planner Mark Doering, Treasurer Michelle Stoke, Police Chief Jimmy Tidwell, Fire Chief Dixon Villers, Public Works Director Greg Maggard, Assistant to the Town Administrator Emily Katsimpalis, IT Administrator Larry Deffenbaugh and Town Clerk Janell Sciacca.

ROLL CALL :28

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

PLEDGE OF ALLEGIANCE :42

Mayor Benson led the Pledge of Allegiance.

PROCLAMATIONS

A. ATV Color Tour Week – September 19-24, 2016 01:20

B. CITIES AND TOWNS WEEK – September 12-18, 2016 02:54

Mayor Benson read the proclamations into the record and signed each declaring September 19-24, 2016 ATV Color Tour Week and September 12-18, 2016 Cities and Towns Week.

AGENDA ADOPTION 04:58

Mayor Benson reported that Town Administrator Brandy Reitter was appearing by telephone.

Gibb requested the addition of a Business Item to discuss the Town’s involvement in the Community Dinner. Benson requested moving letter D off the Consent Agenda due to the last minute changes that were transmitted to the Trustees after the packet was distributed. Benson also requested moving Resolution #89 up to the first Business Item so that Reitter did not have to stay on the telephone for the entire meeting.

Motion #1 by Trustee Lacy and seconded by Trustee Best to approve the agenda as amended.
Motion carried, 5-0.

CONSENT AGENDA 07:10

A. Minutes

1. Regular Meeting – August 24, 2016
2. Planning & Zoning – August 17, 2016
3. Beautification – August 4, 2016
4. Trails – August 2, 2016
5. Water – July 20, 2016

B. Police Chief Report

C. Fire Chief Report

Benson requested the August 24 minutes be edited on page 2 to change Christy to Kristen as well as add a note on the Town Treasurer report that the increase in sales tax has a lot to do with the sales tax on jet fuel.

Motion #2 by Trustee Volpe and seconded by Trustee Lacy to approve the Consent Agenda as amended with amended August 24 minutes and item D – Resolution #85 being removed to Business Items. **Motion carried, 5-0.**

PUBLIC COMMENT 08:28

Luke Urbine, 513 Park Lane, and business owner at 317 East Main, requested the Town do something about the condition of the Town alleys. He stated the alley behind Subway going North and the alley behind East Main street are full of potholes. The alley on East Main is constantly in use and should be graded more frequently. He felt the shape of the alleys would also make it hard for emergency use as well.

Dave Butler, 30841 CR 356-4, addressed the RC (Remote Control) airfield. When created there were only a handful of people using it and there is increased interest in aviation and they are now seeing over 100 people a week visiting or flying. Butler requested the Town consider expansion with a runway from east to west. The current runway is 402 feet and runs north and south. Butler also stated the Police Department was doing a fabulous job of monitoring the airstrip and keeping unwanted users off it.

Reed McCullough, 17559 CR368, introduced himself stating he is back involved with the Chaffee Housing Trust which was formed in 2008 after the first housing assessment which recommended formation of a nonprofit to take on the job of offering low cost ownership opportunities to qualified buyers who are 80% of area median income or below. The group achieved Community Housing Development Organization

aka CHDO status with the Federal Government for Chaffee County which provides for operating and project funding. The recession took a toll on the trust and the status went away when they went dormant. The new assessment, specifically pages 60-65, provides data for discussion on moving forward and he encouraged the Trustees to read the document. The Housing Trust is again seeking CHDO status with an application that was submitted to the Division of Housing. CHDO is looking for local government support in the form of dollar for dollar grant match funds and he is requesting all the jurisdictions include a line item in their respective budgets. McCullough encouraged the Trustees to sit contact him to down one-on-one to talk about the document and affordable housing in general.

Maisie Ramsay, 201 La Plata, read a letter into the record on behalf of Colorado Central Telecom CEO Ralph Abrams regarding the Town of Buena Vista Broadband proposal on the agenda. A copy of the letter was provided for the official record.

RESPONSE TO PUBLIC COMMENT 23:14

Mayor Benson agreed with Urbine's comments about the condition of the alleys and asked Maggard to address the matter. Maggard stated materials could be brought in to fill in holes. He noted some alleys might have deteriorated due to the traffic that is attempting to elude the Highway construction. Urbine encouraged him to take a look at the manhole cover right behind Los Girasoles. Maggard will talk to the Sanitation District on that one. Benson thanked Butler for the crosswind runway expansion request. The Board will evaluate it along with all the other requests during budget. Benson requested McCullough provide his contact information to the Town Clerk for distribution to the Trustees. He also requested Trustees get access to the Study and asked Sciacca to facilitate that. Benson then thanked Ramsay for reading the letter and noted the Trustees would be addressing the agreement later in the agenda and thanked her for bringing Colorado Central Telecom's concerns to the Board's attention.

BUSINESS ITEMS

Should the Board of Trustees approve adoption of Resolution #89 entitled "**A RESOLUTION OF THE TOWN OF BUENA VISTA, COLORADO ENDORSING THE SUBMITTAL OF THE FULL APPLICATION TO PARTICIPATE IN THE STATE OF COLORADO SPACE TO CREATE PROGRAM, ACKNOWLEDGING THAT THE BOARD WILL DEDICATE THE REQUIRED RESOURCES IN THE 2017 BUDGET, AND PLEDGING MATCHING FUNDS IN THE AMOUNT OF \$35,000 FOR THE PURPOSE OF FUNDING A FEASIBILITY STUDY AND ARTS MARKET SURVEY IN 2017.**" 27:15

Reitter reviewed the presentation slides in the packet for the Trustees and viewing public. She stated this is an affordable housing effort. The Town has been talking quite a bit about affordable housing and the Board asked her to find other options if the Urban, Inc. low income housing tax credit project doesn't work out. This is a result of that and she was seeking Board interest and support.

Following Reitter's presentation Volpe inquired where the proposal came from. Specifically, was it a citizen driven objective or other. Reitter replied it is a combination of citizens but also Staff. While there isn't a specific citizen champion, it is a result of housing needs in Buena Vista and the feedback received from the community during affordable housing conversations. Best felt the Town was building the foundation for the growth of the Town and the more time spent looking into every aspect, especially if grants are provided, led her to believe the Town should go after it. Jenkins questioned the financial commitment. Benson clarified with Sellars that if the money is not appropriated in the budget there is no commitment and this would be more of a placeholder. Sellars agreed. Benson requested Reitter explain foundation monies that might be available. Reitter stated that she reached out to the State last week about the \$35,000 commitment. The State said the foundation provides up to \$250,000 for predevelopment costs and the community can decide how to use it. This would be a reimbursement grant and while the Board cannot commit itself (inaudible). Benson clarified the \$35,000 could still come from the State. Jenkins questioned the commitment language in resolution section 3. Sellars clarified that the budget has not been approved and if the Board does not appropriate the funds they don't appropriate the funds. Gibb asked if there was an interview process for qualification to live within the housing. Reitter replied applicants do have to income-qualify with the tax credit property manager. Gibb also asked if samples of artwork were required to qualified. Reitter replied the management company would make sure everything such as income, employment, sector, creative business, etc. This is not new and there are templates available. Gibb stated while he is interested in doing things rather than planning them, he

hated to throw cold water on this when the Staff works so hard to bring such tremendous opportunities to the Board. However, he feels the Boards job sometimes is to protect Staff from itself and this involves a steering committee, dedication of Staff resources, commitment of funds, a pledge to participate up to 10%, there might/might not be grants, and it involves a feasibility study, an arts survey and a demonstration of an Art community to support it. Gibb felt that while it is affordable housing, it might be somewhat restricted to a particular minority section of the community and he believed the Town needed more affordable housing for nurses, state, and retail employees, etc. He is a big supporter of back up plans to the Urban, Inc. plan but he is looking more for local developer options and generalized affordable housing. The Town Staff has an enormous amount of work on its plate and he felt he should vote No to protect the Staff from itself. Lacy asked if this would be considered permanent housing. Reitter replied yes and it is considered work force housing. Lacy stated that the recent assessment listed permanent housing as one of the highest recommendations. He also noted this involves creative enterprises not just creative artists which could include manufacturing businesses. Lacy additionally pointed out the presentation indicates the required funding is up to \$35,000 which might be done through grants. He is leaning toward supporting this as it accomplishes permanent housing which is highly stressed in the assessment. The Town has to do the studies and feasibility because the Town is so upside down. Lacy added that the Arts community has always talked about this. He then questioned that if we don't do this, where do we go and the Town has to start looking at permanent housing. Benson stated there are some good pros and potential cons and a lot of opportunity costs and he felt this would add to Staff overload. He ended by stating the Board has a lot of potential expenditures coming and they have to weigh all it out during budget season.

Motion #3 by Trustee Best and seconded by Trustee Lacy to approve Resolution #89 as presented.
Motion carried, 3-2 with Gibb and Jenkins voting Nay.

PUBLIC HEARING – Should the Board of Trustees approve an application to change the class of liquor license from Tavern to Hotel and Restaurant for The Rope, LLC dba The Lariat, 206 East Main Street, Buena Vista, Colorado? 01:02:54

Reitter hung up her phone and left the meeting. Applicant Robbie Johnson read portions from the written request in the packet. She also provided a petition containing 41 signatures in support of the change. Johnson then requested a waiver of the Town application fee of \$500. Sciacca presented the Staff Report. She noted one change in the report stating the Town Attorney had contacted her earlier in the day to advise that a petition proving the needs and desires was actually required in this particular circumstance and Johnson did present that this evening. Sciacca stated the application was in order and she reviewed the two required motions for the Board. Gibb inquired if the current owners paid an application fee to transfer the previous license. Sciacca replied yes and that occurred almost 1 year ago as the current license expires in October.

The Public Hearing was opened and there being no one wishing to address the item, the floor was closed to public comment. Benson clarified that grounds for denial are moral misconduct. Sellars agreed. Sciacca added that and violations. Gibb stated the Lariat has been a great member of the community since arriving and have provided employment opportunities for young community members who might not have otherwise been able to find a job. He stated he would make an exception to the policy not to waive application fees as it seemed inappropriate to charge another fee because they already paid not knowing this change was coming and while they are doing this for their business they are also doing this as an advantage to the community and to provide employment to the young people.

Motion #4 by Trustee Gibb and seconded by Trustee Jenkins to approve the application to change the class of liquor license from Tavern to Hotel and Restaurant for The Rope, LLC dba The Lariat, 206 East Main Street as presented. **Motion carried, 5-0.**

Lacy felt this was a choice and the application fee was the cost of doing business. Best felt maybe the renewal fee of \$175.00 was more appropriate.

Motion #5 by Trustee Lacy to deny the \$500 application fee waiver request. The motion died for lack of a second.

Motion #6 by Trustee Gibb to waive the Town application fee as requested. The motion died for lack of a second.

Motion #7 by Trustee Best and seconded by Trustee Jenkins to charge the annual renewal fee of \$175.00 Motion carried, 4-1, with Lacy voting No.

PUBLIC HEARING – Should the Board of Trustees approve adoption of Resolution #86 entitled “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO APPROVING A MINOR DEVELOPMENT FOR THE PROPERTY LOCATED AT 102 BROOKDALE AVENUE, BUENA VISTA, COLORADO.”? 01:18:00

Applicant Steve Wartman stated he is following up on the requirement for a Minor Subdivision. He felt the whole City block was not done correctly. Wartman stated he is the 5th or 6th owner of the property and none of the other owners were required to do this so he is the one stuck with the \$300 fee.

The Public Hearing was opened and there being no one wishing to address the item, the Public Hearing was closed.

Doering presented the Staff Report and reviewed a PowerPoint presentation detailing the specifics of the proposed project. The Planning and Zoning Commission and Staff recommend approval. Lacy stated this presentation was different than the initial one seen about 6 months ago and stated this should have been done a long time ago. Doering replied it should have been done any time after 1975 when it was required under State law. Lacy asked how many years ago the Board approved another special use. Doering replied there was no previous special use on this property and instead the Town changed its rules in 2010 to allow muffler, tire, windshield, or lubrication services with an SUP in the B-1 zone district, but none was ever applied for on this property. Lacy agreed with this application, but his point is why wasn't it done before and the Town has waived the fee in the past for someone catching up for something that should have been done before. This particular Board has done it. Doering agreed and reported Staff has created a new reduced fee for a new process that will be included in the UDC for a correction plan. He added there are a significant number of properties in Town that have been illegally subdivided and the Town will continue where possible to require subdivisions to meet the Town and State criteria.

Motion #8 by Trustee Best and seconded by Trustee Gibb to approve Resolution #86 as presented. **Motion carried, 5-0.**

Motion #9 by Trustee Lacy to refund the \$300 application fee for this application. The motion died for lack of a second.

PUBLIC HEARING – TO BE TABLED TO SEPTEMBER 28, 2016 – Should the Board of Trustees approve adoption of Resolution #87 entitled “A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO APPROVING A MINOR SUBDIVISION FOR THE PROPERTY LOCATED AT 28211 COUNTY ROAD 319, BUENA VISTA, CO 81211.”? 01:27:03

Benson reported the recommendation is to table this item to September 28, 2016. The Public Hearing was opened and there being no one wishing to address the item, the Public Hearing was closed. Doering noted the subdivision is in place with exception of installation of public improvements. Those details are still being worked out to be placed in an agreement so Staff wants to have all its ducks in a row before hitting the pond. Jenkins inquired about the difference between a DIA and a PIA. Doering replied these are Development Improvement Agreement and Public Improvement Agreement. One is for when a subdivision is not needed and the other is done when there is a subdivision required and it addresses the developer installed improvements and timing.

Motion #10 by Trustee Lacy and seconded by Trustee Jenkins to continue Resolution #87 to September 28, 2016. **Motion carried, 5-0.**

Noe Minor Subdivision Infrastructure Request. 01:29:17

Benson reminded of the presentation that occurred a couple meetings ago regarding the subdivision of this property and the request for assistance to remove the boulder in the alley along. He also reminded the Board of the associated policy conversations that have occurred. Doering reviewed a map of the proposed subdivision noting there is one visible boulder toward Evans Street. He directed the Board to the written request with associated estimates in the packet from the applicant.

Jenkins stated he has concerns about the Town paying for this and felt the estimate for removal of the boulder could be much higher. Doering added that the Sanitation District is requiring scoping of the line before and after construction and will be assessing costs if the line is damaged. Best was concerned that this fee should not be waived as the Board has to run the City and she didn't think the Board should waive this fee. Benson stated he is ever more on the side that this is private enterprise and he would rather take the money and put it toward non-profit uses and as playground equipment. Jenkins felt the Board could open a can of worms if they were to approve this. Lacy pointed out that it is in the report that the applicant does not say this is affordable housing so there is no deed restriction – it is for profit and the actual estimate was done by the property owner's own contracting business

Motion #11 by Trustee Best and seconded by Trustee Lacy to deny the request for the Town to pay to remove boulder in the alley for the applicant using the Town's fund balance from the infrastructure investment fund. **Motion carried, 5-0.**

The Board took a 5-minute break at 8:36PM and returned to session at 8:41PM. **01:34:40**

Should the Board of Trustees approve adoption of Resolution #88 entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO APPROVING A MASTER SERVICE AGREEMENT WITH AFFINITI FOR IMPLEMENTATION OF THE BROADBAND PILOT INFRASTRUCTURE PROJECT.**"? **01:39:09**

Deffenbaugh presented stating this is basically to put the wireless network in between all the Town locations. The Town is using a licensed spectrum of 80GHz and the unlicensed spectrums used by companies like Colorado Central Telecom use are 900, 2 or 5 GHz. This was done to eliminate the possibility of interference with other Town providers. Right now there is only 60GHz coming in to Town Hall and 4GHz going up. This project will provide 700GHz. Lacy asked whose hand gets held to the fire if it doesn't work. Deffenbaugh replied that is why this is a small project to make sure it is going to work. Gibb stated he did not understand how Colorado Central Telecom could be the one to install and service this but then say they are concerned about it. Deffenbaugh stated he approached Colorado Central Telecom to work with the Town several times on this project and they denied to work with him at all. He has approached them several times since then and they want to sell the Town an internet connection, but it is not what the Town needs to conduct operations properly. Gibb clarified that cost is \$44,000 and Deffenbaugh replied it is with a DOLA match of 50%. Gibb questioned a commitment for next year's budget. Benson stated he was not sure it was in this year's budget and Stoke believed it was. Gibb supports connecting the municipal facilities, but questioned the decision to put this in River, McPhelemy and Columbine Parks since they are not widely used for 9 months out of the year. It might be better to have this on Main Street in the Downtown for visitors. Deffenbaugh replied the thought was to go ahead and cover the parks with the grant monies because they are more expensive. The addition of Main Street is not such a large expense and can easily be added, but the main idea is to get something in and make sure it is feasible to operate and works. Deffenbaugh doesn't want to make a big dollar mistake. There was clarification that the parks were more difficult to add due to line of sight from Town Hall. Deffenbaugh also clarified the Water Plant was added for the ability to add cameras for security purposes. Benson asked if the \$44,000 pays for Phases I and II. Deffenbaugh replied it pays for both parts of the original presentation and the addition of the Water Plant. Benson recalled seeing a clause that the equipment will be owned by Affiniti. Deffenbaugh stated his understanding is that it will be the Town's equipment but Affiniti will manage it. Volpe asked if this will replace fiber optic until we can run it. Deffenbaugh replied a next phase is to do a full broadband study and this is something that can be done short term rather quickly and the things that came out of the broadband presentation were that the PD would like to have the ability to look up license plates from their cars and Fire could access maps to see where they are

going or if there are any hazardous materials at a location. Even if fiber is installed, this will always be there and will be a good solid back up network. Gibb asked if there was a way to measure usage for consideration when looking at funding in the future. Deffenbaugh stated they should be able to see every device accessing the network. Benson informed the Board this would be a 36 month / 3 year deal with an annual renewal option and the Town will pay \$1,150/month for service and support which could change after the 3 years and Affiniti will maintain and replace equipment at no cost to Town. Deffenbaugh stated he will retire someday and the reason for having an outside company to manage this is so the Town keeps going after he is gone. There will be some savings when the current internet connections are eliminated. Lacy read from the contract section that indicates Affiniti equipment is and shall remain the property of Affiniti regardless of where installed and inquired if the Town will be purchasing equipment so therefore it would not be Affiniti's equipment. Best stated that after the 3 years whose equipment is it or if on termination of the 3 year contract Affiniti will just come get what belongs to them. Benson stated that Affiniti will remove Affiniti equipment and then the Town will own the equipment it purchases and will be responsible for its maintenance.

Motion #12 by Trustee Best and seconded by Trustee Lacy to approve Resolution #88 as presented.
Motion carried, 4-1. Best, Aye; Gibb, Aye; Jenkins, Aye; Lacy, Nay; Volpe, Aye.

Lacy stated he is still concerned with the issue raised by Ramsay. Benson replied this could not be addressed tonight but the Trustees need to coordinate with the Town Administrator on how to improve this.

Should the Board of Trustees approve adoption of Ordinance #17 entitled "**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, REPEALING THE BUENA VISTA MUNICIPAL CODE SECTION 10-176(b)(1).**"? 01:55:12

Sellars stated the Town received notice from the ACLU regarding the current panhandling code. There is a case in Grand Junction that has resulted in the Court ruling that panhandling activities are protected under free speech and the ACLU is going after most municipalities in Colorado to strike down their provisions. The ACLU only took issue with one part of the code, but Parker felt it would be best to just strike the entire section. Tidwell was fine with the change

Motion #13 by Trustee Lacy and seconded by Trustee Volpe to approve Ordinance #17 as presented. **Motion carried, 5-0.**

Metered Water Loss Billing Proposal for Ivy League. 01:56:54

Benson reminded the Trustees were introduced to this a couple meetings ago and directed the Trustees to the draft letter and memo. Maggard reported this was being proposed to be provided to Ivy providing them an 18 month time period to correct the issues before being billed for the lost water. Ivy League is averaging a loss of 750,000/month or 3,000,000 over a 4 month time frame which equates to \$12,000. This letter outlines what he is proposing and he requested comments and guidance. The intent is to spur them to improve the infrastructure. Town will continue to track this and because they are averaging 750,000 month that is volumetric which indicates a leak and not water stealing. Maggard informed the Board that the Town code required metered water loss to be paid for. After some clarifying discussion, the Board generally felt Maggard should meet with Ivy League before sending any letter. Benson also felt the Town should be open to working with them as possible.

Motion #14 by Trustee Lacy and seconded by Trustee Gibb to authorize the letter understanding there will be a meeting ahead of time. **Motion carried, 5-0.**

Community Dinner Involvement. 02:06:44

Gibb felt everyone was aware of what the dinner is and that it creates pride and civic togetherness. It has become something that has identified BV and other communities around the state are now doing this. The process has always been that people give money on a care basis. The budget is around \$11-\$12,000 and they have raised \$7,000. There are 290 tables signed up with capacity for 400 or 3,200 people and will go down no further than Beldan, the Reach Helicopter will do a flyby and take some footage. The committee is still collecting money and has not even approached businesses yet. The

problem is committing to tables, chairs and renting equipment. His proposal is to provide them a safety net for carrying out this project. He proposed allowing the Town to cover up to \$5,000 of expenses if they were not collected. He would be shocked if they didn't collect more than \$7,000 and he did not want to see this event that so many residents enjoy fizzle out. Benson requested Stoke to comment on availability of funding. Stoke stated this would need to be an appropriation and probably come from the community support area. The sales tax numbers were not in when the packet went out, but those did come and the Town is still way above last year so she felt it could be covered and she would be happy to put it in a budget amendment. Gibb added the proposal is to turn this over to the Pikes Peak Fund so this can be administered and passed on year to year and the hope is to institutionalize this so it will continue. Lacy questioned how much Town manpower is required to support this event. Maggard replied the town provides barricades and the Police park cars. Benson added the Fire Truck takes pictures at the end. Lacy stated he was not against it but would like to see it proposed differently like other organizations who have to provide written requests. Benson stated the point taken but for this year it is too late. Best felt it was a great idea for the community and she is afraid it will go away if the Town does not help them in some way. Gibb added this is nonpartisan, non-denominational and no donators get recognition.

Motion #15 by Trustee Best and seconded by Trustee Gibb to approve covering up to \$5,000 of expenses to support the BV Strong Community Dinner. **Motion carried, 5-0.** Gibb, Aye; Jenkins, Aye; Lacy, Aye; Volpe, Aye; Best, Aye.

Should the Board of Trustees approve Resolution #85 entitled "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO APPROVING AN EASEMENT WITH SANGRE DE CRISTO ELECTRIC ASSOCIATION FOR UTILITIES."? 02:18:00

Sellars presented noting the reason for the late transmittal of the amended agreement was due to difficulties getting ahold of the association attorneys. Sciacca stated that the amended agreement was emailed to the Trustees with a hard copy also being placed at the dais for each of them. Sellars stated paragraph 2. C. was changed to state if the Town were to sell the property the successor interest would have to pay for the cost of relocating this facility and she noted all lines will be underground. There was also a small typo in Exhibit B that was corrected. Doering showed Google Earth map showing where the proposed utilities will be installed. Gibb inquired about fees to the Town from the Association for use of the right-of-ways and asked if this qualified for that fee. Sellars stated it would depend on what the franchise agreement says and since this is not technically a right-of-way, if that agreement just covered right-of-way, then this would not. There was general discussion about franchise agreements and then Gibb pointed out he was told the Town's franchise fee is the lowest Sangre has seen and he suggested the Board take a look at this if there were opportunity before the end of the agreement.

Motion #16 by Trustee Volpe and seconded by Trustee Jenkins to approve Resolution #85 as amended. **Motion carried, 5-0.**

Benson noted the multiple fee waiver requests in the packet and reviewed each.

Motion #17 by Trustee Lacy and seconded by Trustee Best to approve the fee waiver requests including the event that has passed as presented from Buena Vista High School and McGinnis Middle School, Buena Vista High School Student Council, Chaffee County High School, Buena Vista Chamber of Commerce & Visitor Center, League of Women Voters and Jaimee Phelps. Jenkins questioned how far this should go and how much money has been lost. Sciacca reported Emily Osborn is tracking this and the number is approaching \$7,000. Benson stated this was something to keep in mind during budget season. **Motion carried, 5-0.**

STAFF REPORTS

Town Administrator 02:29:00

Benson stated this report is in the packet. He noted the 2nd meeting in November will be the night before Thanksgiving and suggested that it be moved back to Tuesday, cancelled or move to the November 30th of the following week.

Motion #18 by Trustee Gibb and seconded by Trustee Jenkins to move the 2nd meeting in November to Wednesday, November 30, 2016. **Motion carried, 5-0.**

Lacy asked when the first budget meeting is. Benson stated October 6. Sciacca stated it will be at the Airport and dinner will be provided.

Town Treasurer 02:32:09

- Sales Tax numbers will be presented next meeting.
- Stoke is working on the budget and fixed assets.
- Benson requested a total spent on legal fees to Hoffman, Parker, Wilson & Carberry as well as the Town Prosecutor and Stoke will include in the next report.
- Gibb suggested the Board also look at engineering costs.
- Lacy reminded that Benson asked if Rec was making money and he felt the Board should see where the Town stands revenue wise since there is indication there will be a request for additional Staff in the budget.

Public Works Director 02:38:15

- The Single Family Equivalency (SFE) information was added to this report as requested by the Board
- Touch-A-Truck was held earlier in the day at Railroad in conjunction with Cities and Towns week and kids from Avery Parsons attended
- Gibb inquired if the looping complete in Ivy League several years ago was not being used and Maggard replied that is correct due to treatment requirements of the State. Town is working with the State on how to design a testing system. The Water Board has an idea which will be presented to the State
- Gibb asked if the Splash Park was dormant due to weather and Maggard replied yes but also in conjunction with the call on Cottonwood which was getting close to the Town considering water restrictions
- Beldan Street was paved and will be striped with a bike lane and it has been oriented and aligned so there can be on street parking, infiltrators, curbs, and sidewalks in the future.
- The Town decided to pave the alley as was requested by residents and it will not cost much
- Gibb stated striping reflects nicely on the Town and indicates it is being taken care of
- Lacy stated he had asked about alley grading years ago and felt they should be cleaned up and made nice and Maggard stated Public Works would look at this and budget more materials for alleys.

TRUSTEE/STAFF INTERACTION 02:49:53

Jenkins reported that on Monday, September 19, from 3:30 to 5PM at the Chaffee Center the new interim CMC VP will be giving a presentation about the community listening sessions and results along with CMC initiatives in place to serve Chaffee County.

Benson reminded that the BV Strong Community dinner is Monday, September 26.

Volpe stated the stop signs at Colorado and Main were awesome from a pedestrian perspective and this was slowing traffic down. He also passed on negative comments he received about trucks and trash north of the River Trail and suggested maybe sending a patrol car down there. Maggard stated that is another road that he doesn't want to improve for these types of reason and he thought about installing a stop sign. Gibb felt another cleanup before winter was necessary in this area. Benson added trash by hole 9 was bad. Maggard said he would send the Parks staff out and Benson suggested to send a car down that way every once in awhile. Tidwell stated he had cameras recording activities in the area.

Lacy reminded that in the Color Tour proclamation it indicated the Town is ATV friendly and he suggested they remember that if the subject of allowing ATVs in Town comes up. He encouraged the Trustees to read the Housing Assessment noting it touches on things that will be discussed during budget. Lacy also thanked Staff for the 25 MPH signs on West Main and stated it would be nice if the limit were enforced.

Best stated the Police report indicates tickets were being issued. Tidwell stated it was decided that warnings would be given first until it became more widely known. Maggard reminded there were digital lights coming with one going in on West Main and the other on Crossman

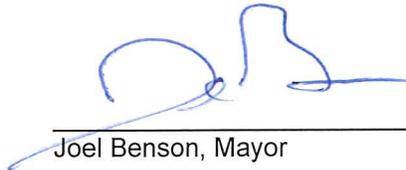
Maggard advised the Board he would be attending weekly meetings on Thursdays at 2PM regarding the Highway project. Benson inquired if the first row of trees in McPhelemy were being lost and Maggard replied bushes but no trees and CDOT was required to replace some of them. Gibb asked if the sidewalk was going all the way to City Market and it was clarified only to Mill Street. Benson suggested monies be included in the budget to complete that.

Sciacca distributed Cities and Towns Week Smiley Guy cell phone holders to the Trustees in recognition of Cites and Towns week. She noted these were given to all the Boards and Commission members in recognition of their hard work and appreciation for all they do.

ADJOURNMENT 02:58:14

Motion #19 by Trustee Lacy and seconded by Trustee Volpe, noting that there being no further business to come before the Board, declared that the meeting be adjourned at 10:00: PM. **Motion carried, 5-0.**

Respectfully submitted:



Joel Benson, Mayor



Janell Sciacca, CMC
Town Clerk