

**SILVERTHORNE TOWN COUNCIL**  
**Meeting Minutes**  
**Wednesday, September 22, 2010**

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

Those members present and answering Roll Call were Mayor Dave Koop, Council Members Darrick Wade, Vince Lanuza, David Preaus and Ann-Marie Sandquist. Dave Anderson was absent. Bruce Butler arrived at 6:10 p.m. Staff members present were Town Manager Kevin Batchelder, Attorney Jerry Dahl, Sergeant Jake Scott, Administrative Services Director Donna Braun, Public Works Director Bill Linfield, Community Development Director Mark Leidal and Executive Assistant Becky Hodgell.

**STAFF COMMENTS:**

None.

**COUNCIL COMMENTS:**

None.

**CONSENT CALENDAR:**

**LANUZA MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING MINUTES FROM THE SEPTEMBER 8, 2010 MEETING, RESOLUTION 2010-20, A RESOLUTION OPPOSING PROPOSITION 101 AND AMENDMENTS 60 AND 61, PERSONNEL POLICY CHANGES, AND REPLAT – LOT 3, WILLOW CREEK HIGHLANDS FILING NO. 7, FIRST AMENDMENT. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (ANDERSON AND BUTLER ABSENT)**

Sandquist stressed the importance of Resolution 2010-20, with direct and negative impacts on the Town and the local school district.

**CITIZEN COMMENTS:**

None.

**PUBLIC PRESENTATIONS:**

I-70 Revised Draft Programmatic Environmental Impact Statement (PEIS), Michelle Halstead, CDOT Local Government Liaison.

Halstead began her presentation by thanking Bill Linfield for his involvement with the PEIS.

As part of CDOT's outreach effort for the release of the revised draft document, Halstead presented this informational briefing to Silverthorne Town Council. Halstead reviewed where the project is, what's in the Draft PEIS and how the public can comment on the Draft.

Lanuza asked if any of the short term solutions will affect the Silverthorne interchange. Halstead explained that any short term solutions will be well thought out and will take into account long-term strategies. Halstead mentioned that a feasibility study is being done on Silverthorne's interchange.

Butler thanked Halstead for the presentation and asked if rail technology and costs were taken into consideration in this study. Halstead explained the document is not technology specific. Butler commented on the cost estimate and the different options for managing the congestion of traffic. Halstead explained this study is a concept and CDOT does not have the dollars at this time to complete any work.

Koop thanked Halstead for the informative presentation.

**BOARD OF ADJUSTMENT:**

None.

**LIQUOR BOARD:**

**A. Locals Liquors, LLC dba Local Liquors – Renewal of Retail Liquor Store License**

**B. Wills Investments I \* 7-Eleven, Inc. – DbA 7-Eleven Store #39033A –  
Renewal of 3.2% Beer Retail License**

**BUTLER MOVED TO APPROVE LOCALS LIQUORS LLC, DBA LOCAL LIQUORS –  
RENEWAL OF RETAIL LIQUOR STORE LICENSE AND WILLS INVESTMENTS I & 7-  
ELEVEN, INC. DBA 7 – ELEVEN STORE 39033A – RENEWAL OF 3.2% BEER RETAIL  
LICENSE. MOTION SECONDED BY SANDQUIST. MOTION APPROVED UNANIMOUSLY  
BY COUNCIL PRESENT. (ANDERSON ABSENT)**

**C. High Country Conservation Center – Special Events Permit 10-16-10**

**PREAUS MOVED TO APPROVE THE HIGH COUNTRY CONSERVATION CENTER’S  
SPECIAL EVENTS PERMIT. MOTION SECONDED BY SANDQUIST. MOTION PASSED  
UNANIMOUSLY BY COUNCIL PRESENT. (ANDERSON ABSENT)**

**PUBLIC HEARINGS:**

None.

**ACTION ITEMS:**

**A. Permanent Tie Back Easement, Slope Easement and Temporary Construction  
Easement Agreement, Lowe’s HIW, Inc. – Continued from September 8, 2010**

Mark Leidal, Community Development Director, presented the applicant’s request for approval of the Permanent Tie-Back Easement, Slope Easement and Temporary Construction Easement Agreement. He reviewed his updated staff report and noted the changes from the previous Agreement. The changes make the insurance obligations expressly run with the land and take out unnecessary language concerning construction and maintenance. The Community Development Department recommends approval of the Tie-Back Easement, Slope Easement and Temporary Construction Easement Agreement.

Preaus explained the reasons this item was continued from the September 8 meeting. Preaus asked if the Town is completely covered if something were to happen to the road. Leidal explained the land owner will be responsible for rebuilding Buffalo Mountain Drive, in the event the retaining wall failed. Sandquist asked if the Town would be notified if the landowner lapsed on the insurance. Leidal explained the 30 day notice provision in the insurance policy. Butler is comfortable with the Agreement but asked if it possible to collect cash security or a bond and what happens 40 years from now if there is a problem? Leidal explained the Agreement runs with the land and whoever the owner is, is responsible for the failure. Dahl explained the legalities and the layers of protection the Town has within this Agreement. Ted Anderson, Project Manager for Lowe’s, feels the additional insurance creates and protects the interest of the road. Lowe’s looks forward to moving forward with the project.

**Public Comment:**

None.

Council Comments:

Sandquist commended Mark Leidal on the Agreement. This is good protection for the Town, stating the insurance is a better solution than a bond. Sandquist is pleased with this Agreement.

**BUTLER MOVED TO APPROVE THE PERMANENT TIE-BACK EASEMENT, SLOPE EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT AGREEMENT FOR THE REASONS SET FORTH IN THE STAFF REPORT DATED SEPTEMBER 16, 2010. MOTION SECONDED BY LANUZA. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (ANDERSON ABSENT)**

DISCUSSION ITEMS:

Butler is attending the Downtown Colorado Inc. Conference in Glenwood Springs on Thursday, September 23.

EXECUTIVE SESSION:

None.

INFORMATIONAL:

July 2010 Sales Tax Report

**LANUZA MOVED TO ADJOURN. MOTION SECONDED BUTLER. MEETING ADJOURNED AT 6:40 P.M.**

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**DAVE KOOP, MAYOR**

**ATTEST**

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**BECKY HODGELL, EXECUTIVE ASSISTANT**

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.