



BLUE RIVER BOARD OF TRUSTEES MEETING

MONTH

Tuesday, July 15, 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>

Please note that seating at Town Hall is limited.

Call to Order, Roll Call

Mayor Decicco called the meeting to order at 5:00 p.m.

PRESENT: Mayor Nick Decicco

Trustee Jonathon Heckman

Trustee Noah Hopkins

Trustee Ted Slaughter via Zoom

Trustee Barrie Stimson

Trustee Ben Stuckey via Zoom

Trustee Jodie Willey via Zoom

Also present: Town Manager Michelle Eddy; Town Attorney Bob Widner; Chief David Close;

Deputy Clerk John DeBee

Work Session

This Work Session is to discuss

I. Short-term Rental Regulation Review and Discussion

Manager Eddy presented the memo and information included in the packet with recommendation for changes to the Town's short-term rental regulations. She noted the Trustees were looking for recommendations to balance full-time residents with the visitor experience.

Fees; It was recommended to raise the annual license to \$200 per bedroom annually. Discussed whether to adopt the new fee structure but also look into the software used by Breckenridge for enforcement. The fees will work to offset the administrative cost. Decision to raise the fees as recommended.

Property Owner owning multiple short-term rental license: Discussion to limit one license to one license no matter how many properties are owned. Discussion to look at Gilpin's model.

Discussion of the various recommendations. Discussion to adopt the revocation, renewal, noise ordinance change. Suggestion to add responsible party to live license list. Discussion to include much of what is recommended. Discussion on occupancy limits and whether or not to allow for "special events." Discussion on the fire pit recommendations. Suggestion to issue signs to be displayed in the windows with STR license and contact information. Discussion that the enforcement piece could be challenge. Suggestion to allow photographic or video evidence to support complaint. Discussion on enforcement and how to report.

Suggestion to develop an ordinance with the recommendations. Recommend to limit fire pits May-October for short-term rentals only. Suggestion to develop a tier system for licenses limiting use. The ordinance should include fire pit recommendation limitation; occupancy; fees; etc. and list to add on contact information.

Approval of Consent Agenda

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

II. Minutes

III. Approval of Bills-\$368,762.15

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.

Mayor Decicco moved to allow Trustee Stuckey seconded to appoint Trustee Heckman as the Board Liaison with the Theobalds to resolve the issues at the Tarn. Motion passed.

Dan Cleary-Rustic Terrace: Thanked the PD for their assistance and their work. He inquired about the closure of the Tarn and the lack of enforcement. He spoke on the short-term rental special event .

Barbara Vonderheid-Lakeshore Loop: Spoke on the lack of enforcement at the Tarn.

Jill Block-Starlit: Discussed the lack of enforcement at the Tarn.

Mark Vonderheid-Lakeshore Loop: Stated code enforcement isn't happening and issues with short-term rentals are ongoing and not addressed.

Trustee Heckman noted the property owner is on vacation and he will meet with them next week.

Chris Daly-Lakeshore Loop: Spoke on the code enforcement and short-term rental issues. He

suggested the Town hire a host compliance company to enforce the rules.

Martie Semmer-Blue Grouse: Echoed comments on the Tarn. Asked about the Trails document not being on the website. She asked about the road maintenance application. She commented on magchloride application.

Tom Fitzgerald-Rustic Terrace: Agreed with the comments on the Tarn and short-term rentals. He spoke on the appeal hearing for 0016 Rustic Terrace.

Chuck Creen-Calle de Platta: Spoke concerning the Tarn.

Manager Eddy noted a memo is available with the timeline of communications with the landowner.

Public Hearing

Citizen Comments will be limited to 5 minutes per speaker. Written comments on Public Hearing items may be sent to the Town Clerk at info@townofblueriver.org

IV. Ordinance 2025-08 1041 Regulations Amendment

Mayor Decicco opened the public hearing at 6:39 p.m.
Attorney Widner provided information on the proposed ordinance.

Public comments

No comments were received

Mayor Decicco closed the public hearing at 6:41 p.m.

V. Appeal of Planning & Zoning Commission Decision for 0016 Rustic Terrace-New Construction

Mayor Decicco opened the public hearing at 6:43 p.m.

- Mayor Decicco reviewed the process for the public hearing and the appeal.
- Attorney Danny Theodoru for Brian Muszynski discussed the reason for the appeal referring to his memo included in the packet.
- Brian Muszynski presented his project and reason for the appeal.

Written public comments were received and recorded in the meeting packet.

Public Comments

- Dan Cleary-Rustic Terrace: Referred to the Land Use Code in asking to uphold the denial of the proposed project. He believes the decision on the easement should be up to the easement holders.
- Kristopher Carlsted-Hwy 9: He referred to 16B-4-30 for the reason he believes the project should be denied.
- Tom Fitzgerald-Rustic Terrace: referred to the previous court case with Mr. Muszynski as well as the Land Use Code as reason the project should be denied.

Applicant rebuttal/closing;

- Danny Theodoru responded to the comments made. He emphasized the review is an administrative review and referred to the Land Use Code.
- Brian Muszynski noted the proposed structure is not on or in the easement but is cantilevered over the easement and should be allowed.

Mayor Decicco closed the public hearing at 7:37 p.m. and took a short recess.
Meeting reconvened at 7:51 p.m.

Board Discussion:

- Trustee Stimson discussed that the terms in or within are important to consider as well as the intent of the easement. He stated he didn't feel this meets the intent of the easement.
- Trustee Heckman noted it doesn't appear there would be a way to construct without impacting the easement. He asked for clarification on how this will be mitigation.
 - The response was it would be protected the same as wetlands would be.
- Trustee Heckman noted it is not in the character of the town and does not believe there won't be impact on the easement. He recommended to deny.
- Trustee Slaughter stated agreement with Trustees Heckman and Stimson. He would be in favor of denial.
- Trustee Willey noted agreement with Trustee Heckman and in favor of denial.
- Mayor Decicco noted a concern with the flood plain and in favor of denial.
- Trustee Stuckey asked about a roof-line dripping into the easement. He noted that the cantilever does affect the surface and doesn't meet the requirements.
- Trustee Hopkins commented on the need to match intent and behavior. He noted that the intent would say not to allow but the words do not support.

Trustee Stimson moved to deny the application and Trustee Heckman seconded.
Trustee Hopkins voted no.

Public Comments

New Business

VI. 2024 Audit Report

The auditor had to leave the meeting due to timing. He will attend at a later date.
Manager Eddy noted it was a clean audit.

VII. Draft Liquor License Ordinance

Attorney Widner presented a draft liquor license ordinance. If the Lodge by the Blue applies for annexation to the Town, it will be necessary for the Town to have liquor licensing. Discussion of the need and that it is a simplified code.

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 2025-08 AN ORDINANCE AMENDING SUBSECTION (n) OF SECTION 22-5-50 OF CHAPTER 22 OF THE BLUE RIVER MUNICIPAL CODE (*TOWN OF BLUE RIVER AREAS AND ACTIVITIES OF STATE INTEREST*)

Trustee Hopkins moved and Trustee Heckman seconded to adopt Ordinance 2025-08 1041 Regulations Amendment. Motion passed unanimously.

Resolutions

IX. Resolution 2025-08 Amendment to Nicotine Tax Intergovernmental Agreement 6-10-25 Adding the Town of Keystone

Manager Eddy noted this doesn't effect the Town directly as it does not collect nicotine tax, however the Town is partners with the other municipalities in Summit County.

Mayor Decicco moved and Trustee Hopkins seconded to approve Resolution 2025-08 Amendment to Nicotine Tax Intergovernmental Agreement 6-10-25 Adding the Town of Keystone. Motion passed unanimously.

X. Resolution 2025-09 Mountain Community Coalition Intergovernmental Agreement

Manager Eddy noted this is the coalition working together on Xcel's request to the PUC.

The cost to the Town is just over \$1,800.

Discussion of the need to join.

Mayor Decicco moved and Trustee Hopkins seconded to approve Resolution 2025-09 Mountain Community Coalition Intergovernmental Agreement. Motion passed unanimously.

Reports

XI. Mayor & Trustee Reports

Trustee Slaughter noted the Blue River East project is underway.

XII. Attorney Report

No report.

XIII. Staff Reports

Chief Close reported on the speed cart reports for Crown Drive. There were 220 cars a day with 92% at or under the speed limit averaging 13.87 mph. He noted the cart is now over on Lakeshore. Discussion of adding additional solar reader signs.

Other Matters Brought Before the Trustees

September Board of Trustees Meeting

This discussion did not happen.

Executive Session

Mayor Decicco moved to hold an executive session pursuant to C.R.S. Section 24-6-402(4) (b) and (f) to discuss a personnel matter for which the employee has consented to the executive session and to receive legal advice concerning the law governing a personnel matter and contract and Trustee Stimson seconded at 8:24 p.m.

Mayor Decicco moved and Trustee Hopkins seconded to adjourn the executive session at 9:44 p.m.

Mayor Decicco moved and Trustee Hopkins seconded to adjourn the meeting at 9:46 p.m.

Adjourn

Respectfully Submitted:

Michelle Eddy, MMC
Town Clerk