

**SILVERTHORNE TOWN COUNCIL**  
**Meeting Minutes**  
**Wednesday, July 13, 2011**

**CALL TO ORDER/ROLL CALL/APPROVAL OF AGENDA:**

Those members present and answering Roll Call were Mayor Dave Koop, Council Members David Anderson, Vince Lanuza, David Preaus, Bruce Butler and Ann-Marie Sandquist. Staff members present were Town Manager Kevin Batchelder, Attorney Jerry Dahl, Chief Mark Hanschmidt, Administrative Services Director Donna Braun, Recreation Director Joanne Breigenzer, Public Works Director Bill Linfield, Community Development Director Mark Leidal, Planner II Lina Lesmes, Assistant to the Town Manager Ryan Hyland and Town Clerk Michele Miller.

Koop informed Council Item VII. Board of Adjustment - Variance – Vac-10, 304 N. Chipmunk Circle, Lot 7, Block 1, Willowbrook Meadows Subdivision, Filing #3 – has been pulled from the agenda by the applicant.

**STAFF COMMENTS:**

Breigenzer updated Council on the upcoming events at the Recreation Center and Pavilion.

**COUNCIL COMMENTS:**

**Recognition of Joint Sewer Authority 40<sup>th</sup> Anniversary**

Mike Bittner, Plant Superintendent for the Joint Sewer Authority, presented Council with a plaque recognizing the Town's participation with the Joint Sewer Authority over the last forty years.

**CONSENT CALENDAR:**

**BUTLER MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MINUTES FROM JUNE 21 & 22, 2011, SPORT COMMITTEE MEMBER APPOINTMENT, AUTHORIZATION TO SIGN JOINT USE AGREEMENT WITH CDOT FOR I 70 RIGHT OF WAY, RESOLUTION 2011-06, A RESOLUTION AUTHORIZING THE JSA BUILDING STUCCO REPLACEMENT PROJECT BID AWARD. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**CITIZEN COMMENTS:**

None.

**PUBLIC PRESENTATIONS:**

**A. CDOT I-70 Interchange Presentation by Tom Schilling**

Peter Kozinski, West Project Engineer, invited Council to the CDOT Open House July 13, 2011, at the Pavilion. This meeting will present, to the public, the same preliminary designs for Exit 205 Interchange that Council is viewing tonight. He reviewed the interchange options with Council.

**B. Wildfire Preparedness Presentation by Ross Wilmore**

Wilmore gave a power point presentation on wildfire preparedness for the Silverthorne area. Council asked questions of Wilmore and discussed the wildfire preparedness for the area.

**BOARD OF ADJUSTMENT:**

**Variance – Vac-10, 304 N. Chipmunk Circle, Lot 7, Block 1, Willowbrook Meadows Subdivision, Filing #3 - PULLED**

**LIQUOR BOARD:**

**A. Suncor Energy Sales, Inc. dba Shell – Renewal of 3.2% Beer Retail Off-Premise Liquor License**

Public hearing opened; no comments; public hearing closed.

**BUTLER MOVED TO APPROVE SUNCOR ENERGY SALES, INC. DBA SHELL – RENEWAL OF 3.2% BEER RETAIL LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**PUBLIC HEARINGS:**

**A. Final PUD, Commercial Subdivision and Final Site Plan – Cottonwood Joint Facility, 26250 Blue River Parkway**

Lina Lesmes, Planner II, presented the applicant's request for Final PUD, Commercial Subdivision and Final Site Plan for the Public Works Facility, Public Works Storage Yard, a Lake Dillon Fire Station, and Cottonwood Park. She reviewed her staff memo and recommended approval with Planning Commission's conditions.

Zach Margolis, Utilities Manager, reviewed the proposed Final PUD, Commercial Subdivision and Final Site Plan for the site. He addressed the flat roof concerns, and requested approval. Council and Margolis discussed the proposed flat roof.

Dave Parmley, Lake Dillon Fire Authority, stated this is an important project for the fire authority's future but funding is not currently available. He addressed Council's concerns regarding the proposed flat roof. He is pleased with the cooperative effort going on with the Town. He requested approval

Ken Gansman 1630 Golden Eagle Road, asked about the cost for the Fire District on this project.

Parmley stated the cost would be approximately \$3.5 million.

Gansman stated the current fire station location at Third Street in Silverthorne is an important part of the development for the Silverthorne downtown.

Derrick Fowler, 371 Hummingbird, feels the architect was given standards to design the roof by and they were ignored. The Town needs to adhere to its own rules.

Council comments.

Preaus requested that Dog Parks be included on the list of uses for this site.

Butler agreed with the Dog Park request. He doesn't want the whole roof pitched because of the mass it produces. We can do a flat roof well; a pitched roof will add additional costs. This project is a few years down the road due to the economy. He supports the project.

Sandquist has been involved in previous Council conversations regarding this project. This is a good project. She feels the flat roof concerns have been addressed architecturally and does not feel the Town is making an exception because the code allows flat roofs if they are screened properly with architecture. There many examples of commercial buildings with flat roofs such as Target, Lowes, and Auto Zone.

Koop stated he is in support of the project. This is a good project and he feels that at some point we will be able to build it when the economy gets better.

**LANUZA MOVED TO APPROVE THE FINAL PUD, COMMERCIAL SUBDIVISION, AND FINAL SITE PLAN FOR THE COTTONWOOD JOINT FACILITY, LOCATED AT 26250 BLUE RIVER PARKWAY, WITH THE FOLLOWING CONDITIONS AND TO INCLUDE DOG PARK IN THE LIST OF USES FOR THE PROPERTY.**

**1. THE CDOT ACCESS AND SPECIAL USE PERMITS TO BE OBTAINED PRIOR TO CONSTRUCTION TO THE BUILDING.**

**2. THAT THE IMPROVEMENTS DESCRIBED IN THE CONCLUSION SECTION OF THE TRAFFIC IMPACT STUDY BE INSTALLED ONCE CONSTRUCTION OF THE BUILDINGS BEGINS.**

**MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**B. Minor Subdivision and Site Plan Modification – Joint Sewer Authority Treatment Plant, 26452 Blue River Parkway**

Lina Lesmes, Planner II, presented the applicant's request for a Minor Subdivision and Site Plan Modification to relocate the access into the JSA site and formally plat the property. She reviewed her staff report and requested approval

Zach Margolis, Utilities Manager, reviewed the history of the property and the need for this housekeeping item.

**SANDQUIST MOVED TO APPROVE THE MINOR SUBDIVISION AND SITE PLAN MODIFICATION FOR THE JOINT SEWER AUTHORITY TREATMENT PLANT, WITH THE PLANNING COMMISSION RECOMMENDED CONDITIONS.**

**1. THAT ALL NEW FENCING MATERIAL BE CONSISTENT WITH THE SCREENING STANDARDS OF THE COTTONWOOD JOINT FACILITY PUD.**

**2. THAT THE AMOUNT OF THE NEW PAVING BE SPECIFIED, AND THAT ALL SNOW STORAGE REQUIRED FOR THE NEW PAVED AREAS BE SHOWN ON THE SITE PLAN.**

**MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**ACTION ITEMS:**

**Appointment of Town Council Member**

Mayor Koop reviewed the need to fill the Town Council vacancy that was declared on June 22, 2011 following Darrick Wade's resignation. Council conducted candidate interviews July 12, 2010. He thanked all the candidates for stepping forward to fill the vacancy.

Lanuzza thanked the candidates and encouraged them to continue to volunteer in Silverthorne.

**LANUZA MOVED PURSUANT TO SECTION 3.6 OF THE SILVERTHORNE HOME RULE CHARTER TO APPOINT STUART RICHARDSON TO THE OFFICE OF TOWN COUNCIL MEMBER, EFFECTIVE 10:00 A.M. THURSDAY, JULY 14, 2011, FOR A TERM TO EXPIRE ON APRIL 3, 2012. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**DISCUSSION ITEMS:**

None.

**LANUZA MOVED TO GO INTO EXECUTIVE SESSION AT 7:25 P.M. FOR A CONFERENCE WITH THE TOWN ATTORNEY AND APPROPRIATE STAFF UNDER CHARTER SECTION 4.13.C AND CRS 24-6-402(4)(b) AND (e) FOR THE PURPOSE OF RECEIVING LEGAL ADVICE AND INSTRUCTING NEGOTIATORS CONCERNING THE HEDBERG V. SILVERTHORNE AND LOMAS V. SILVERTHORNE LITIGATION.**

**HE FURTHER MOVED TO ADJOURN THE COUNCIL MEETING AT THE CONCLUSION OF THE EXECUTIVE SESSION. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**EXECUTIVE SESSION:**

**Executive Session under for a conference with the Town Attorney and appropriate staff under Charter Section 4.13.c and CRS 24-6-402(4)(b) and (e) for the purpose of receiving legal advice and instructing negotiators concerning the Hedberg v. Silverthorne and Lomas v. Silverthorne litigation.**

**INFORMATIONAL:**

- A. **SPORT Committee Meeting Minutes – June 16, 2011**
- B. **Planning Commission Meeting Minutes – July 5, 2011**

**EXECUTIVE SESSION CONCLUDED AND MEETING AND ADJOURNED AT 9:18 P.M.**

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**DAVE KOOP, MAYOR**

**ATTEST**

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**MICHELE MILLER, TOWN CLERK**

These minutes are only a summary of the proceedings of the meeting. They are not intended to be comprehensive or to include each statement, person speaking or to portray with complete accuracy. The most accurate record of the meeting is the videotape of the meeting, maintained in the office of the Town Clerk.