

**Keystone Charter Commission
Charter Commission Meeting Minutes
1-3 PM, Wednesday, May 31, 2023**

I. Call the Meeting to Order:

The Meeting was called to order at 1PM by Chair Ken Riley.

Commission Member in attendance:

Ken Riley – Chair

Dan Sullivan – Vice Chair

Valerie Thisted – Secretary

Gretchen Davis

Tim Huiting

Julie Metzger

Erich Swartz

William Schorling (excused absence)

Sarah Keel (excused absence)

Commission Attorney from Widner Juran LLP

Jennifer Madsen

II. Topics Discussed

A. *Roll Call of the Charter Commission members:*

Quorum was met.

B. *The following printed references were provided as references for the meeting:*

- Proposed Agenda
- Meeting Minutes from May 22, 2023.
- Draft Charter with revisions through May 22, 2023
- Memorandum regarding Tabor with supporting documents: Local Government Budget Calendar; Amending the Budget; Local Government Budget Format & Content Requirements
- Memorandum and draft charter regarding the discussion of Articles XI, XII, XIII, XIV.

C. *Approval of Minutes*

1. The minutes of the May 22, 2023, meeting were approved with changes.

D. Reviewed and discussed the May 22, 2023, Town Hall

1. Identified the main topics addressed by attendees:
 - Second homeowners vote: yes or no
 - Term Limits
 - Felony restrictions related to holding office
 - Age threshold for elected positions
 - Commission participation of nonresident/nonvoters
 - Districts versus at large town council representation
2. Discussed developing responses/pros/cons to most prevalent questions to post on KIC'S FAQ page.

E. Discussion of Mayor/Town Manager Work Session

1. Confirmed Mayor/Town Manager Work Session on June 5, 2023 at 1:30-3:30PM.
2. Identified potential participants:
 - Dillon: Mayor
 - Northwest Colorado Council of Governments (NWCOG): executive director
 - Frisco: Town Manager
 - Mountain Village: tentatively available via Zoom
 - Silverthorne: unconfirmed
3. Agreed to agenda for the work session: welcome, general question, commission member questions, closing
4. Agreed to post agenda
5. Agreed minutes would not be consistent with regular Charter Commission meeting minutes since the format is question and answer.
6. Confirmed Charter Commission meeting would be held June 7, 2023, 12:30-2:30PM.

F. Communications Update

1. Acknowledged community concerns from the Town Hall should be addressed on the FAQ section of the KIC website
2. Charter Commission members volunteered to draft responses to select concerns for review at the next Charter Commission meeting (June 7, 2023, 12:30-2:30PM).
 - Second Homeowner Vote
 - District versus at large representation
 - Felony restrictions for elected positions
 - Age requirement for elected positions

3. Attorney addressed email from community related to transparency, open meeting laws, and records requests, and provided a legal perspective and suggested response.
 - Agreed a formal response will be posted on the FAQ section of the KIC website and an email with a link will be sent to the interested community member.
4. A motion was made, seconded and approved to allow Zoom for all meetings, unless otherwise noted.

G. Reviewed Revisions to Sections (VI, VII, X) from May 22, 2023, as well as the other sections previously included in the Draft Charter.

- Noted revised section numbers: Article IV was moved to Article III.
 - Confirmed prior agreement that the threshold for special elections would be 15%.
1. Article IX (9.2) - Boards and Commissions
 - Reviewed the wording and considerations from the draft charter.
 - Clarified the meaning and intent in several Sections.
 - Made recommendations for specific wording changes in this Article.
 - Agreed general commissions could consist of no more than 50% of town council members, unless designated by ordinance.
 - No resolution related to town employees serving on commissions.
 - Discussed ethical consideration of allowing town employees on commissions.
 - Discussed issue of nonresident/voters serving on commissions.
 - Attorney will include a phrase capturing the intent of inclusion on general commissions, which is to include all members of the Keystone community, (exception 9.3 Planning and Zoning), or set forth with good cause.
 - Gave tentative approval with changes of the sections, pending additional later review and final approval.
 2. Article IX (9.3) - Planning and Zoning Commission
 - Reviewed the wording and considerations from the draft charter for this new section.

- Agreed to revisit this section at the next Charter Commission meeting to discuss specific considerations, including establishing a threshold for commission membership (resident/voters versus other stakeholders).
- Agreed a Charter Commission member would draft considerations for the Planning and Zoning Commission section.

3. Article X - Boards and Commissions

- Reviewed the wording and considerations from the draft charter and memorandum considerations.
- Clarified the meaning and intent in the Sections.
 - Attorney noted that “board” and “commissions” are the same.
 - Special attention and consideration to the Planning Commission, which is responsible for zoning, etc.
 - Discussed ratio of registered voters to other stakeholder participation on the Planning Commission.
 - Considered value of including stakeholders and/or professionals on other commissions.
- Made recommendations for specific wording changes in this Article, suspended decision on ratio of voters to others on the Planning Commission.
- Gave tentative approval with changes of the sections, pending additional later review and final approval.

H. Discussion of Draft Article XI Financial Management

- Reviewed the wording and considerations from the draft charter and memorandum considerations.
1. 11.1 - Allows Town Council to raise revenues including taxes, rates, fees, licenses, tolls, penalties, charges or other methods. Agreed to use as written.
 2. 11.2 - Specifies that taxes must have voter approval. Agreed to use as written.
 3. 11.3 - Allows Town Council to set fees. Discussed that “fees” will be revenue neutral. This is not required for “licenses.” Agreed to draft as written.
 4. 11.4 - Sets the fiscal year as Jan. 1 – Dec. 31. Agreed to use as written.
 5. 11.5 - Specifies the budget will be presented by the Town Manager on or before Oct. 15. Discussed whether to move the date earlier in the year. Agreed to use as written.
 6. 11.6 - Makes copies of the budget available in the Town Clerks office. Agreed to use as written.

7. 11.7 - Sets the scope of the annual budget. Agreed to use as written.
 8. 11.8 - Allows Town Council to set tax levy, if any. Agreed to use as written.
 9. 11.9 - Establishes a general fund in the budget. Agreed to use as written.
 10. 11.10 - Requires a line item in the General Fund for contingencies. Agreed to use as written.
 11. 11.11 - Allows the creation of special funds. Agreed to use as written.
 12. 11.12 - Sets the adoption of Budget and appropriation. Asked for some clarification in the wording. Attorney will provide.
 13. 11.13 - Allows for additional appropriations made by the Town Council during the fiscal year for unanticipated expenditures. Agreed to use as written.
 14. 11.14 - Requires the Town Clerk to maintain a record of expenditures authorized. Questioned whether this section is necessary? Attorney will review and clarify.
 15. 11.15 - Independent Audits – Changed to state that the individual auditor will have no direct personal interest in the financial affairs of the Town or any person holding Town Elective Office or any Town Staff.
- Gave tentative approval with changes of the sections, pending additional later review and final approval.

I. Next Meeting Date

- The Mayor/Manager Work Session will be held **June 5, 2023, 1:30-3:30PM**
- The next meeting of the Charter Commission is scheduled for a **June 7, 2023, 12:30 – 2:30 PM, at the Keystone Center.**
- Agreed to move the June 12 meeting to **June 13, 2023, TBD.**
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J. Other Business

- Confirmed FAQ pros and cons will be sent to the attorney for inclusion in the meeting materials for **June 7, 2023.**
- Two members volunteered to draft the preamble to the Charter for review by the Commission.

III. Adjournment

There being no further business, the meeting was adjourned at 3:25 PM.

Respectfully submitted by

Valerie Thisted, Secretary