

1 TOWN OF LYONS BOARD OF TRUSTEES MEETING
2 VIRTUAL MEETING
3 LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO

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5 ZOOM LINK:

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7 <https://us02web.zoom.us/j/86042699879?pwd=SC9jR05IMTkxWTJaeVc1REFRbUtJZz09>

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9 Meeting ID: 860 4269 9879

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14 Meeting ID: 860 4269 9879

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17 DRAFT AGENDA

18 **TUESDAY, FEBRUARY 1, 2022**

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22 5:00 PM BOARD OF TRUSTEES SPECIAL MEETING

- 23 I. Roll Call and Pledge of Allegiance – **Present:** Mayor Angelo, MPT Browning, Trustee
24 Waugh, Trustee Miller, Trustee Karavas, Trustee Rogin, Trustee Lowell
- 25
- 26 II. A Reflective Moment of Silence
- 27
- 28 III. Approve Agenda – **Motion:** move to approve **Moved by:** Trustee Waugh **Seconded by:**
29 Trustee Miller **Motion passes 7-0.**
- 30
- 31 IV. Audience Business - none
- 32
- 33 V. Public Hearings and Ordinances
- 34 1. 1ST Reading - Ordinance 1118 – an Ordinance of the Town of Lyons, Colorado Amending
35 the Annexation Agreement with Planet Bluegrass Farm, LLC – Trustee Miller, I have worked
36 for Planet Bluegrass, but can remain unbiased and uphold my oath. Trustee Waugh, as
37 owner of Lyons Properties, I have worked with Planet but can remain unbiased. Attorney
38 Dittman gave overview of process. Planner Strom presented staff report, annexed in 2017,
39 applied for changes to annexation agreement; ALU, Site Plan & Keynotes will be a separate
40 process. PCDC has heard this application; changes requested are for needed for PB for
41 next ten years. MPT Browning - when will remaining documents be posted and available?
42 Where is the application? Where are the minutes? PCDC recommendations, comments
43 from referral agencies, public comments? If meeting is on February 9th, when do we get to
44 see these things? Attorney Dittman will be gone 2/11 thru 2/21. Trustee Karavas we are
45 going to need more information. Attorney Dittman, all of those documents are for the other
46 agreements, this is only for the annexation agreement. Mayor Angelo, it's becoming very
47 frustrating to not get very relevant information until 2nd reading. There is a lot of information
48 the board is going to have to make decisions on, I hope we are well prepared. MPT Browning
49 – annexation agreement, paragraph 19, deals with water rights, have requested that water

50 rights dedication be postponed until SIA or conceptual plan amendment. That time is now.
51 Water rights dedications are usually handled at annexation, that was not done at the request
52 of Planet Bluegrass. We need to address it now. Attorney Dittman, yes this would trigger
53 that requirement. And all those documents are ready if this moves to second reading.
54 Applicant, Planner Rosi Dennet, I am a little confused as staff had us submit everything for
55 PCDC. It's a concern for us. I advised them to include any improvements for the next 5
56 years. Goal is to keep most activities on PB properties Attorney Dittman, PCDC
57 recommendations are included in this packet. Zack Tucker, PB manager, 50th year of Rocky
58 Grass sold out, they need this camping. Why do we want to make these changes? We learn
59 a lot every time we hold a festival; have learned a lot these many years. Changes are really
60 minor; we learned how much more music we can bring to town that might not fit the genre
61 or timing of festivals. Looking to increase events capacity for mid-tier events from 1,000 to
62 3,000 people and allow parking. Pretty much adding Mid-Tier Events and that camping be
63 allowed, no plans for camping now, but want to be ready. Not requesting camping in south
64 grazing area, that would only be for major events. Other striking out original request and
65 removing Yurts and Bathhouse from the southside. We want to be good neighbors.
66 Camping would not allow public access from Apple Valley Road. No longer able to use
67 Riverbend for camping, looking for an alternate location, and committed to series of
68 restrictions to limit impact. There will be NO access from Apple Valley Road, updating
69 access restrictions to be tied more to CDOT access permits, no more than 29 days a year.
70 Mayor Angelo I don't consider raising attendance from 1K to 3K minor event. And 600
71 campers? Zack, we are requesting 1000 campers, but only plan on 600. Mayor what is a
72 service vehicle? Zack, a port-o-potty truck, trash truck, etc. Bridge would not allow public
73 vehicles. Mayor is there access now for service vehicles to enter? Trustee Rogin, 29 event
74 days include mid-tier events? Zack - yes, and they include the day before/after high impact
75 days. Trustee Rogin, staff housing, how many people? Attorney Dittman - that would be
76 discussed with site plan. Mayor Angelo - two issues concerning river, one was complying
77 with BOCO restoration and the other entering into agreements in support of SV river
78 coalition, have they been addressed. Zack, river reclamation is complete, not prepared to
79 speak on the coalition. **Motion:** move to approve Ordinance 1118 on first reading. Set public
80 hearing for Feb 23rd at 7pm. **Seconded by:** Trustee Karavas MPT Browning, the BOT has
81 not yet seen a substantial amount of documents, public comments, PCDC minutes. If we
82 even got those tomorrow; the next day we get the regular meeting packet with the hotel
83 application. The proposed timetable is too short a time; that's when mistakes get made.
84 We need to be careful, take our time. This is not a punishment, very difficult and not knowing
85 as much as you have to make important decisions about as the general public does.
86 Administrator Simonsen, you will be in the same packet situation then as well, with the
87 holiday on the 21st, the BOT meets the 22nd, this special meeting the 23rd, and then LURA
88 on the 24th. Packet could get out tomorrow. Trustee Waugh, we owe it to the applicant to
89 make this possible, how can one person's vacation hold up the process? Attorney Dittman
90 - other legal counsel could be there. MPT Browning, under some circumstances I would be
91 open to that, but there are at least 7 different contracts, and he has the background.
92 Administrator Simonsen, I agree, Attorney Dittman needs to be present, we could do the
93 10th if the board approves. Trustee Waugh - I will be voting against this, we owe it to the
94 applicant. I would like to hold this 2/10. Trustee Miller, I agree, will be voting no. I feel like
95 I will have enough time. **Vote: NO:** Trustee Waugh, Trustee Miller **Motion passes 5-2 2nd**
96 **reading to be held on 2/23 at 7pm.** Attorney Dittman, this meeting will include all the other
97 documents.
98

99 VI. Summary of Action Items

- 100 1. Publish 2nd reading notice for 2/23 @ 7pm
- 101 2. Get packet materials out tomorrow
- 102 3. Eblast on new meeting dates

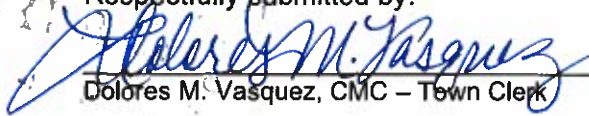
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- 4. Eblast on quasi-judicial procedures
- 5. Update TOL website calendar.
- 6. BD – link to quasi-judicial policy in eblast.

VII. Adjournment – **Motion:** move to adjourn **Moved by:** MPT Browning **Seconded by:** Trustee Karavas meeting adjourned at 6:17 pm.



Respectfully submitted by:


Dolores M. Vasquez, CMC – Town Clerk


Mayor Nicholas Angelo

151 **"The Town of Lyons will not discriminate against qualified individuals with disabilities on the basis of disability in**
152 **its services, programs, or activities. Persons needing accommodations or special assistance should contact the Town**
153 **at hr@townoflyons.com as soon as possible, but no later than 72 hours before the scheduled event."**