

SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, June 24, 2009

CALL TO ORDER/ROLL CALL/APPROVAL OF AGENDA:

Those members present and answering Roll Call were Mayor Dave Koop, Council Members Peggy Long, Kevin McDonald, Vince Lanuza, Rosanne Shaw, and Bruce Butler. Ann-Marie Sandquist absent. Staff members present were Town Manager Kevin Batchelder, Attorney Jerry Dahl, Chief Mark Hanschmidt, Administrative Services Director Donna Braun, Facility Coordinator Nathan Mosley, Public Works Director Bill Linfield, Community Development Director Mark Leidal, Planning Manager Michael Johnson, Assistant to Town Manager Ryan Hyland and Town Clerk Michele Karlin.

STAFF COMMENTS:

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

Linfield updated Council on the Blue River water flows.

Distinguished Budget Presentation Award

Batchelder presented Finance Director Donna Braun with the CGFOA Excellence in Budget award to Braun. This is the eighth year the Town has received this prestigious award.

COUNCIL COMMENTS:

Long reported on the Summit Housing meeting.

Shaw reported on the Summit Stage meeting.

CONSENT CALENDAR:

BUTLER MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MINUTES FROM MEETING JUNE 10, 2009. MOTION SECONDED. MOTION PASSED (SANDQUIST ABSENT).

CITIZEN COMMENTS:

None

PUBLIC PRESENTATIONS:

None

LIQUOR BOARD:

**Jui Lin Yeh Corp., dba Bamboo Garden Chinese Restaurant – Renewal of
H & R Liquor License**

MCDONALD MOVED TO APPROVE THE JI LIN YEH CORP DBA BAMBOO GARDEN CHINESE RESTAURANT – RENEWAL OF HOTEL & RESTAURANT LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED BY COUNCIL. (SANDQUIST ABSENT)

PUBLIC HEARINGS:

A. Ordinance 2009 -12, 2009 Appropriations Ordinance, Second Reading

Public hearing opened.

Finance Director Donna Braun presented Ordinance 2009-12 for Council's consideration. She reviewed her staff memo dated June 16, 2009 and requested approval on second reading.

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Butler thanked Braun for her budget guidance. He asked about Public Works requesting the additional \$200,000 for major trail maintenance between 6th Street and Phase I of the Outlets. Braun reviewed Public Works request for the additional trail money. Butler asked for more detail.

Linfield reviewed the repairs needed on the pedestrian trail between Town Hall and the Factory Outlet Stores.

Butler asked for this type of item to be brought forward at a work session for review.

Linfield reminded Council that this money is out of the Capital Budget not the General Fund.

Lanuza asked Braun if the General Fund was really hurting would there be any way that money could be moved from the Capital fund to the General Fund.

Braun stated there is a phrase in the ballot wording passed by the voters that would allow for Capital Funds to be utilized. The Town has always lived within its means and that has meant cutting from the budget.

Koop stated this year has resulted in several revised budgets.

Braun stated staff is optimistic for the remainder of the year.

LANUZA MOVED TO ADOPT ORDINANCE NO. 2009-12 ON SECOND AND FINAL READING, AN ORDINANCE AMENDING THE 2009 BUDGET AS PRESENTED. MOTION SECONDED. MOTION PASSED BY COUNCIL. (SANDQUIST ABSENT)

B. Preliminary Subdivision and Preliminary Disturbance Permit Application (DPA) Plan Extension – Maryland Creek Ranch, Maryland Creek Ranch, LLC., 28585 Highway 9, Tracts 1, 2, and 3, South Maryland Creek Ranch Plat, and an Unsubdivided Tract of Land.

Public hearing opened.

Planning Manager Michael Johnson presented the applicant's request for an extension to the effective date of the previously approved South Maryland Creek Ranch Preliminary Subdivision Preliminary Disturbance Permit Application. He reviewed his staff memo dated 6-17-09 and requested approval of the extension request.

Tom Everest, Maryland Creek Ranch, LLC, requested approval and will answer questions.

Patty Memsic, 345 Game Trail Road, lives on the corner of Hunters Knob and Maryland Creek. There is a parking/camping issue on this street at the Maryland Creek entrance. Who is responsible for the parking enforcement? This is not a parking area. She would like to see the no parking signs enforced.

Public comment closed.

SHAW MOVED TO APPROVE AN EXTENSION TO THE EFFECTIVE DATE OF THE MARYLAND CREEK RANCH PRELIMINARY SUBDIVISION AND PRELIMINARY DISTURBANCE PERMIT APPLICATION APPROVAL TO SEPTEMBER 24, 2009. MOTION SECONDED. MOTION PASSED BY COUNCIL. (SANDQUIST ABSENT)

C. Minor Subdivision and Final Site Plan – Angler Mountain Ranch Cabins, Tract C, Angler Mountain Ranch Subdivision, Filing 3.

Public hearing opened.

Planning Manager Michael Johnson presented the applicant's request for Final Site Plan and Minor Subdivision approval for the Cabins at Angler Mountain Ranch (AMR). He reviewed his staff memo dated 6-17-09 and requested approval.

Long asked about the landscaping plan. Wasn't the landscaping to follow the new code?

Johnson stated the new code for landscaping is not in place yet.

Tim Crane, Angler Mountain Ranch, Cabins product will be a single family home with the maintenance taken care of by the HOA. The seven units will be on a private drive. The landscaping will be in compliance with the code at the time of approval. The architecture will be similar to what is being done now.

Public hearing closed.

BUTLER MOVED TO APPROVE THE MINOR SUBDIVISION AND FINAL SITE PLAN (PHASE I) FOR THE CABINS AT ANGLER MOUNTAIN RANCH WITH THE FOLLOWING PLANNING COMMISSION RECOMMENDED CONDITIONS:

- 1. NO BUILDING PERMITS SHALL BE ISSUED UNTIL AMR FILING NO. 3 PUBLIC IMPROVEMENTS HAVE BEEN ACCEPTED BY THE TOWN.**
- 2. COMMENTS BY THE LAKE DILLON FIRE PROTECTION DISTRICT (LETTER OF MAY 22, 2009) SHALL BE ADDRESSED.**
- 3. THE FINAL LANDSCAPING PLAN SHALL BE AMENDED TO MEET THE TOWN CODE REQUIREMENTS.**
- 4. THE NUMBER OF UNITS PERMITTED BUILDING PERMITS SHALL BE LIMITED BY THE PROVISIONS OF THE AMR FILING NO. 3 SUBDIVISION IMPROVEMENT AGREEMENT.**
- 5. ENGINEERING COMMENTS AND CONCERNS AS ENUMERATED IN THE TOWN ENGINEERING MEMO OF JUNE 10, 2009, SHALL BE ADDRESSED PRIOR TO BUILDING PERMIT ISSUANCE.**

MOTION SECONDED. MOTION PASSED BY COUNCIL. (SANDQUIST ABSENT)

BOARD OF ADJUSTMENT:

None

ACTION ITEMS:

Third Amendment to the Subdivision Improvement Agreement for South Maryland Creek Ranch Minor Subdivision

Planning Manager Michael Johnson presented the applicant's request for a Third Amendment to the Subdivision Improvement Agreement (SIA) for the South Maryland Creek Ranch Public Improvements from July 9, 2009 to December 31, 2009.

Tom Everest requested approval.

Shaw stated it is a good idea to have more time for seeding.

SHAW MOVED TO APPROVE THE THIRD AMENDMENT TO THE SUBDIVISION IMPROVMENTS AGREEMENT FOR SOUTH MARYLAND CREEK RANCH MINOR SUBDIVISION. MOTION SECONDED. MOTION PASSED BY COUNCIL. (SANDQUIST ABSENT)

DISCUSSION ITEMS:

None

EXECUTIVE SESSION:

None

INFORMATIONAL:

- A. Planning Commission Meeting Minutes – June 16, 2009.**
- B. April Sales Tax Report**

MCDONALD MOVED TO ADJOURN. MOTION SECONDED. MEETING ADJOURNED AT 6:56 P.M. (SANDQUIST ABSENT).

DAVE KOOP, MAYOR

ATTEST

MICHELE KARLIN, 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.