



BLUE RIVER BOARD OF TRUSTEES MEETING FEBRUARY

Tuesday, February 18, 2025

5:00 PM

0110 Whispering Pines Circle, Blue River, CO

Minutes

The public is welcome to attend the meeting either in person or via Zoom.

The Zoom link is available on the Town website:

<https://townofblueriver.colorado.gov/board-of-trustees>

Public comment is only taken in person and during designated public comment periods.

CALL TO ORDER, ROLL CALL

The Mayor called the meeting to order at 5:00 PM PM.

PRESENT: Mayor Nick Decicco

Trustee Jonathon Heckman

Trustee Ted Slaughter

Trustee Barrie Stimson

Trustee Ben Stuckey

Trustee Jodie Willey

EXCUSED: Trustee Noah Hopkins was excused

ALSO PRESENT: Town Manager Michelle Eddy; Town Attorney Bob Widner; Deputy Clerk John DeBee; Code Ambassador Ryan Cyphert.

WORK SESSION

I. Review Town Code for Street Numbers; Construction/Commercial Vehicles; Trash Cans

Review of the code violations and discussion of the codes as they exist.

Street addresses:

Discussion to provide letters informing them of the code without issuing violations.

Discussion that the reflective should be required for safety purposes. Discussion to include information in the newsletter and targeted letters.

Construction Vehicles:

Discussion of a challenge as there are many in town with construction businesses.

Discussion to adjust the ordinance to fit the Town's need. Discussion to keep the ordinance simple. Discussion to not issue a violation. Discussion that the code should be adjusted to reflect five vehicles of any type so it may be enforced. Discussion to adjust-code to disallow broken down cars, semi-tractor trails, heavy equipment. The staff will draft an ordinance for review next month.

Bear Resistant Trash Cans:

Discussion to address the code language around the requirement of a bear resistant can. Continue education and enforcement as violations arise. Discussion that enforcement is more seasonally.

APPROVAL OF CONSENT AGENDA

Decicco moved and Heckman seconded to approve the consent agenda. Motion passed unanimously.

II. Minutes of the Previous Board Meeting

III. Approval of Bills

COMMUNICATIONS TO TRUSTEES

Citizens are welcome to provide in person comments on non-agenda items. Comments are limited to 5-minutes per speaker. Written communications for any non-agenda items have been distributed separately to the Board of Trustees.

Paul Semmer-Blue Grouse Trail: Commented on ordinance 2025-02 on the road easement and where the right-of-way exists.

Dan Cleary-Rustic Terrace: Commented on the bear resistant containers discussion. He commented on the moratorium set to expire in April. He commented on the Manager's Report concerning Xcel. He commented on the town asserting its right for the prescriptive easements.

APPEAL HEARING

Short-term Rental License Denial Appeal Hearing for 375 Wilderness

IV. Appeal of short-term rental license denial for 375 Wilderness

Mayor Decicco opened the appeal hearing for 375 Wilderness at 5:35 p.m.

Mayor Decicco read an introduction of the hearing describing the process. Mayor Decicco noted the Town Manager and Ms. Jeffords were present.

Trustee Slaughter recused himself from the hearing due to a potential conflict acting as a judge.

Manager Eddy presented testimony as it pertains to the denial of a short-term rental license. The information presented was included in the Trustees' packet.

Ms. Jeffords read her letter included in the Trustees' packet.

Trustee Stimson asked about bookings in the future. Manager Eddy noted the bookings have been allowed to remain until the hearing date. If the license is not renewed any future bookings will need to be canceled. Ms. Jeffords asked about flexibility. Attorney Widner noted that the bookings would need to be canceled.

Trustee Stimson asked about the one night exception where the violations occurred. Ms. Jeffords explained the situation.

Public comment was closed at 6:06 p.m. and opened for the Trustees deliberation.

Trustee Stimson commented on Blue River's regulations addressing Ms. Jeffords noting short-term rentals are a privilege. He noted he has reviewed the regulations and process and feels it's very fair. He noted he feels the Town Manager followed and enforced the process properly. He noted he struggles with allowing a second chance with conditions. Clarification was provided on the violations being reviewed. Attorney Widner provided direction on what is to be considered.

Trustee Willey noted the Town Manager did properly enforce the rules as written and it is the homeowners responsibility. She noted support in revocation of the license.

Mayor Decicco remarked the Town Manager properly upheld the Town Code and supported revocation of the license.

Trustee Heckman remarked the evidence was clear and support the Town Manager's decision of revocation.

Trustee Stuckey echoed everyone's comments and feels the Town Manager followed the correct procedure.

Trustee Willey moved and seconded by Mayor Decicco that the Board find that the Town Manager's decision not to renew the short-term rental license for 375 Wilderness Drive was reasonable and was based on sufficient evidence presented. Motion passed unanimously.

Meeting recessed at 6:21 p.m.

NEW BUSINESS

V. Presentation by Red, White & Blue Fire District

The meeting resumed at 6:29 p.m

Jay Nelson, Chief Operating Officer and Fire Marshal, and Drew Hoehn, Fire and EMS Chief for Red, White and Blue Fire District presented information on a ballot question they anticipate putting on their May 2025 election. They provided a handout concerning the proposed tax question. They noted that new bills passed by the state limit their ability to operate at the level they have without an increase in funding. In May, they will be asking taxpayers for a mill levy tax increase.

VI. Spruce Creek Road Capital Project-Muller Engineering

Jeff Wulliman, Muller Engineering presented the timeline and estimated cost for the Spruce Creek Road project. It is hoped that with timing being earlier, the Town will be able to obtain bids for the project for work in summer 2025.

Discussion that there has been a lot of work and time invested in getting to this point.

Trustee Willey moved and Trustee Slaughter seconded to approve moving forward with obtaining bids for the project.

VII. Appointment of Planning & Zoning Vacancy

Discussion of both applicants for the position.

Trustee Slaughter moved and Trustee Stimson seconded to appoint Dan Cleary to the Planning & Zoning Commission. Motion passed unanimously.

ORDINANCE CONSIDERATION FOR APPROVAL

The public is invited to provide comments on Ordinances introduced to the Board of Trustees.

Public comments may be provided in person or may be submitted in writing by the second Tuesday of the month by 5:00 p.m. Speakers are limited to no more than 5 minutes per speaker and only during the public hearing portion of the discussion.

VIII. Ordinance 2025-02 Measurement of Setback Road From Town Road Easement

Mayor Decicco opened public comment at 6:51 p.m.

Paul Semmer, Blue Grouse Trail remarked on the prescriptive right-of-way asking for a process to identify.

Dan Cleary, Rustic Terrace remarked on the river, pedestrian and trail easements to

remain as worded. He remarked on the assertion that the town is claiming the prescriptive rights to the roads.

Public comments were closed at 6:59 p.m.

Discussion by the Trustees on the ordinance and feeling this ordinance addresses challenges with the roads and building within Town. Discussion that there are pros and cons to the ordinance. Attorney Widner explained the ordinance, what it does and how it will work moving forward. Attorney Widner reviewed what is included in the prescriptive easement and clarified how the measurements would work.

Trustee Willey moved and Trustee Stimson seconded to approve Ordinance 2025-02 Measurement of Setback Road from Town Road Easement. Motion passed unanimously.

IX. Ordinance 2025-03 Revision Shed Allowances

Mayor Decicco opened public comment at 7:20 p.m.

Dan Cleary, Rustic Terrace-Commented on the ordinance concerning reviews and design standards. Attorney Widner provided clarifications of items.

Mayor Decicco closed public comment at 7:25 p.m.

Trustee Stimson moved and Mayor Decicco seconded to approve Ordinance 2025-03 Revision Shed Allowances. Motion passed with Trustees Heckman and Slaughter voting nay.

RESOLUTIONS

X. Resolution 2025-04 Resolution Approving Lease Purchase of Dodge Durangos

Trustee Heckman moved and Trustee Willey seconded to approve Resolution 2025-04 Resolution Approving Lease Purchase of Dodge Durangos. Motion passed unanimously.

XI. Resolution 2025-05 Adoption of the Board Code of Conduct

Mayor Decicco moved and Trustee Heckman seconded to approve Resolution 2025-05 Adoption of the Board Code of Conduct. Motion passed unanimously.

XII. Resolution 2025-06 Adoption of Bob's Rules

Attorney Widner reviewed the contents and procedures.

Trustee Stimson moved and Mayor Decicco seconded to approve Resolution 2025-06 Adoption of Bob's Rules. Motion passed unanimously.

CONTINUING BUSINESS

REPORTS

XIII. Mayor & Trustee Reports

Trustee Slaughter reported the Wildfire Council will meet on Thursday.

XIV. Attorney Report

Attorney Widner had no report.

XV. Staff Reports

Manager Eddy presented information on the IGA and cost share for the hiring of consultants and attorneys for issue with Xcel PUC request. Discussion of what the

maximum amount of involvement. Discussion to join in at a maximum of \$6,000 or 3%. Mayor Decicco moved and Trustee Heckman seconded to approve the Town Manager to sign the IGA and participate at no more than \$6,000. Motion passed unanimously. Manager Eddy presented request to sign IGA for IMTPR (Intermountain Transportation Regional Authority.) Trustee Stimson moved and Mayor Decicco seconded to approve the Town Manager signing the IGA for the IMTPR. Motion passed unanimously.

OTHER BUSINESS

Trustee Slaughter asked for an agenda item for a raise for the Board of Trustees for future boards.

Trustee Stimson commented on parcel above Fredonia Gulch is for sale and might be of interest to the Town of Blue River. It was asked to have this on the March agenda.

EXECUTIVE SESSION

ADJOURN

NEXT MEETING -

Mayor Decicco moved and Trustee Heckman seconded to adjourn the meeting at 7:51 p.m.

Respectfully Submitted
Michelle Eddy, MMC
Town Clerk