



**MINUTES OF THE BUENA VISTA BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, March 9, 2021**

MINUTES OF THE MEETINGS OF THE BOARD OF TRUSTEES ARE A TRANSCRIPT OF THE GOVERNING BODY'S ACTIONS RATHER THAN A VERBATIM RECORD OF DELIBERATIONS.

Work Session – Recreation Department Update

In attendance for the Work Session were Mayor Duff Lacy, Trustees Amy Eckstein, Libby Fay, Norm Nyberg, Devin Rowe, Cindie Swisher, and David Volpe. Also present were Recreation Director Earl Richmond, Facility and Events Specialist Ben Eichel, Town Administrator Phillip Puckett, Special Projects Manager Joel Benson, Principal Planner Mark Doering, and Town Clerk Paula Barnett.

Recreation Director Earl Richmond reviewed with the Trustees this is his third year as Recreation Director, is amazed how much he has learned and appreciates the support and guidance he receives daily from Town Administrator Puckett, his coworkers, and other town staff.

Richmond shared one of his goals as Recreation Director in 2021 is to improve communication between his department and the Trustees. Richmond stated he provides the Board with a monthly report that contains a lot of content to read and digest and strives to keep the Trustees up to date on the department's activities.

Richmond reviewed with the Board projects the Recreation Department has completed, what they are hoping to accomplish, the department's goals in 2021 and 2022, and how they are navigating an ever-evolving world of changing opportunities during the pandemic.

Richmond and Facility and Events Specialist Ben Eichel reviewed with the Board programming, special events, facility rentals, capital improvement projects, in-town and public lands trail development, grants, facility management, and community service projects.

Richmond and the Board discussed various projects related to the Recreation Department, which included upcoming improvements at the Rodeo grounds, in-town camping, and RV sewer cleanout.

A virtual/public regular meeting of the Board of Trustees was called to order by Mayor Duff Lacy at 7:07 PM, Tuesday, March 9, 2021 at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado, having been previously noticed in accordance with the Colorado Open Meetings Law.

ROLL CALL

Attendee Name	Title	Status
Duff Lacy	Mayor	Present
Amy Eckstein	Trustee	Present
Libby Fay	Trustee	Present
Norm Nyberg	Trustee	Present
Devin Rowe	Trustee	Present
Cindie Swisher	Trustee	Present
David Volpe	Trustee	Present

Town Staff Present:

Town Administrator Phillip Puckett
 Special Projects Manager Joel Benson
 Principal Planner Mark Doering
 Code Enforcement Officer Grant Bryans
 Recreation Director Earl Richmond

Town Attorney Jeff Parker
 Town Treasurer Michelle Stoke
 Police Chief Dean Morgan
 Fire Chief Chris Greene
 Town Clerk Paula Barnett

PLEDGE OF ALLEGIANCE

Mayor Lacy led the pledge of allegiance.

Mayor Lacy read the Proclamation declaring May 19, 2021 as Arbor Day.

AGENDA ADOPTION

MOTION NO. 1:

MOVE TO APPROVE THE AGENDA.

RESULTS	CARRIED
MOVER:	Trustee Nyberg
SECONDER:	Trustee Volpe
AYES:	Eckstein, Fay, Nyberg, Rowe, Swisher, Volpe

CONSENT AGENDA

Approval of matters that are routine in nature that require review and/or approval, i.e. minutes and reports. (Professional Service Agreements (PSA) that exceed \$25,000.00 require the Consent Agenda to be approved by a Roll Call vote.)

A. Minutes

1. Board of Trustees Regular Meeting – February 23, 2021
2. Planning and Zoning Commission – January 20, 2021
3. Planning and Zoning Commission – February 3, 2021
4. Water Advisory Board – January 21, 2021

B. Chaffee County Housing Authority - February Activity Report

MOTION NO. 2:

MOVE TO APPROVE THE CONSENT AGENDA.

RESULTS	CARRIED
MOVER:	Trustee Rowe
SECONDER:	Trustee Fay
AYES:	Eckstein, Fay, Nyberg, Rowe, Swisher, Volpe

PUBLIC COMMENT

No Public Comment was received.

BUSINESS ITEMS

GARNA Update on Waste Diversion Study and 2021 Project

Dominique Naccarato and Erica Gibas with the Greater Arkansas River Nature Association (GARNA) provided the Board with an update on the 2020 waste diversion study and thoughts about upcoming plans in 2021/2022.

Naccarato and Gibas provided the Board with information about the current recycling/composting practices and options in the future. Gibas reviewed the 2019 Chaffee County Landfill Waste Composition and options to divert waste from going to the landfill.

The Board, Naccarato, and Gibas agreed that a countywide recycling pick-up program would be beneficial but want to avoid creating a monopoly if only one company in the county provides the service. The Board agreed to postpone committing to an option until the County decides how they will proceed forward, ensuring the government entities are consistent in this effort.

Barking Dog Ordinance

Adoption of Ordinance No. 04, Series 2021 entitled, **“AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO AMENDING SECTION 7-132 OF THE BUENA VISTA MUNICIPAL CODE CONCERNING NOISY DOGS”**.

Puckett reviewed with the Trustees that they and Staff have agreed to review sections of the Municipal Code that cause issues or confusion for them and/or the community, hence the discussion related to clarifying the definition of a noisy dog.

Code Enforcement Officer Grant Bryans reviewed with the Board that Section 7-132 has proven hard to not only enforce but prosecute as well. Currently, the code section in subsection (c) reads that a warning must be issued first for sixty (60) days before a penalty assessment or summons can be given to the offender. Bryans stated enforcement personnel had found this subsection challenging and cumbersome to use and is the most common citation thrown out of municipal court. Staff is requesting the Board approve a complete rewrite of 7-132 that alleviates the burden of tracking a warning for sixty (60) days and clarifies enforcement guidelines for enforcement personnel to use and an easy rule for citizens to understand. If approved, it would be at the officer's discretion to determine if the dog is

disturbing the peace. The officer can then make a strong case about the dog, either barking because it was provoked by an outside influence or is a nuisance to the neighborhood.

Police Chief Dean Morgan reviewed the protocol law enforcement officers follow with the Board related to barking dogs, resolving neighbor conflicts, and the burden of proof needed to establish a noisy dog citation.

MOTION NO. 3:

MOVE TO ADOPT ORDINANCE NO. 04 AMENDING SECTION 7-132 OF THE BUENA VISTA MUNICIPAL CODE CONCERNING NOISY DOGS.

RESULTS	ROLL CALL	CARRIED
MOVER:		Trustee Eckstein
SECONDER:		Trustee Rowe
AYES:	Eckstein, Fay, Nyberg, Rowe, Swisher, Volpe	

Dryfield Ditch

Adoption of Resolution No. 16, Series 2021 entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, AUTHORIZING THE TOWN ADMINISTRATOR TO SIGN AN AGREEMENT FOR PERSONAL PROPERTY, DISCLOSURE REQUESTS, EQUIPMENT STORAGE, AND AGRICULTURAL PRODUCTION TRANSITION RELATED TO THE DRYFIELD DITCH PURCHASE”**.

Puckett reviewed with the Board that the water evaluation survey and due diligence have been completed on the Dryfield Ditch Property. The closing for the property will be Friday, March 12th, at 8:00 am. Puckett stated Board approval is needed authorizing him to sign an Agreement with the Dryfield Ditch owner for disclosure requests, equipment storage agreement, and to purchase personal property/ equipment required to continue agricultural production of the property.

Special Project Manager Joel Benson reviewed the details of the agreement with the Board, which include accepting two signed water disclosures that may be used in future water court adjudications. One agreement is related to the Dryfield Ditch and Spring Ditch and respective historical use and dry-up. The second agreement is associated with the spring box shared with the neighboring property used for household irrigation. Also included in the agreement is a lease agreement between the Town and the Seller for use of the North Shop for up to 12 months.

MOTION NO. 4:

MOVE TO ADOPT RESOLUTION NO. 16 AUTHORIZING THE TOWN ADMINISTRATOR TO SIGN AN AGREEMENT FOR PERSONAL PROPERTY, DISCLOSURE REQUESTS, EQUIPMENT STORAGE, AND AGRICULTURAL PRODUCTION TRANSITION RELATED TO THE DRYFIELD DITCH PURCHASE.

RESULTS	ROLL CALL	CARRIED
MOVER:		Trustee Eckstein
SECONDER:		Trustee Fay
AYES:	Eckstein, Fay, Nyberg, Rowe, Swisher, Volpe	

STAFF REPORTS

1. Town Administrator – Highlights of the report in the packet were reviewed, and Puckett responded to the Trustee's comments and questions.
2. Town Treasurer – Highlights of the report in the packet were reviewed, and Stoke responded to the Trustee's comments and questions.
3. Police Chief – Highlights of the report in the packet were reviewed, and Morgan responded to the Trustee's comments and questions.
4. Fire Chief – Highlights of the report in the packet were reviewed, and Greene responded to the Trustee’s comments and questions.
5. Recreation Director – Highlights of the report in the packet were reviewed, and Richmond responded to the Trustee’s comments and questions.

TRUSTEE/STAFF INTERACTION

Trustees and Staff reported on or commented about recent and upcoming events, activities, and topics.

Trustee Eckstein stated that she would like to discuss a use/excise tax on short-term rentals to fund affordable housing. The Trustees had a lengthy discussion on the issue. They expressed concern with the tight timeline to have ballot question on the November 2021 Election ballot, the possibility of a ballot tax question in April of 2022 to address funding for facility needs (Police Station), and the failed November 2018 Election ballot question related to a lodging tax. Puckett reminded the Board that if they decide to move forward with a ballot question taxing short-term rentals, once they approve the ballot question, the Trustees cannot oversee or be a part of the group that campaigns/support the ballot question(s).

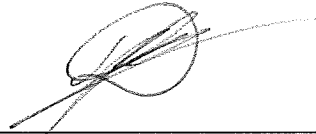
Trustee Volpe stated he would like to continue the conversation about recycling with GARNA, and consider the information obtained when adopting the 2022 budget.

MOTION NO. 5:

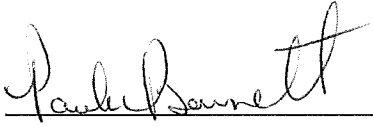
THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THAT THE MEETING BE ADJOURNED AT 9:09 PM.

RESULTS	CARRIED
MOVER:	Trustee Nyberg
SECONDER:	Trustee Volpe
AYES:	Eckstein, Fay, Nyberg, Rowe, Swisher, Volpe

Respectfully submitted:



Duff Lacy, Mayor



Paula Barnett, Town Clerk

