



BOARD OF COUNTY COMMISSIONERS

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Breckenridge, CO 80424

TO: Board of County Commissioners
Scott Vargo
Jeff Huntley
FROM: Eva Henson
RE: Work Session Meeting of April 24, 2018
DATE: April 24, 2018

Attendees:

Elected Officials: Dan Gibbs, Thomas C. Davidson, and Karn Stiegelmeier – Commissioners

Staff: Scott Vargo, County Manager; Jeff Huntley, County Attorney; Keely Ambrose, Assistant County Attorney; Sarah Vaine, Assistant County Manager; Thad Noll, Assistant County Manager; Julie Sutor, Director of Communications; Brian Lorch, Open Space and Trails Director, Katherine King, Open Space and Trails Senior Resource Specialist; Michael Wurzel, Resource Specialist; Nicole Bleriot, Housing Director and Eva Henson, Administrative Manager.

Guests: Deepan Dutta, Scott Reid, Anne Murphy, Tom Daugherty, Diane McBride, Laurie Woolletz, Jeff Taylor, Brian Sullivan, Katherine Phaup, Thos McDonald, Gayle Quigley, Doug Sheeny and James Phelps.

I. Discussion of Public Input on E-Bike Regulations (OS&T)

A new Colorado Law took effect August 9, 2017, authorizing the operation of Class I and II E-Bikes on bike or pedestrian paths where bicycles are authorized to travel. However, the bill also stipulates that local authorities can regulate E-Bikes in their jurisdictions. Summit County's Recpath Rules and Regulations have prohibited all motor vehicles, specifically including E-Bikes, since 2004.

Michael Wurzel gave a detailed digital presentation to review community comments and various management options regarding E-Bikes:

- Purpose of Community Comments
- Current Regulations and Individuals with Disabilities
- Paved Pathways vs. Natural Surface Trails
- E-Bike Components
- Background E-Bike Use on the Recpath
- Research in other Communities
- Open Space Goal for Recpath Management – To provide a seamless Recpath experience across the country that is safe and enjoyable for all users
- Project Timeline
- Open House and Online Survey Results
- Challenges and Opportunities

- Focus Groups
- Open Space Advisory Committee (OSAC) and Breckenridge Open Space Advisory Committee (BOSAC)
- Discussion and Management Options

To address the management challenges identified in the public process, staff recommended the BOCC discuss the following two options (presented in no particular order)

- I. Limited Adoption: allow Class I E-Bikes only.
 - Requiring pedaling is speed limiting
 - Reinforces goals of exercise and wellness on the Recpath
 - Addresses “slippery slope” issue and proliferation of all E-devices by requiring that E-Bikes are pedaled

Or

- II. OSAC/BOSAC Recommendation: Maintain current regulations prohibiting E-Bikes for now. Study adoption of E-Bikes by other communities. Revisit the issue in the future with more and better information.
 - Consider lessons learned from communities that have adopted E-Bikes
 - Provides time to complete a carrying capacity and/or traffic study
 - Adoption rates are low, so existing studies lack statistical significance
 - Potential merits, uniqueness, of not allowing E-Bikes

Commissioner Stiegelmeier commented that technology continues to evolve for bicycles and expressed concern for enforcement and carrying capacity of the Recpath. She would also like staff to continue to research/monitor other jurisdictions that have approved E-Bikes.

Commissioner Gibbs commented that he had contacted other jurisdictions that have approved E-Bikes to get their feedback. He also expressed that he still has some hesitations and would only want to review E-Bikes on the County's paved Recpath for the time being. He also could see the positive in that this would allow people to recreate that couldn't previously.

Commissioner Davidson expressed similar thoughts and suggested moving forward with the U.S. Forest service on the application with a broader scope of discretion.

Commissioner Gibbs noted that Work Session is not a public forum, but allowed citizens in the room a brief opportunity for additional comments. Several citizens spoke in favor of approving E-Bikes on the Recpath.

The Commissioners agreed that while they still need more information, they would like staff to start the process of gaining the U.S. Forest Service approval before making a final decision.

II. Discussion of Blue River Trail Segment 7 (OS&T)

Brian Lorch and Tom Daughtery, Town of Silverthorne, gave a brief digital presentation on the proposed Blue River Trail Segment 7. The Recpath would be located on the South 40 ("Ray") Parcel, which is jointly owned by the County and the Town of Silverthorne.

The Commissioners reviewed the proposed plan and discussed next steps.

III. Discussion of Wetlands Mitigation Sites on County Property (OS&T)

Mr. Lorch gave a brief background and noted that with support of their consultant, Claffey Ecological Consulting Inc, a multiyear effort aimed at identifying wetland mitigation opportunities on County Open Space parcels was recently completed. During this process, over 100 parcels were evaluated - 5 of the parcels contain nearly 3 acres of mitigation opportunities. He gave a digital presentation to review 3 of the 5 parcels in detail for potential wetland mitigation projects:

- Blue River Open Space
- South Forty Open Space
- Cobb and Ebert/Wire Patch

The Commissioners gave comments, feedback and gave direction to staff to move forward.

IV. USFS Land Conveyance Discussion (OS&T) (*Executive Session Recommended*)

A motion was made by Commissioner Davidson and seconded by Commissioner Stiegelmeier to go into Executive Session to discuss possible Open Space & Trails land trades and negotiations and the legal issues related thereto. The BOCC voted 3 to 0 to go into Executive Session per CRS 24-6-402 (4) (a)(b)(e). The motion was approved.

V. Managers' and Commissioners' Issues

Senior Management and the Commissioners gave various updates on topics including but not limited to:

- Annual Pharmaceuticals and Household Hazardous Waste Recycling Event is on Saturday, May 19, 2018. This event is free and is in conjunction with Countywide Cleanup Day.
- Legislative Matters
- Commissioners also reviewed their calendars for upcoming events

VI. Additional Executive Session for Legal Matters

Jeff Huntley and Keely Ambrose requested an amendment to the Work Session Agenda to add an Executive Session discussion regarding various confidential legal matters including litigation updates.

A motion was made by Commissioner Davidson and seconded by Commissioner Stiegelmeier to go into Executive Session to discuss various confidential legal matters the legal issues related thereto. The BOCC voted 3 to 0 to go into Executive Session per CRS 24-6-402 (4) (a)(b)(e). The motion was approved.

Respectfully submitted:

Eva Henson

Eva Henson, Deputy Clerk



Approved by:

Dan Gibbs

Dan Gibbs, Chair