



IMPORTANTTHERE IS NO WORK SESSION**IMPORTANT**
TOWN OF BRECKENRIDGE TOWN COUNCIL AGENDA
Tuesday, October 14, 2008 (Regular Meeting); 7:30 p.m.

- I CALL TO ORDER and ROLL CALL**
- II APPROVAL OF MINUTES – September 23, 2008 Regular Meeting** **Page 2**
- III APPROVAL OF AGENDA**
- IV COMMUNICATIONS TO COUNCIL**
 - A. Citizen’s Comment - (Non-Agenda Items ONLY; 3 minute limit please)
 - B. BRC Directors Report
- V CONTINUED BUSINESS**
 - A. **SECOND READING OF COUNCIL BILL, SERIES 2008 - PUBLIC HEARINGS****
- NONE**
- VI NEW BUSINESS**
 - A. **FIRST READING OF COUNCIL BILL, SERIES 2008 –**

NONE

 - B. **RESOLUTIONS, SERIES 2008-**

NONE

 - C. **OTHER-**

NONE
- VII PLANNING MATTERS**
 - A. Planning Commission Decisions of October 7, 2008 **Page 9**
- VIII REPORT OF TOWN MANAGER AND STAFF***
- IX REPORT OF MAYOR AND COUNCILMEMBERS*** **Page 13**
 - A. CAST/MMC (Mayor Warner)
 - B. Breckenridge Open Space Advisory Commission (Mr. Rossi)
 - C. BRC (Mr. Bergeron)
 - D. Summit Combined Housing Authority (Ms. McAtamney)
 - E. Breckenridge Heritage Alliance (Mr. Joyce)
 - F. Peak 6 Task Force (Mr. Rossi)
- X OTHER MATTERS**
- XI SCHEDULED MEETINGS** **Page 16**
- XII ADJOURNMENT**

*Report of Town Manager; Report of Mayor and Council Members; Scheduled Meetings and Other Matters are topics listed on the 7:30 pm Town Council Agenda. If time permits at the afternoon work session, the Mayor and Council may discuss these items. The Town Council may make a Final Decision on any item listed on the agenda, regardless of whether it is listed as an action item

**TOWN OF BRECKERIDGE
TOWN COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 23, 2008
PAGE 1**

CALL TO ORDER and ROLL CALL

Mayor Warner called the September 23, 2008 Town Council Meeting to order at 7:44 p.m. The following members answered roll call: Mr. Joyce, Ms. McAtamney, Mr. Millisor, Mr. Mamula, Mr. Rossi, and Mayor Warner. Mr. Bergeron was absent

APPROVAL OF MINUTES – September 9, 2008 Regular Meeting

There were two changes to the minutes as follows: the final vote on Council Bill No. 36, Series 2008 should read “The motion passed 6-1.” On Page 2 of the minutes, change Ms. McAtamney’s comment to read “Maybe want to restrict areas where there is congestion.” With those two changes made, Mayor Warner declared the minutes were approved.

APPROVAL OF AGENDA

Assistant Town Manager Kate Boniface noted the addition of four Resolutions authorizing the purchase of mining claims as part of the open space program. With those additions, the agenda was approved.

COMMUNICATIONS TO COUNCIL

A. Citizen’s Comment - (Non-Agenda Items ONLY; 3 minute limit please)

Karyn Contino, realtor, questioned Council about Town laws concerning “open house” signs. She felt that in the current economic market realtors need every advantage and would like the ability to place more than one sign on a property. Ms. Contino believes that open houses are a form of entertainment and that people like to come into open houses. She asked the Town Council to help realtors and to help the community. Ms. Contino expressed that she is offended when she see banners on Main Street advertising temporary businesses, such as the arts & crafts fairs, the antique market or Oktoberfest. She feels realtors need the Town Council’s help and the Town Council needs the realtors help to market houses that need to be sold. Ms. Contino presented about 30 letters from other realtors that could not attend the meeting.

Alan Johnson, realtor, asked if Town Council could establish criteria or come up with a way of presenting Open House signs so they are acceptable. Mr. Johnson expressed that he does not like when police remove signs or people get tickets, and that it seems rather heavy handed for a profession that provides so much support and revenue to the Town. Mr. Johnson explained people feel more comfortable coming into an open house, and that it is less intimidating than coming into a real estate office.

Dan Corwin, realtor, couldn’t understand why the sign code is the way it is. Mr. Corwin expressed that he is willing to work with the Town Council to come up with solutions if Council can provide some guidelines such as sign size, design, and location. He believes this issue needs to be addressed, and that the signs can be tasteful and made to fit into the look of the Town. Mr. Corwin stated he was seeking support and direction from the Council to work together on this matter.

Bonnie Arnold, Summit Association of Realtors, was present to support the Breckenridge realtors who feel very strongly about this matter. Ms. Arnold noted that all the communities in the county have different rules, and that she would like to see consistency. She challenged the Council to come up with a good working solution in Breckenridge that could perhaps be applied to the rest of the county.

Ali Hasan, candidate for House District 56, introduced himself. He explained that he is running for office because he wants the Western Slope to have a strong voice at the capital. He would like have a good relationship with Town Council and to keep the communication lines open. In response to recent media coverage, Mr. Hasan explained he feels fortunate that he does not have to accept money from anyone to fund his campaign.

Tom Langseth, realtor, believes there is a need that is being missed. Mr. Langseth believes the sellers need help and asked that Council address open house signs before it is too late.

Mayor Warner polled the citizens in attendance on the sign matter and all were in favor of changes to the sign code.

Rob Neyland, realtor, agreed with Ms. Contino's comments except for those about special events. He believes that the Real Estate Transfer Tax may be viewed by some as an automatic revenue stream and that there is a feeling that real estate sales happen automatically and effortlessly because of the product we have here. With changes in the economic tides, Mr. Neyland hopes we can sustain this product. He asked for Town Council participation in the process.

Mayor Warner wrapped up the discussion, letting everyone know they had been heard, that Council will discuss the matter and will consider giving staff some direction on the sign issue.

CONTINUED BUSINESS

A. SECOND READING OF COUNCIL BILL, SERIES 2008 - PUBLIC HEARINGS**

1. Council Bill No. 37, Series 2008- AN ORDINANCE PROVIDING FOR AN INCREASE IN THE COMPENSATION PAID TO MEMBERS OF THE BRECKENRIDGE PLANNING COMMISSION

Town Attorney Tim Berry reviewed this ordinance to increase compensation to members of the Planning Commission effective January 1, 2009 to \$4,800 annually, payable at a rate of \$400 per month. There were no changes from first reading.

Mr. Millisor moved to approve Council Bill No. 37, Series 2008 on second reading. Mr. Mamula made the second. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed. Mr. Rossi mentioned that this increase should be funded by an increase in planning review fees. The motion passed 6-0.

2. Council Bill No. 38, Series 2008- AN ORDINANCE AUTHORIZING THE GRANTING OF AN EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO

Mr. Berry explained that this ordinance, together with the following two ordinances, grant easements to certain parties to replace federal easements, as required as part of the Snake River Land Exchange. There were no changes from first reading.

Mr. Mamula moved to approve Council Bill No. 38, Series 2008 on second reading. Mr. Rossi seconded the motion. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed. The motion passed 6-0.

3. Council Bill No. 39, Series 2008- AN ORDINANCE AUTHORIZING THE GRANTING OF AN EASEMENT TO BRECKENRIDGE SANITATION DISTRICT

As with the prior ordinance, Mr. Berry commented that this ordinance authorizes a replacement easement as part of the Snake River Land Exchange. There were no changes from first reading.

Mr. Rossi moved to approve Council Bill No. 39, Series 2008 on second reading. Mr. Millisor seconded the motion. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed. The motion passed 6-0.

4. Council Bill No. 40, Series 2008- AN ORDINANCE AUTHORIZING THE GRANTING OF AN EASEMENT TO CLAIMJUMPER CONDOMINIUM ASSOCIATION, INC.

Mr. Berry explained that, in connection with the upcoming closing, the Town is required to replace an existing federal easement. There were no changes from first reading.

Mr. Mamula moved to approve Council Bill No. 40, Series 2008 on second reading. Ms. McAtamney seconded the motion. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed. The motion passed 6-0.

5. Council Bill No. 41, Series 2008- AN ORDINANCE APPROVING A DEED OF DEDICATION FOR THE CUCUMBER GULCH "WEDGE" PARCEL (16.80 acres, more or less)

As part of Snake River Land Exchange, Mr. Berry explained that the Town anticipates acquiring this parcel. As part of the acquisition, the Town will agree to dedicate the parcel as open space. There were no changes from first reading.

**TOWN OF BRECKERIDGE
TOWN COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 23, 2008
PAGE 3**

Mr. Mamula moved to approve Council Bill No. 41, Series 2008 on second reading. Ms. McAtamney seconded the motion. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed. The motion passed 6-0.

NEW BUSINESS

A. FIRST READING OF COUNCIL BILL, SERIES 2008 –

NONE

B. RESOLUTIONS, SERIES 2008-

1. A RESOLUTION AMENDING THE TOWN COUNCIL “PROCEDURES AND RULES OF ORDER” CONCERNING THE TIME FOR THE COMMENCEMENT OF REGULAR COUNCIL MEETINGS AND THE ELIMINATION OF THE CONSENT CALENDAR

Mr. Berry informed that by Charter, the Town Council is required to adopt procedures governing its business. This resolution authorizes the Council by majority consent to change the date and time of a Town Council meeting and also removes the reference to the consent calendar, which has not been in use since the Liquor Licensing Authority was established. A copy of the proposed amendments was handed out to the Town Council two weeks ago as required by the Rules.

Mr. Millisor questioned how notice would be given and felt that more than 24 hours’ notice should be required. There was a discussion about “transparency” and it was suggested that maybe one week’s notice would be more appropriate. Mr. Rossi disagreed. Mr. Berry suggested additional language could be added to the end of Line 10. The Council’s rules contain emergency meeting procedures, and Council retains the discretion to call an emergency meeting sooner, if necessary.

Mr. Mamula moved to approve A Resolution Amending the Town Council “Procedures and Rules of Order” Concerning The Time For The Commencement Of Regular Council Meetings And The Elimination Of The Consent Calendar. Mr. Rossi seconded the motion.

Mr. Millisor then moved to amend the motion to add a sentence on the end of Line 10 to read “Public notice of the date and time of any regular meeting shall be given at least one week in advance.” Ms. McAtamney seconded the motion. After discussion, Mr. Millisor withdrew the motion to amend and Ms. McAtamney withdrew her second. There was further discussion about taking minutes at work sessions and/or allowing the public more access to work sessions. Council was in general agreement.

The motion passed 6-0.

2. A RESOLUTION APPROVING A SECOND AMENDMENT TO EMPLOYMENT AGREEMENT WITH TIMOTHY J. GAGEN

Ms. Boniface noted that the Council recently performed a performance evaluation on the Town Manager. As part of this process, the Council agreed to change his compensation. At Mr. Gagen’s request, rather of giving an actual pay raise, Council will provide an equivalent amount of money to be set aside for future contributions to medical coverage payments or other uses.

Mr. Millisor moved to approve A Resolution Approving a Second Amendment to Employment Agreement with Timothy J. Gagen. Ms McAtamney seconded the motion. The motion passed 6-0.

3. A RESOLUTION RATIFYING AND APPROVING A REAL ESTATE OPTION AGREEMENT BETWEEN THE TOWN OF BRECKENRIDGE, THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, AND PAUL HARDWICK (Vanderbilt Claim, Mineral Survey No. 200)

Mr. Berry explained that this resolution and the following three resolutions would approve Real Estate Option Agreements between the Town and Summit County with respect to certain open space parcels the Town and County would like to acquire. The resolutions will ratify Tim Gagen’s prior signature on the option agreements.

Mr. Millisor moved to approve A Resolution Ratifying and Approving a Real Estate Option Agreement between the Town of Breckenridge, The Board of County Commissioners of Summit County,

And Paul Hardwick (Vanderbilt Claim, Mineral Survey No. 200). Mr. Mamula seconded the motion. The motion passed 6-0.

4. A RESOLUTION RATIFYING AND APPROVING A REAL ESTATE OPTION AGREEMENT BETWEEN THE TOWN OF BRECKENRIDGE, THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, AND MICHAEL MUNOZ AND KERRY MUNOZ (White Cloud Claim, Mineral Survey No. 8313)

Mr. Joyce moved to approve A Resolution Ratifying and Approving a Real Estate Option Agreement between the Town of Breckenridge, The Board of County Commissioners of Summit County, And Michael Munoz and Kerry Munoz (White Cloud Claim, Mineral Survey No. 8313). Mr. Mamula seconded the motion. The motion passed 6-0.

5. A RESOLUTION RATIFYING AND APPROVING A REAL ESTATE OPTION AGREEMENT BETWEEN THE TOWN OF BRECKENRIDGE, THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, AND RICHARD MCQUEARY AND JANE KEMP (Camp Bird Claim, Mineral Survey No. 8313)

Council questioned why this Claim had the same Mineral Survey Number (8313) as the prior Claim. Mr. Berry explained the claims were adjacent and that this was not unusual.

Ms. McAtamney moved to approve A Resolution Ratifying and Approving a Real Estate Option Agreement between the Town of Breckenridge, The Board of County Commissioners of Summit County, And Richard Mcqueary and Jane Kemp (Camp Bird Claim, Mineral Survey No. 8313). Mr. Rossi seconded the motion. The motion passed 6-0.

6. A RESOLUTION RATIFYING AND APPROVING A REAL ESTATE OPTION AGREEMENT BETWEEN THE TOWN OF BRECKENRIDGE, THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, AND ROBERT SMALL (Ravan Lode, Mineral Survey No. 3631A)

Mr. Rossi moved to approve A Resolution Ratifying and Approving a Real Estate Option Agreement between the Town of Breckenridge, The Board of County Commissioners of Summit County, And Robert Small (Ravan Lode, Mineral Survey No. 3631a). Mr. Millisor seconded the motion. The motion passed 6-0.

C. OTHER

1. Burn Permit for Fuel Break on Tract D, Highlands Park

Planner Jennifer Cram explained that a burn permit from the Town is needed as part of this fuel break project. Red White and Blue will be very cautious with the burn and will only proceed when conditions are right. Council questioned the size of the fire break. Ms. Cram informed that it doesn't necessarily stop a forest fire, but can slow the velocity and allow for heavy equipment access. Ms. Cram noted that this fuel break is being funded by a grant from the State to the Town and the Fire Department. The location was chosen because it is Town open space.

Ms. McAtamney moved to approve a special permit to allow the open burning of slash piles related to the fuel break project on Tract D, Highlands Park Subdivision as soon as weather is appropriate as recommended by the Red, White and Blue Fire District. All burning of the slash piles shall comply with the "Open Burning" requirements of Section 307 of the International Fire Code, 2000 Edition. In addition, the Town shall obtain an open burning permit from the Red, White & Blue Fire Department. Mr. Mamula seconded the motion. The motion passed 6-0.

PLANNING MATTERS

A. Planning Commission Decisions of September 16, 2008

With no requests for call up, Mayor Warner stated the Planning Commission decisions of the September 16, 2008 meeting would stand as presented.

B. Report of Planning Commission Liaison

**TOWN OF BRECKERIDGE
TOWN COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 23, 2008
PAGE 5**

No report.

REPORT OF TOWN MANAGER AND STAFF*

Planner Mark Truckey reported that the county permit on the MJB parcel had expired and the applicant is requesting to renew it. The Council previously sent a letter to the County outlining concerns with the permit, and a letter reiterating those concerns has been submitted to County planning staff. Ms. Boniface will provide Council with the sequence of the review process.

The Council then took up the Open House Sign issue. Senior Planner Chris Neubecker believed the current sign legislation was put into effect in 1996, to address issues the Town was having with too many signs. In recent years, the Council has allowed off-site signs for the Parade of Homes, since the event raises money for charity and because it was viewed as bringing people from outside the area into the community, similar to an event.

Council recognized the impact signs can have on sales leads, and that the Town is at a downturn in real estate sales. Suggestions included: see if we can work something out, make signs conforming, green, certain size and color, create something that has the look and feel of Breckenridge, would like uniformity, no company logos, only one sign on a corner. There was discussion about limiting or not allowing open house signs in certain areas such as major intersections, the core or historic district, and only allowing signs to be up for the duration of the open house. It was suggested the decision should be made if it is the right thing to do and not just based on a downturn in the economy because it could be hard to rescind.

Staff was directed to work with the real estate community on a solution.

REPORT OF MAYOR AND COUNCILMEMBERS*

- A. **CAST/MMC (Mayor Warner)** – No CAST meeting; managers meeting is next week
- B. **Breckenridge Open Space Advisory Commission (Mr. Rossi)** - No report.
- C. **BRC (Mr. Bergeron)** – Mr. Bergeron was not present but forwarded a meeting synopsis.
- D. **Summit Combined Housing Authority (Ms. McAtamney)** - Meeting tomorrow.
- E. **Breckenridge Heritage Alliance (Mr. Joyce)** – Mr. Joyce reported that Engine 111 is almost done and Engine No. 9 is heading to the restorer. The Breckenridge Heritage Alliance has a new, improved website: www.breckheritage.com. A retreat is scheduled on October 2 and the main topic is self funding.
- F. **Peak 6 Task Force (Mr. Rossi)**- There was no meeting. Council is invited to the ski area management meeting at The Village Forest Room on Wednesday at 9:15 a.m.

OTHER MATTERS

Mr. Mamula brought up the idea of making work sessions more accessible to the public either by taking minutes, videotaping or providing additional public notice. He was concerned that a lot of business is discussed starting at 3 p.m. when many people are at work, and often not as much discussion occurs during the evening meeting.

Ms. McAtamney asked if the Town would look into the idea of a solar sales tax exemption.

To protect the Rec Department fields, Mr. Rossi suggested that baseball games be called when it is pouring rain to minimize damage. Mayor Warner suggested the Town consider artificial turf for its athletic fields.

Mr. Rossi noted that a traffic study is forthcoming. He understands that the Police Department may have a speed display sign in storage. If so, he would like to see the sign put into use.

Mr. Millisor noticed a math error in the Capital Improvement Plan.

SCHEDULED MEETINGS

ADJOURNMENT

**TOWN OF BRECKERIDGE
TOWN COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 23, 2008
PAGE 6**

With no further business to discuss, the meeting adjourned at 9:19 p.m.

ATTEST:

Mary Jean Loufek, CMC, Town Clerk

John Warner, Mayor

EXECUTIVE SESSION CERTIFICATE

Town of Breckenridge)
County of Summit)
State of Colorado)

John Warner, the duly elected, qualified and acting Mayor of the Town of Breckenridge, hereby certifies as follows:

As part of the Town Council meeting on Tuesday, September 23, 2008 at 6:50 p.m., Mr. Mamula moved to convene in Executive Session pursuant to Paragraph 4(b) of Section 24-6-402, C.R.S., relating to conferences with the Town Attorney for the purposes of receiving legal advice on specific legal questions; and Paragraph 4(e) of Section 24-6-402, C.R.S., relating to determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations; and instructing negotiators.

Mr. Rossi made the second. A roll call vote was taken. All were in favor of the motion.

Mr. Mamula moved to adjourn the Executive Session at 7:35 pm. Mr. Rossi made the second. All were in favor of the motion.

This certificate shall be included after the minutes of the regular Town Council meeting of Tuesday, September 23, 2008.

John Warner, Mayor

MEMORANDUM

To: Town Council

From: Peter Grosshuesch

Date: October 8, 2008

Re: Town Council Consent Calendar from the Planning Commission Decisions of the October 7, 2008, meeting.

DECISIONS FROM THE PLANNING COMMISSION AGENDA OF October 7, 2008

CLASS C APPLICATIONS:

1. Corkscrew Flats Lot 16 (CK) PC#2008105; 245 Corkscrew Drive
Construct a new single-family residence with 4 bedrooms, 4.5 bathrooms, 3,672 sq. ft. of density and 4,472 sq. ft. of mass for a F.A.R. of 1:3.55. Approved.
2. Corkscrew Flats Lot 22 (CK) PC#2008106; 266 Corkscrew Drive
Construct a new single-family residence with 4 bedrooms, 4.5 bathrooms, 3,648 sq. ft. of density and 4,454 sq. ft. of mass for a F.A.R. of 1:4.89. Approved.
3. Chandler Residence (MM) PC#2008078; 0327 Peerless Drive
Construct a new single-family residence with 5 bedrooms, 6.5 bathrooms, 8,521 sq. ft. of density and 10,735 sq. ft. of mass for a F.A.R. of 1:2.04. Approved.
4. AST Dew Tour (MGT) PC#2008108; 1599 Ski Hill Road
Master banner and tent proposal for event at Peak 8 at Breckenridge Ski Resort and Riverwalk Center December 18-21, 2008. Approved.
5. Mark IX Condominiums Exterior Remodel (MGT) PC#2008109; 90 Now Colorado Court
Exterior remodel of nine-unit condominium complex. Approved.

Weisshorn has big lots and lots of room between houses. Neighborhood character needs to be preserved and thus this policy is important. She pointed out that size becomes important when considering natural habitat and preservation of vegetation, birds, insects, etc. Some argue that the town should give the sustainable building code a chance but a 10,000 square foot home was approved tonight so maybe the sustainable building code doesn't work. Need to count basements that daylight in the above ground calculations.

Mr. Schroder: Struggles with a policy that restricts a property owner; nevertheless, he thinks limitations and maximums are important to prevent mega homes. Could this be a relative policy? Approach #2 is most desirable to him. Likes the 80 or 90% idea because it allows for additions. No strong feelings. Many unknowns are in his mind at this point.

Mr. Lamb: Has a fear that the folks are unaware the town is considering such a policy. He doesn't want to invest a lot of time to have it shot down and the end when these neighborhoods express their concerns. He would suggest a mass mailing to everybody in the impacted neighborhoods. Logical choice is approach #2 (80-90% conforming). Mr. Pringle has a point about assigning negative points if you exceed a set limit. He would like to know if there is a concern from subdivisions about being having a large home next door. The hybrid and sliding scale seem to work out about the same. Agree that anything underground should not count against density.

Mr. Pringle: Suggested treating this policy the same as density and height policies in the code. What about a relative policy concept? As you go bigger, you have to offset. Points could be extremely difficult to make up as you get very large. Like the approach taken elsewhere in town where you are able to build based on your lot size and if you build larger than allowed, you are assigned negative points. Assume most homes are ¼ acre or larger and figure out how to mitigate from there.

Mr. Allen: Sought clarification as to the difference between the hybrid and the FAR. (Ms. Puester ran through examples as requested on differences of the hybrid and sliding scale examples.) Would like to see all the background spreadsheets to better understand in the future. Do not agree with this policy but Council asked us to look at it. Include a new column on what the owner could build to if maxed their current setbacks and height for the Weisshorn example. Would like to see a grandfather clause in case of fire. Likes the approach #3 with maximum existing size as a benchmark unless it is an extreme anomaly. Would like a relative policy more. Opposed to 7,000 square foot limit and it should be larger and vary by subdivision. Likes the sliding scale most. Also show the average lot sizes in the chart. The public needs to get involved and express their concerns.

Mr. Mamula: The guy with the biggest check book builds that biggest house with the sustainable code. Nothing wrong with the Highlands, but it is a dark neighborhood. Detracts from what this town is- wants to be careful to make sure real people can live here. Community character is one of the most important issues for the town. Second homeowners do not add to the character and have their lights on year round. Airport Road might end up where all the lights are on because that is where the affordable housing is. Locals will be priced out. There is a huge gap between second homes market and affordability. Can't regulate good taste. Everyone has different taste. The shortest but not necessarily easiest way is to limit home size. Pointed out this code is intended to preserve the character of the community.

Public Comments:

Marc Hogan: Agrees with the goal to preserve the character of the neighborhoods. The design, not the size, usually poses the problem. He pointed out examples were good design hides square footage through breaking up rooflines, putting square footage below grade. Agrees with Ms. Puester that below grade should not be included. Suggests creating incentives for good design and allow for additional square footage, such as through TDRs, to get allow homes to get bigger than a set limit. Many tools are in the code already to address these issues. Different lots such as up slope or down slope have different impacts; homes can be stepped down to have lesser impact than a 4,000 square foot home that does not step. Need to build with restrictions on appearance.

Andrew Webster, Summit Builders Association: The public that showed up at the last meeting seems to be against such policy from his view. The building industry has experience many new policies recently, including housing impact fees and green codes; limiting home size will not necessarily change the character of the neighborhood. The policy should focus on the shape and appearance of the home, not the size. Wait and see what the Sustainable Code will do to limit sizes. Limiting size does not preserve character. Pointed out that the Sustainable Code didn't apply to the 10,000 square foot home approved earlier in the agenda; code takes affect in 2009.

Lou Fishman, Summit Builders Association: Concurred with Mr. Hogan and Mr. Webster. It's all about design versus size. People buy homes under the impression that policies like this will not hinder their desire to change their property.

Kem Swarts: On Warriors Mark and Warriors Mark West HOA. Went through this information with Ms. Puester on Friday. He pointed out agreements that were hashed out during the annexation. Wants to make sure that if there is a fire that people can rebuild to the size they have now, even if it is nonconforming. Has an eclectic neighborhood character. He would like to see an owner be able to rebuild at their current square footage if the need arose. During annexation it was quite clear that the lots on the slope side didn't have basements, therefore accommodations were made to mitigate this unique situation. Annexation agreement anticipated variances. Wants to make sure that there is some flexibility to allow for solar panels in the future. (Dave Pringle asked if there is concern regarding the neighborhood character protection). More concerned with lot line vacations and the ability of someone to build a super-house on what was once two lots, and overpowering rather than a typical scrap off as the lots are mostly smaller.

2. Planning Commission Field Trip (CN) (Memo Only)

Mr. Neubecker presented a memo reminding those Planning Commissioners attending the field trip to Park City Utah of the logistics for the trip leaving Wednesday morning, October 8th.

OTHER MATTERS:

Mr. Mamula pointed out that the Planning Commission was getting a raise that would be mitigated by increased fees. The Council will work on the budget next week and their will likely be reduced spending on special projects next year.

Ms. Girvin wanted to put in a plug for the county's Citizens for 1 A – Vote Yes.

ADJOURNMENT:

The meeting was adjourned at 8:37p.m.

Rodney Allen, Vice Chair

MEMO

TO: Mayor & Town Council

FROM: Tim Gagen

DATE: September 23, 2008

RE: Committee Reports

NWCCOG

Peter Grosshuesch

September 25

- The Council approved a list of work plan items for NWCOG to undertake in 2009 and beyond, including: exploring affordable housing project funding through low interest loans; create a regional clearing house for housing data; update the 208 Water Quality Plan; assess threats to water quality in bark beetle ravaged areas and develop plan for sediment control; develop clearing house for data on grants for senior programs; look at regional linkages on issues such as housing, transportation and consider developing a vision plan for the region; hold workshops showcasing examples of collaborative planning between different jurisdictions; and create a grants page on NWCOG web site so governments can know all grants that are available on a particular topic.
- The NWCOG Foundation has raised over \$440,000 in private sector funds for the second section of the Swan Mountain Bike path.
- A presentation was made to the Council regarding the potential vulnerability of electric transmission lines to wildfire. There is currently an inability for utilities to remove trees and deadfall on national forest outside the utility right of way in a timely manner because of NEPA requirements. Representatives Salazar and Udall have sponsored legislation that would provide categorical exemptions from NEPA for pine beetle forest management mitigation projects, including tree removal by power lines.

Summit Stage

James Phelps

September 24

Summit Stage has advertised for one BOD opening. One position was vacated several months ago. John Jones has received several letters of interest; it is likely the new member will be seated by the Oct. 29th meeting. The Summit Stage Board is comprised of (11) eleven members.

The Stage is still hopeful of receiving SB-1 monies for their New Fleet Shop. Since original submission for funds, Vail has withdrawn from consideration. Summit Stage has been given highest priority of the funds. Preliminary awards/determinations may come as early as Oct. 16th.

The Summit Stage 2009 Budget has been submitted. There is no new service proposed for 2009 (Swan Flyer or Copper) but John Jones believes if approved, budget will allow

for ½ service for the entire year or no modified service as was the case this year. Submitted budget was slightly increased over 2008 due to wage increases. Overall budget submitted 7.3M.

Total Ridership for August: decrease or 1.57% under 2007. Paratransit Ridership for August: decrease or 25.41% under 2007. Late night Ridership for August: increase or 45.60% over 2007. Mass Transit Tax Collections Y-T-D 2008 to 2007 are fairly flat or 0.3%.

SCHA **Laurie Best** **September 24**

1) County Planning presented their proposal to identify sites in each basin that should have an employee housing master plan designation. This will kick off with a public open house on October 22nd-intended to educate public and planning commissioners about the need and the process-The Board suggested that all Towns also encourage their Commissioners to attend.

2) SCHA Program Plan Review. Services/Plan as presented looks good. Regarding the programs I suggested:

- Community Outreach include more 'case management' to provide financial planning services for renters to buyers and programs for potential buyers
- SCHA track absorption rates as part of the clearinghouse/sales services
- Jennifer expressed that Silverthorne and Breck are not using the SCHA as a referral entity.

3) SCHA Budget. Budget looked good as proposed but Michael Penny noted again that their doesn't seem to be a break down of the core services vs. the fee services. Jennifer said SCHA could not find any documentation that Joys position was created to take on the deed monitoring but all SCHA Board agreed that's what they remembered, so Jennifer will revise the budget to address the portion of staff time to the extra services and send out revised budget for adoption at the October Board meeting. Also, the budget included \$14,000 for an additional staffer which will be put on hold for now.Jennifer indicated she was working with Town Managers on the budget/fees for services and to make sure all Towns include \$ in budgets to support the SCHA revolving down payment

4) Misc.

- Some employers are approaching SCHA to talk about employer programs (for example Red, White, and Blue asked for assistance administering an employer sponsored down payment assistance program)
- Thomas said he is pushing CCI to support a new law that would prevent HOAs from outlawing restricted units.
- Thomas presented the 1A ballot questions. Asked for and received SCHA Board endorsement.

Other Meetings

CML	Tim Gagen	No Meeting
CAST	Tim Gagen	No Meeting
Public Art Commission	Jen Cram	No Meeting
Summit Leadership Forum	Tim Gagen	No Meeting

Police Advisory Committee
Wildfire Council
NWCCOG
I-70 Coalition
LLA
BEDAC

Rick Holman
Peter Grosshuesch
Peter Grosshuesch
Tim Gagen
MJ Loufek
Julia Skurski

No Meeting
No Meeting
No Meeting
No Meeting
No Meeting
No Meeting



Scheduled Meetings, Important Dates and Events

Shading indicates Council attendance – others are optional

The Council has been invited to the following meetings and events. A quorum may be in attendance at any or all of them. All Council Meetings are held in the Council Chambers, 150 Ski Hill Road, Breckenridge.

October 2008

Tuesday, October 14; Noon	Budget Retreat Begins at Noon
Tuesday, October 14; 7:30	NO WORK SESSION; Evening Meeting
Tuesday, October 28	Second Meeting of the Month
Thursday, October 30-31	CAST

November 2008

Tuesday, November 11; 7:30	First Meeting of the Month
Wednesday, November 12	Recognition Reception
Tuesday, November 25	Second Meeting of the Month

OTHER MEETINGS

2 nd & 4 th Tuesday of the Month; 7:00pm	Planning Commission; Council Chambers
1 st Wednesday of the Month; 4:00pm	Public Art Commission; 3 rd floor Conf Room
2 nd Thursday of the Month; 3:00pm	BEDAC; 3 rd floor Conf Room
2 nd Monday of the Month; 5:30pm	BOSAC; Council Chambers
2 nd & 4 th Tuesday of the Month; 1:30pm	Board of County Commissioners; County
3 rd Thursday of the Month; 7:00pm	Red White and Blue; Main Fire Station
2 nd Thursday of the Month; 5:30pm	Sanitation District;
Last Wednesday of the Month; 8am	Breckenridge Resort Chamber; BRC Offices
4 th Wednesday of the Month; 9am	Summit Combined Housing Authority;
2 nd Wednesday of the Month; 12 pm	Breckenridge Heritage Alliance; Gaymon Cabin

Other Meetings: CAST, CML, NWCCOG, RRR, QQ, I-70 Coalition