



Gypsum Town Council
November 8, 2016

6:58:47 PM

PRESENT:

Mayor Steve Carver, Mayor Pro Tem Tom Edwards,
Councilmember Pam Schultz, Councilmember Dick Mayne,
Councilmember Chris Estes, Councilmember Chris Huffman
and Councilmember Marisa Sato (7)

STAFF:

Assistant Town Manager Frances Barela, Senior Planner Lana
Gallegos, Town Clerk Danette Schlegel, Public Works Director
Jeff Shreeve, Town Manager Jeff Shroll, Finance Director
Mark Silverthorn and Attorney Kathryn Winn (7)

ABSENT:

None (0)

AUDIENCE

PRESENT:

Jessica Foulis, Ryan Thompson, Christian Avignon, Susie
Keysor, Russell Larsen, Jonathon Mueller, Claudia Bryan, Matt
Bryan, Sara Castillo, Justin Kirkland, Jim Daus, Jenna Palmiter,
Michelle Lake, Ben Montoya, Jason Burkey, Jeremy Rietmann,
Tom Buzbee, David Proctor, Shane Gremmer

MEETING CALLED TO ORDER-PLEDGE OF ALLEGIANCE

7:04:42 PM

CONSENT AGENDA

Bill Pay

Minutes

Councilmember Estes moved to approve the consent agenda.

7:05:51 PM

After consideration, the motion passed by the following vote: **AYES:** Mayor Carver, Mayor Pro
Tem Edwards, Councilmember Schultz, Councilmember Mayne, Councilmember Estes,
Councilmember Huffman and Councilmember Sato. **NAYS:** None. **ABSTAINERS:** None.
ABSENT: None.

Mayor Pro Tem Edwards moved to adjourn from the regular meeting and convene as the liquor
authority.

7:06:16 PM

Prepared by:
Danette Schlegel, CMC
Town Clerk



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After consideration, the motion passed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Schultz, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** None.

LIQUOR LICENSE AUTHORITY

10th Mountain Whiskey and Spirit Company Distillery Pub License and Tasting Permit.

Presented by: Ryan Thompson. **Estimated Time:** 10 Minutes

Ryan and Christian were present. They explained how the company would work.

Councilmember Estes moved to approve 10th Mountain Whiskey and Spirit Company Distillery Pub License and Tasting Permit.

[7:08:12 PM](#)

After consideration, the motion passed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Schultz, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** None.

Councilmember Estes moved to adjourn from the liquor authority and convene the regular meeting.

[7:08:41 PM](#)

After consideration, the motion passed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Schultz, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** None.

CITIZENS BEFORE COUNCIL

2017 Eagle County Shop with a Cop. Donation request \$100.00. **Presented by:** Lisa Vasquez

Estimated Time: 10 min

Lisa Vasquez was unavailable for this item. Jeff Shroll explained the event. It will start at 4:00 and end at 8:00. The purpose of the event is to foster good relationships between the police officers and students.

Discussions followed.

Mayor Pro Tem Edwards moved to donate 500.00 to the 2017 Eagle County Shop with a Cop.

[7:11:58 PM](#)

After consideration, the motion passed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Schultz, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** None.



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[7:12:45 PM](#)

Eagle Valley Land Trust Donation Request. Presented by: Jim Daus Estimated Time: 10 min
Jessica---- was present for this item. Jessica detailed the mission statement of the Eagle Valley Land Trust. They are in the business of preserving land for community, land conservations and wildlife. Most of the land that is still developable is right on the river corridor. Private land is developing fast and it is important to keep the river corridor open for wildlife. She explained the different land easement conservations in the valley. Each easement is specifically tailored to each property. The land owner is in charge of their own land. Easements are valuable to the community to maintain value. The most recent conservation easement is Dewey Park. It is a mild river front protected forever. Duck pond and Constellation Ridge are a couple more that they are working on. She thanked the town of their generous donation last year. Questions and comments followed.

Councilmember Estes moved to approve **Eagle Valley Land Trust** Donation Request in the amount of \$5000.00

[7:20:24 PM](#)

[7:20:42 PM](#)

After consideration, the motion prevailed by the following vote: **AYES:** Mayor Carver, Councilmember Schultz, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** Councilmember Mayne. **ABSTAINERS:** Mayor Pro Tem Edwards. **ABSENT:** None.

ORDINANCES AND RESOLUTIONS

Ordinance 2016-11 An Ordinance Repealing and Readopting Section 17.20.070(3) Regarding Administrative Plat Amendments (Second Reading Public Hearing) 2016-11.

Presented by: Lana Gallegos, Senior Planner. Estimated Time: 5 minutes

Open to the public

[7:20:57 PM](#)

Close to the public.

Councilmember Estes moved to Ordinance 2016-11 An Ordinance Repealing and Readopting Section 17.20.070(3) Regarding Administrative Plat Amendments

[7:21:12 PM](#)

After consideration, the motion passed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Schultz, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** None.



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Ordinance 2016-12 An Ordinance Summarizing Expenditures and Revenues For Each Fund, And Adopting a Budget For The Town of Gypsum, Colorado, For The Calendar Year Beginning on The First Day of January 2017, and Ending on The Last Day of December 2017 (1st Reading) 2017 Proposed Budget . Presented by: Jeff Shroll and Mark Silverthorn. **Estimated Time:** 30 Min

Mark explained the donation requests. Discussion followed. Bravo requested an additional 10,000.00 for their donation in 2017. They would like to have an orchestra concert. It would be the week of Gypsum Daze. Ute Springs requested additional 500.00 in funding.

Mayor Pro Tem Edwards moved to Ordinance 2016-11 An Ordinance Repealing and Readopting Section 17.20.070(3) Regarding Administrative Plat Amendments with corrections stated.

7:30:38 PM

After consideration, the motion passed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Schultz, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** None.

Ordinance 2016-13 An Ordinance Levying General Property Taxes For The Year 2016, To Defray The Cost of Government For The Town of Gypsum, Colorado, For The 2017 Budget Year. (First Reading) Approval of the 2016 Property Tax Levy. . Presented by: Mark Silverthorn. **Estimated Time:** 5 Min

This is to set the mil levy.

Councilmember Estes moved to Ordinance 2016-13 An Ordinance Levying General Property Taxes For The Year 2016, To Defray The Cost of Government For The Town of Gypsum, Colorado, For The 2017 Budget Year. (First Reading) Approval of the 2016 Property Tax Levy

7:31:11 PM

After consideration, the motion passed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Schultz, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** None.

Ordinance 2016-14 An Ordinance Appropriating Sums of Money To The Various Funds and Spending Agencies, In The Amounts And For The Purposes As Set Forth Below For The Town of Gypsum, Colorado For The 2017 Budget Year. (First Reading) Approves to spend the money budgeted in Ordinance 2016-12. . Presented by: Mark Silverthorn. **Estimated Time:** 5 Min

The give legal authority to spend the money.

Prepared by:
Danette Schlegel, CMC
Town Clerk



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Councilmember Huffman moved to approve Ordinance 2016-14 An Ordinance Appropriating Sums of Money To The Various Funds and Spending Agencies, In The Amounts And For The Purposes As Set Forth Below For The Town of Gypsum, Colorado For The 2017 Budget Year. (First Reading) Approves to spend the money budgeted in Ordinance 2016-12.

[7:31:52 PM](#)

After consideration, the motion passed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Schultz, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** None.

Ordinance 2016-15 An Ordinance To Transfer Unencumbered Appropriations of The Town of Gypsum, Colorado, For The Calendar Year Beginning On The First Day of January 2016, and Ending on The Last Day of December. 2016. (First Reading) Revised 2016 Budget. Presented by: Jeff Shroll and Mark Silverthorn. **Estimated Time:** 15 Min
This is to amend the 2016 budget.

Councilmember Mayne moved to approve Ordinance 2016-15 An Ordinance to Transfer Unencumbered Appropriations of The Town of Gypsum, Colorado, For The Calendar Year Beginning On The First Day of January 2016, and Ending on The Last Day of December. 2016
Ordinance 2016-15 An Ordinance To Transfer Unencumbered Appropriations of The Town of Gypsum, Colorado, For The Calendar Year Beginning On The First Day of January 2016, and Ending on The Last Day of December. 2016

[7:32:36 PM](#)

After consideration, the motion passed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Schultz, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** None.

Resolution 2016-26 A Resolution of The Town Council of The Town of Gypsum, Colorado, Approving The Expenditure of Community Enhancement Funds From Holy Cross Energy in Accordance With Article 11, Town of Gypsum, Ordinance No. 2008-02 Series of 2008. Approval of Enhancement Funds to be used for the golf course irrigation project. . Presented by: Mark Silverthorn. **Estimated Time:** 5 Min

This is what Holy Cross Energy requires.

Councilmember Estes moved to approve Resolution 2016-26 A Resolution of The Town Council of The Town of Gypsum, Colorado, Approving The Expenditure of Community Enhancement Funds From Holy Cross Energy in Accordance With Article 11, Town of Gypsum, Ordinance No. 2008-02 Series of 2008. Approval of Enhancement Funds to be used for the golf course irrigation project

[7:33:38 PM](#) Resolution 2016-26 A Resolution of The Town Council of The Town of Gypsum, Colorado, Approving The Expenditure of Community Enhancement Funds From Holy Cross Energy in Accordance With Article 11, Town of Gypsum, Ordinance No. 2008-02 Series of 2008



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After consideration, the motion passed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Schultz, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** None.

7:34:11 PM

Resolution 2016-27 A Resolution Initiating Annexation Proceeding for Certain Property to be known as the Taylor Annexation and Finding Substantial Compliance with Section 31-12-107, C.R.S. (Public Hearing) 2016-27 . Presented by: Jon Mueller, Elam Construction; Lana Gallegos, Senior Planner. **Estimated Time:** 5 minutes

Jon Mueller was present for this item. He explained the landowners involved. There are 5 parcels included in this annexation. He gave an overview of Elam Construction. Mr. Mueller explained the annexation. He explained the access points. Taylor's property will be the primary access point. The first property is the Taylor property and access. The second property is Miller's property. There will be an access road. The last is the Berger property. Mr. Mueller explained the requirements from CDOT. They will create a berm to buffer the plant from the road and river. The road will be paved to the processing area. The Taylor parcel is unoccupied. It will be rezoned to resource property. He then explained the Coyote River Ranch. Miller is embedded in the Coyote parcels. The Miller property is lower of the Coyote. The current use is single family. The future will remain as residential. It will not be used for mining. Dewey Park South and North are where the gravel reserves are located. The bulk of the mining will be in Dewey Park North. There is a dwelling on the Coyote parcel. The mining will be north of the railroad tracks. They would like to give contractors another option. He explained the benefits to Eagle Valley High School in partnership with Hobbs Excavation. They will take the gravel from the sports complex that will be lowered.

7:55:51 PM

In total it would around 91 acres. It will be reclaimed back with approved grasses. Potential impacts could be noise, dust, traffic and visual.

Noise: The operation will be behind a berm. It is unlikely you will hear any noise from the river. They will comply the all noise regulations. It will be extremely difficult for residents nearby to experience significant noise impacts. They have implemented squawk boxes on all of their equipment. This eliminates the beeping noise.

Dust: They are required to submit an air model to the Department of Health and Environment. They have applied for an air permit. They are required to water 5 times a day.

Traffic: Trucks will utilize the new access road to highway 6.

Visual: A visual berm will be maintained on the outside of the western portion of the pits until the pits are mined out. The berm will be removed at the end of the process. The pit wall will blend in to the surrounding landscape. They will have storm water controls and erosion control.

8:09:26 PM

Jon explained the site distance from the river to the pits and from the Colorado River Road. There are several permits that they will need to obtain to operate the pits. He detailed all of the needs of the different permits. They include reclamation, storm water and several other permits.



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Mr. Mueller explained the operation types. Not all operation commence at one time. They will sell products year round. The typical hours are 7am to 7pm. The pit is known as a dry pit.

8:24:06 PM

Open to the public.

Hello, my name is Matt Bryan, my wife Claudia and our three children reside here in Gypsum. We have been homeowners in town for 17 years. I moved to Gypsum for the clean air, clean water, and peaceful setting it offered for a young family to grow. About two years ago, I began looking for a piece of land in Eagle County that would allow us the chance to grow old, raise animals, build a house, and live peacefully, in a serene and tranquil environment. I found this piece of land while biking on the Colorado River Road, and when I returned from my ride I called the realtor to inquire. Two years later, I have cleaned up the mess left behind, have my hens laying eggs and plans for a nice big vegetable garden for the upcoming spring. Ten days ago I received notice from the Town of Gypsum, that not only disturbed me but also appeared to be completely out of context for where I plan to reside in Dotsero. The idea of up to 200 trucks per day, the noise, diesel stench, and dust plus what we already know are obnoxious odors that pour forth from an asphalt plant a hundred fifty yards from the Colorado River and my land seemed outrageous. Why would Gypsum even consider such an operation seven miles from town? Had anybody even visited this beautiful stretch of the Colorado from the Boat ramp upstream to the proposed Deep Creek Wilderness area? In defense of my children's land, legacy and the thousands of boaters, cyclists, fisherman, hunters, and recreationists that pass through this area annually, I have done some research, including poring over the Town's own Master Plan. According to the Census conducted in 2000, the forecasted growth for Gypsum estimated that there would be approximately 10000 residents by year 2010. This number was dramatically high in its estimate as Census figures came in closer to 6500 for the 2010 tally. In reviewing the Master Plan goals set in 1999 I came upon some information that I thought quite relevant to where we are today: Gypsum will strive to:

-Maintain a friendly and informal small town atmosphere. Direct growth into appropriate areas and arrangements and divert development away from prime ag land, riparian corridors, steep slopes, highly visible hilltops, and critical wildlife habitat. Mr. Berger's property is adjacent to the Colorado River, quite visible from the River Road and adjacent lands, the river obviously being the lifeblood of the entire western United States. There are nesting eagles, osprey, river otters, beaver, deer and elk amongst many other animals that use this area daily. Gypsum will also strive to:

-Conserve our abundant natural resources and maintain or improve upon the quality of the environment in which we reside. While improving the visual appearance of the community. Gypsum's attitude during this process will:

a. Approach all matters with simple effectiveness and all people with a sense of fairness and respect.

b. Insist upon minimum standards of conduct so that the actions of individuals, whom in This case does not reside in Gypsum, don't have significantly negative impacts on other individuals or the whole community.

Prepared by:
Danette Schlegel, CMC
Town Clerk



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The 2nd goal intends to: Manage the type, scale and density, location, and timing of growth so that community infrastructure, facilities and service expansion can accommodate new development without compromising quality of service goals. Gypsum has no intention of ANY infrastructure in this area, nor any maintenance of public roads, access etc. Under this subheading in section b the master plan also states that Gypsum shall annex lands in a logical progression. As well as Control the rate of growth by limiting the number of annexations to a manageable level.

What management in Dotsero? None. The town has already stated there will be no Infrastructure nor improvements of any kind as part of this annexation.

The Town of Gypsum's mission statement in regards to the Natural Resources mentions Conserving our abundant natural resources and to maintain or improve upon the quality of the environment in which we reside. This includes: Establishing and maintaining high standards for air and water quality, and to regulate industry and development to ensure that these standards are met. Preserve, protect and manage key natural resources and critical wildlife areas according to a community wide plan that is coordinated with adjacent government agencies, public land managers, private landowners and wildlife management agencies and advisors. My community doesn't even know this is happening due to the rather "ineffective" means of dispensing the information regarding this annexation proposal to the community as a whole. One small sign 50 feet off the public road, which actually directs people to the Eagle County Clerk and Recorder, does not constitute public notice. This was relocated yesterday to a closer proximity to highway 6.

D. Conserve water and energy, and promote the basic principles of conservation (reduce, reuse, recycle) in all matters.

E. Protect the community and the environment from all sources of pollution and hazardous materials.

K. Seek to minimize development and mitigate impacts in areas where prime wildlife habitat exists as identified on master plan maps prepared by Eagle County.

Why is this special use permit not being applied for through the appropriate entity, Eagle County? Bureaucracy or Greed?

M. Discourage development activity around mapped Golden Eagle Nest sites and along Riparian areas used as hunting grounds by Bald Eagles.

Every one of my family and many friends have witnessed bald eagles and osprey fishing in the Colorado River between Deep Creek and Dotsero.

Regarding Community Appearance:

Goal 1: Improve the Visual appearance of the community.....

This goes on to include efforts to minimize the development, clearing and grading on hillsides and on hilltop areas.

Gypsum already has issues with its appearance relative to the natural beauty that surrounds us. Everyone sees the smoke from the existing two factories in town frequently



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mixing with the cement plant upstream billowing down valley, at times obscuring the sunrise until mid-morning. Does the town wish to duplicate this scene in the western corridor of Eagle County?

Mr. Berger has no intention of living on his land but I for one do not envision this legacy for my children...

This brings me to the Citizen Comments that were submitted during the drafting phase of the Town of Gypsum's Master Planning efforts.

This began as early as 1993, the focus of the plan being: "All growth should maintain and enhance the rural atmosphere of Town" yet Elam's representative keeps referring to us as the City of Gypsum, and that "growth comes with inconveniences".

Points of note included at this time:

"Considering annexations only if they are economically or aesthetically beneficial, add to the rural character, and provide needed housing, recreational or commercial opportunities." In addition it was mentioned to "avoid Annexation of remote properties all together". Gypsum's coffers are apparently healthy enough to finance the \$2 million irrigation project at the Cotton Ranch golf course, an entity used by a small percentage of town residents, as well as acquire 250 some odd acres north of town for a motocross park. Again, a use that has a small percentage of beneficiaries in the community as a whole. Other points referred to: contribution to rural atmosphere and compatibility with adjacent land uses...

In 1995 additional surveys were conducted and at this time recommendations included; Discouraging developments that are likely to generate vehicular traffic levels that exceed or disproportionately consume the capacity of the circulation system.

Would 200 trucks a day meet this criteria? Again in 1997 Gypsum residents were surveyed and most responses indicated that "growth was happening too fast, that they would like the town to better control growth and maintain higher standards for growth". If the County denied or was not approached by Elam and Associates for this special use permit, what makes this such a great Fit for Dotsero? Other responses from citizens mentioned, "slow down on the new stuff and take care of the old stuff, set growth limits based upon environmental criteria and other environmental resources".

Also noted that there was significant anti-growth sentiment expressed ... Growth did happen obviously but at a rate drastically less than the lowest forecasted levels ...

"Managing this growth being the biggest challenge ahead. Limit and slow growth, and maintain the small town atmosphere was the best advice given" and along those lines, "be more patient, think things through better and look at long term effects on the community" I see the rush to annexation and I quote a Gypsum resident circa 1999's survey" It appears that greed seemed to be the main motivating force behind growth" In the Town of Gypsum master plan it strictly opposes any commercial or industrial development along the Gypsum Creek Valley. How is the Colorado River Valley any different or less important?

Aside from the fact that it does NOT BELONG TO GYPSUM!

I have not even begun to mention the historic significance of this area as Ute hunting grounds, campsites, the original town site of Dotsero circa 1888, and the artifacts and

Prepared by:

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Danette Schlegel, CMC
Town Clerk



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remnants of a bygone era that include stone buildings of unknown origin. Most of this will be buried by the 20 acre "plant operations site". Following the vision and goals clearly stated in the Town of Gypsum's own master planning document as well as my personal vested interest in not seeing my children's future enjoyment of the "Grand River" ruined by this illogical leap of annexation I, Matt Bryan, Gypsum resident, oppose this annexation proposal. Thank you for your time and consideration, respectfully submitted to my Gypsum Town council, this the 8th of November, 2016

. Without the consent of the landowners, no land included within the Property which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:

- a) is divided into separate parts or parcels, unless such tracts or parcels are separated by a dedicated street, road, or other public way; or
- b) comprises 20 acres or more and, together with the buildings and improvements situated thereon has a valuation for assessment in excess of \$200,000.00 for ad valorem tax purposes for the year next preceding the proposed annexation.

8:37:57 PM why is this special use permit not be applied for at Eagle County?

Questions and comments followed.

8:45:34 PM

Jon Mueller explained some of the code compliances necessary to annex this property. He has shown contiguity. No property is being divided. There is a full petition submitted to the Town of Gypsum.

Not less than one-sixth (1/6th) of the perimeter of the Property is contiguous with the Town, which contiguity may be established by the annexation of one or more parcels in a series.

A community of interest exists between the Property and the Town; the Property is urban or will be urbanized in the near future; and the Property is integrated with or is capable of being integrated with the Town.

No annexation proceedings have been commenced for the annexation to another municipality of part or all of the Property.

The annexation of the Property will not result in the detachment of area from any school district and the attachment of same to another school district.

The annexation of the Property will not have the effect of extending the boundary of the Town more than three miles in any direction from any point of the Town's boundary in any one year.

If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the Property.

Reasonable access shall not be denied to landowners, owners of an easement, or the owners of a franchise, adjoining any platted street or alley annexed by the town but not bounded on both sides by the Town.

An allegation that the signers of the petition comprise the landowners of more than fifty percent (50%) of the property, exclusive of streets and alleys;

A request that the Town approve annexation of the Property;

Signatures of more than fifty percent (50%) of the owners of the Property who own more than fifty percent (50%) of the Property;

Prepared by:

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Danette Schlegel, CMC
Town Clerk



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The mailing address of each Petition signer

The legal description of the land owned by each Petition signer;

The date of signing of each signature, which date is not more than one hundred eighty (180) days prior to the filing of the Petition;

An affidavit of each circulator of the Petition, that each signature is the signature of the person whose Four copies of an annexation map containing a legal description of the boundaries of the Property, a map showing the Property, a showing of the location of each ownership tract of unplatted land and the plat numbers of plots or lots and blocks of platted land within the Property, and the boundary of the Town and any other municipality contiguous to the Property. Name it purports to be;

[9:21:14 PM](#)

Michelle Lake stated she is not familiar with annexation. She is concerned that she was not notified of this meeting. The explanation of the process was given.

Close to the Public

Open to council

Comments from council followed. Councilmember Edwards would like to see a fisherman's easement.

[9:29:40 PM](#)

Mr. Berger believes the west side is the appropriate spot for an easement.

Councilmember Estes moved to approve Resolution 2016-27 A Resolution Initiating Annexation Proceeding for Certain Property to be known as the Taylor Annexation and Finding Substantial Compliance with Section 31-12-107, C.R.S. Councilmember Schultz stated she has a couple of concerns. The first annexation down in Dotsero we thought we would have a tax based business. She is concerned with law enforcement. She is not sure we are ready for this. She doesn't see the benefit of this gravel pit.

[9:35:34 PM](#)

After consideration, the motion prevailed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Mayne, Councilmember Estes and Councilmember Huffman. **NAYS:** Councilmember Schultz and Councilmember Sato. **ABSTAINERS:** None. **ABSENT:** None.

Ordinance 2016-16 An Ordinance Approving Developing Resource District Zoning for the Taylor Annexation Property (First Reading) 2016-16. Presented by: Jon Mueller, Elam Construction; Lana Gallegos, Senior Planner. **Estimated Time:** 10 minutes

Councilmember Estes moved to approve **Ordinance 2016-16 An Ordinance Approving Developing Resource District Zoning for the Taylor Annexation Property.** Questions and comments followed.

Prepared by:
Danette Schlegel, CMC
Town Clerk



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[9:38:32 PM](#)

[9:48:42 PM](#)

After consideration, the motion prevailed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Estes and Councilmember Huffman. **NAYS:** Councilmember Schultz, Councilmember Mayne and Councilmember Sato. **ABSTAINERS:** None. **ABSENT:** None.

Resolution 2016-28 A Resolution Initiating Annexation Proceeding for Certain Property to be known as the Coyote River Ranch Parcel 1 and Finding Substantial Compliance with Section 31-12-107, C.R.S. (Public Hearing) . . Presented by: Jon Mueller, Elam Construction; Lana Gallegos, Senior Planner. **Estimated Time:** 5 minutes

[8:57:26 PM](#)

Karl Berger is the owner of the Coyote Ranch. He initiated talks with the town 3 years ago. The motivation was because they were controlled by Eagle County. For years Dotsero has been the dumping ground of Eagle County. The property was previously owned by a mining company. They have done a lot of improvements on the property.

[9:00:56 PM](#)

Showing evidence that not less than 1/6 of the perimeter of the property is contiguous with the Town. With contiguity to be established at the annexation of one or more parcel in a series of the Coyote River Ranch Parcel number 1 property meets requirements because more that 1/6 of the contiguous property line is being annexed. 1118 feet of the property is contiguous with the Taylor parcel which is directly south of the property. Community of interest exists between the property and the Town and the property is urban or will be urbanized in the future. The property is integrated or is capable of being integrated into the Town. There's an interest between the Coyote River Ranch parcel 1 property and the Town because the property has the capability to be urbanized and available to server various community needs and services as part of a larger area of the Town boundaries. Moving on to 3 B

Open to the public

Close to the public.

Mayor Pro Tem Edwards moved to approve Resolution 2016-28 A Resolution Initiating Annexation Proceeding for Certain Property to be known as the Coyote River Ranch Parcel 1 and Finding Substantial Compliance with Section 31-12-107, C.R.S.

[9:49:45 PM](#)

After consideration, the motion prevailed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** Councilmember Schultz. **ABSTAINERS:** None. **ABSENT:** None.

Prepared by:
Danette Schlegel, CMC
Town Clerk



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Ordinance 2016-17 An Ordinance Approving Developing Resource District Zoning for the Coyote River Ranch Annexation Parcel 1 (First Reading). Presented by: Jon Mueller, Elam Construction; Lana Gallegos, Senior Planner. **Estimated Time:** 10 minutes

Mayor Pro Tem Edwards moved to approve Ordinance 2016-17 An Ordinance Approving Developing Resource District Zoning for the Coyote River Ranch Annexation Parcel 1.

[9:51:15 PM](#)

After consideration, the motion prevailed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Estes and Councilmember Huffman. **NAYS:** Councilmember Schultz, Councilmember Mayne and Councilmember Sato. **ABSTAINERS:** None. **ABSENT:** None.

Resolution 2016-29 A Resolution Initiating Annexation Proceeding for Certain Property to be known as the Coyote River Ranch Annexation Parcel 2 and Finding Substantial Compliance with Section 31-12-107, C.R.S. (Public Hearing) . . Presented by: Jon Mueller, Elam Construction; Lana Gallegos, Senior Planner. **Estimated Time:** 5 minutes

[9:05:45 PM](#)

Not less than one-sixth (1/6th) of the perimeter of the Property is contiguous with the Town, which contiguity may be established by the annexation of one or more parcels in a series. A community of interest exists between the Property and the Town; the Property is urban or will be urbanized in the near future; and the Property is integrated with or is capable of being integrated with the Town. Without the consent of the landowners, no land included within the Property which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate: is divided into separate parts or parcels, unless such tracts or parcels are separated by a dedicated street, road, or other public way; or comprises 20 acres or more and, together with the buildings and improvements situated thereon has a valuation for assessment in excess of \$200,000.00 for ad valorem tax purposes for the year next preceding the proposed annexation. . No annexation proceedings have been commenced for the annexation to another municipality of part or all of the Property. The annexation of the Property will not result in the detachment of area from any school district and the attachment of same to another school district. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the Property. Reasonable access shall not be denied to landowners, owners of an easement, or the owners of a franchise, adjoining any platted street or alley annexed by the town but not bounded on both sides by the Town. An allegation that the signers of the petition comprise the landowners of more than fifty percent (50%) of the property, exclusive of streets and alleys; A request that the Town approve annexation of the Property. Open to the public Signatures of more than fifty percent (50%) of the owners of the Property who own more than fifty percent (50%) of the Property; The mailing address of each Petition signer; The date of signing of each signature, which date is not more than one hundred eighty (180) days prior to the filing of the Petition; An affidavit of each circulator of the Petition, that each signature is the signature of the person whose name it purports to be; Four copies of an annexation map containing a legal description of the boundaries of the Property, a map showing

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Danette Schlegel, CMC
Town Clerk



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the Property, a showing of the location of each ownership tract of unplatted land and the plat numbers of plots or lots and blocks of platted land within the Property, and the boundary of the Town and any other municipality contiguous to the Property.

[9:51:49 PM](#)

Close to the public

Councilmember Estes moved to approve Resolution 2016-29 A Resolution Initiating Annexation Proceeding for Certain Property to be known as the Coyote River Ranch Annexation Parcel 2 and Finding Substantial Compliance with Section 31-12-107, C.R.S.

[9:54:45 PM](#)

Comments followed.

[9:55:33 PM](#)

After consideration, the motion prevailed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** Councilmember Schultz. **ABSTAINERS:** None. **ABSENT:** None.

Ordinance 2016-18 An Ordinance Approving Developing Resource District Zoning for the Coyote River Ranch Annexation Parcel 2 (First Reading). Presented by: Jon Mueller, Elam Construction; Lana Gallegos, Senior Planner. Estimated Time: 10 minutes

Mayor Pro Tem Edwards moved to approve Ordinance 2016-18 An Ordinance Approving Developing Resource District Zoning for the Coyote River Ranch Annexation Parcel 2 [9:57:55 PM](#)

After consideration, the motion prevailed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Estes and Councilmember Huffman. **NAYS:** Councilmember Schultz, Councilmember Mayne and Councilmember Sato. **ABSTAINERS:** None. **ABSENT:** None.

Resolution 2016-30 A Resolution Initiating Annexation Proceeding for Certain Property to be known as the Miller Annexation and Finding Substantial Compliance with Section 31-12-107, C.R.S. (Public Hearing). . Presented by: Jon Mueller, Elam Construction; Lana Gallegos, Senior Planner. Estimated Time: 5 minutes

[8:52:09 PM](#)

An allegation that it is desirable and necessary that the Property be annexed to the Town; An allegation that the Property meets the requirements of Sections 31-12-104 and 31-12-105, C.R.S., in that: Not less than one-sixth (1/6th) of the perimeter of the Property is contiguous with the Town, which contiguity may be established by the annexation of one or more parcels in a series. A community of interest exists between the Property and the Town; the Property is urban or will be urbanized in the near future Without the consent of the landowners, no land included within the Property which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate;; and the Property is integrated



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with or is capable of being integrated with the Town. Is divided into separate parts or parcels, unless such tracts or parcels are separated by a dedicated street, road, or other public way; or comprises 20 acres or more and, together with the buildings and improvements situated thereon has a valuation for assessment in excess of \$200,000.00 for ad valorem tax purposes for the year next preceding the proposed annexation. No annexation proceedings have been commenced for the annexation to another municipality of part or all of the Property. The annexation of the Property will not result in the detachment of area from any school district and the attachment of same to another school district. The annexation of the Property will not have the effect of extending the boundary of the Town more than three miles in any direction from any point of the Town's boundary in any one year. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the Property. Reasonable access shall not be denied to landowners, owners of an easement, or the owners of a franchise, adjoining any platted street or alley annexed by the town but not bounded on both sides by the Town. An allegation that the signers of the petition comprise the landowners of more than fifty percent (50%) of the property, exclusive of streets and alleys; A request that the Town approve annexation of the Property; Signatures of more than fifty percent (50%) of the owners of the Property who own more than fifty percent (50%) of the Property; The mailing address of each Petition signer; The legal description of the land owned by each Petition signer; The date of signing of each signature, which date is not more than one hundred eighty (180) days prior to the filing of the Petition; Four copies of an annexation map containing a legal description of the boundaries of the Property, a map showing the Property, a showing of the location of each ownership tract of unplatted land and the plat numbers of plots or lots and blocks of platted land within the Property, and the boundary of the Town and any other municipality contiguous to the Property

Open to the public

Close to the public

Councilmember Huffman moved to approve Resolution 2016-30 A Resolution Initiating Annexation Proceeding for Certain Property to be known as the Miller Annexation and Finding Substantial Compliance with Section 31-12-107, C.R.S. (Public Hearing)

9:56:57 PM

After consideration, the motion prevailed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** Councilmember Schultz. **ABSTAINERS:** None. **ABSENT:** None.

Ordinance 2016-19 An Ordinance Approving Developing Resource District Zoning for the Miller Annexation Property (First Reading). Presented by: Jon Mueller, Elam Construction; Lana Gallegos, Senior Planner. Estimated Time: 10 minutes

Councilmember Estes moved to Ordinance 2016-19 An Ordinance Approving Developing Resource District Zoning for the Miller Annexation Property After consideration, the motion prevailed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards,



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Councilmember Estes and Councilmember Huffman. **NAYS:** Councilmember Schultz, Councilmember Mayne and Councilmember Sato. **ABSTAINERS:** None. **ABSENT:** None.

Resolution 2016-31 A Resolution Initiating Annexation Proceeding for Certain Property to be known as the Dewey Park South Annexation and Finding Substantial Compliance with Section 31-12-107, C.R.S (Public Hearing). Presented by: Jon Mueller, Elam Construction; Lana Gallegos, Senior Planner. **Estimated Time:** 5 minutes

[9:11:20 PM](#)

Mr. Mueller repeated the information from the previous resolutions.

Councilmember Huffman moved to approve Resolution 2016-31 A Resolution Initiating Annexation Proceeding for Certain Property to be known as the Dewey Park South Annexation and Finding Substantial Compliance with Section 31-12-107, C.R.S

[9:58:21 PM](#)

After consideration, the motion prevailed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** Councilmember Schultz. **ABSTAINERS:** None. **ABSENT:** None.

Ordinance 2016-20 An Ordinance Approving Developing Resource District Zoning for the Dewey Park South Annexation Property (First Reading). . Presented by: Jon Mueller, Elam Construction; Lana Gallegos, Senior Planner. **Estimated Time:** 10 minutes

Mayor Pro Tem Edwards moved to approve Ordinance 2016-20 An Ordinance Approving Developing Resource District Zoning for the Dewey Park South Annexation Property

After consideration, the motion prevailed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Estes and Councilmember Huffman. **NAYS:** Councilmember Schultz, Councilmember Mayne and Councilmember Sato. **ABSTAINERS:** None. **ABSENT:** None.

Resolution 2016-32 A Resolution Initiating Annexation Proceeding for Certain Property to be known as the Dewey Park North Annexation and Finding Substantial Compliance with Section 31-12-107, C.R.S. (Public Hearing) . . Presented by: Jon Mueller, Elam Construction; Lana Gallegos, Senior Planner. **Estimated Time:** 5 minutes

[9:17:09 PM](#)

Open to the public

Close to the public

Councilmember Estes moved to approve Resolution 2016-32 A Resolution Initiating Annexation Proceeding for Certain Property to be known as the Dewey Park North Annexation and Finding Substantial Compliance with Section 31-12-107, C.R.S.

[9:59:35 PM](#)

After consideration, the motion prevailed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and

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Councilmember Sato. **NAYS:** Councilmember Schultz. **ABSTAINERS:** None. **ABSENT:** None.

Ordinance 2016-21 An Ordinance Approving Developing Resource District Zoning for the Dewey Park North Annexation Property (First Reading). . Presented by: Jon Mueller, Elam Construction; Lana Gallegos, Senior Planner. Estimated Time: 10 minutes

Mayor Pro Tem Edwards moved to approve Ordinance 2016-21 An Ordinance Approving Developing Resource District Zoning for the Dewey Park North Annexation Property

[10:00:10 PM](#)

After consideration, the motion prevailed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Estes and Councilmember Huffman. **NAYS:**

Councilmember Schultz, Councilmember Mayne and Councilmember Sato. **ABSTAINERS:** None. **ABSENT:** None.

[10:01:04 PM](#)

Break

OTHER ITEMS

[10:07:31 PM](#)

Dry Lake Draft IGA and Conservation Easement Information. Presented by: Jeff Shroll.

Estimated Time: 10 min

Mayor Pro Tem Edwards moved to Table the Dry Lake Draft IGA and Conservation Easement until December 13, 2016

[10:10:47 PM](#)

After consideration, the motion passed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Schultz, Councilmember Mayne, Councilmember Estes,

Councilmember Huffman and Councilmember Sato. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** None.

Dry Lake Draft IGA and Conservation Easement. Presented by: Jeff Shroll. Estimated Time: 5 min

Mayor Pro Tem Edwards moved to table Dry Lake Draft IGA and Conservation Easement until December 13, 2016

[10:11:22 PM](#)

After consideration, the motion passed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Schultz, Councilmember Mayne, Councilmember Estes,



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Councilmember Huffman and Councilmember Sato. **NAYS:** None. **ABSTAINERS:** None.
ABSENT: None.

Subdivision and Rezoning of Eagle Valley Industrial Park/Clearwater Ventures, LLC (to be tabled to December 13, 2016) Information. Presented by: Lana Gallegos, Senior Planner.

Estimated Time: 1 minute

Councilmember Sato moved to table Subdivision and Rezoning of Eagle Valley Industrial Park/Clearwater Ventures, LLC

[10:12:03 PM](#)

After consideration, the motion passed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Schultz, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** None. **ABSTAINERS:** None.
ABSENT: None.

MAYOR AND TOWN COUNCIL

STAFF REPORTS

Town Manager Report

Assistant Manager's Report

Finance Officers Report

Engineering Staff Report

Public Works Staff Update

Planning Report

Special Project Coordinator

Sheriff Report

Gypsum Fire

[10:14:51 PM](#)

Justin Kirkland gave a quarterly report.

CORRESPONDENCE

Animal Control Report

Crawlin to a cure

Eagle County Fair and Rodeo

ADJOURN

[10:45:52 PM](#)

Mayor Pro Tem Edwards moved to adjourn.

[10:46:03 PM](#)

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Town Clerk



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After consideration, the motion passed by the following vote: **AYES:** Mayor Carver, Mayor Pro Tem Edwards, Councilmember Schultz, Councilmember Mayne, Councilmember Estes, Councilmember Huffman and Councilmember Sato. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** None.

Mayor Carver

Attest:

Danette Schlegel, CMC
Town Clerk

