



Keystone Town Council Agenda

The Keystone Town Council will have a Regular Meeting on May 13, 2025, at 7:00 p.m.
at 1628 Sts. John Rd, Keystone, CO 80435.

The Town of Keystone conducts hybrid meetings. This meeting will be held in person at Keystone Town Hall and will also be broadcast live over Teams. [Join the live broadcast available by computer here.](#) If you will need special assistance in order to attend any of the Town's public meetings, please notify the Town Clerk's Office at (970) 450-3500x1 via phone, or clerk@keystoneco.gov via e-mail, at least 72 hours in advance of the meeting.

- I. CALL TO ORDER, ROLL CALL**
- II. APPROVAL OF AGENDA**
- III. COMMUNICATIONS TO COUNCIL**
- IV. CONSENT**
 - A. FIRST READING OF ORDINANCES**
 - 1. Ordinance 2025-O-09, An Ordinance of Town Council of the Town of Keystone, Colorado, Regarding the Regulation of Excessive Noise in the Town of Keystone**
 - B. RESOLUTIONS**
 - 1. Resolution 2025-14, A Resolution of Town Council of the Town of Keystone, Colorado, Approving an Electronic Message Policy**
 - C. MEETING MINUTES**
 - 1. April 22, 2025 – Meeting Minutes**
 - D. EXCUSED ABSENCES**
 - 1. Carol Kerr – May 27, 2025 (excused)**
 - 2. Jon Hagenow – June 10, 2025 (excused)**

3. Valerie Thisted – June 24, 2025 (unexcused)

4. Jon Hagenow – November 25, 2025 (excused)

E. OTHER

**1. TOK25-005: Class 2 Site Plan Amendment 05 – Kindred Resort at
Keystone**

V. DISCUSSION

**A. CONSIDERATION OF ORDINANCES (SECOND READING/PUBLIC
HEARING)**

B. RESOLUTIONS

**1. Resolution 2025-15, A Resolution of Town Council of the Town of
Keystone, Colorado, Appointing Municipal Court Prosecutor**

**2. Resolution 2025-16, A Resolution of Town Council of the Town of
Keystone, Colorado, Appointing Municipal Judge**

C. OTHER - NONE

VI. PLANNING MATTERS

VII. REPORT OF TOWN MANAGER AND STAFF

VIII. REPORT OF MAYOR AND COUNCIL

**IX. OTHER MATTERS (Town Manager/Mayor/Councilmember may bring up items
on other matters that are not on the agenda)**

X. SCHEDULED MEETINGS

XI. EXECUTIVE SESSION

XII. ADJOURNMENT

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH:
FROM: John Crone, Town Manager
DATE: May 13, 2025
SUBJECT: [First-reading] Ordinance 2025-O-09, Noise Ordinance

Executive Summary:

This is the first reading of a proposed noise ordinance.

Background:

The Noise Ordinance is designed to control the creation of excessive noise within Town limits and during certain hours.

This ordinance will provide the requirements to control noise to certain levels within the Town of Keystone. This ordinance will be related to the additional nuisance ordinances that have been passed or are being considered by the Town Council.

Since the last workshop the following changes have been integrated into the proposed ordinance:

Section 3 – some of the definitions were cleaned up and non-applicable verbiage was removed.

Section 4. – Table B was changed to eliminate weekend differentiation and to set the residential zone quiet hours to start at 10:00 pm.

Section 5 – The table indicating allowable noise levels from motor vehicles was updated to match the current FHWA/EPA regulations. (Previously the chart allowed 88/86 and 90 as the allowable db(A) measurements).

Section 5 – Part D, expanding on weight classifications for trucks, was removed.

Section 10 – A new section prohibiting “excessive or unusually loud noise” was added.

Previous Council Actions:

March 11, 2025 – workshop on details of proposed program

March 25, 2025 – workshop on details of proposed program

April 8, 2025 – workshop on details of proposed program

April 8, 2025 – workshop on details of proposed program

Financial Impacts:

The proposed ordinance will have a negligible financial impact.

Proposed Motions:

If the Council is interested in adopting the Noise Ordinance, it may do so by approving the following motion: *I move to approve Ordinance 2025-O-09, Regarding the Regulation of Excessive Noise Within the Town of Keystone.*

If the Council does not want to adopt the Nuisance Ordinance – General Provisions, it may do so by approving the following motion *I move to deny Ordinance 2025-O-09, Regarding the Regulation of Excessive Noise Within the Town of Keystone*

**TOWN OF KEYSTONE
ORDINANCE NO. 2025-O-09**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE,
COLORADO, REGARDING THE REGULATION OF EXCESSIVE NOISE WITHIN THE
TOWN OF KEYSTONE**

WHEREAS, the Town of Keystone, Colorado (“Town”) is a home rule municipality, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, the Town of Keystone Town Charter article 2.9 grants the Keystone Town Council the right to exercise all legislative powers and functions of municipal government; and

WHEREAS, the existence of excessive noise within the Town of Keystone will have a detrimental effect on the citizens and visitors in the Town; and

WHEREAS, the Town Council has determined that it is in the best interest of the health, safety, and welfare of the Town and its citizens to adopt an ordinance to regulate and control excessive noise within the Town of Keystone.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Keystone, Colorado, as follows:

Section 1. The Town Council adopts the items in attached Exhibit A as the Town’s nuisance ordinance – general provisions regarding the regulation and control of excessive noise within the Town of Keystone.

Section 2. Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

Section 3. Any and all Ordinances or Codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such Ordinance or Code or part thereof shall not revive any other section or part of any Ordinance or Code provision heretofore repealed or superseded.

Section 4. Codification. This ordinance may be codified and numbered for purposes of codification without the need for further approval by the Town Council.

Section 5. Effective Date. After adoption by the Town Council, this ordinance shall take effect on June 27, 2025.

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING, AND SCHEDULED FOR PUBLIC HEARING ON MAY 27, 2025, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS

13th DAY OF MAY 2025.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

READ, PASSED AND ADOPTED WITH A ROLL CALL VOTE OF ____ IN FAVOR AND ____ OPPOSED ON SECOND READING, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS 27th DAY OF MAY 2025.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

EXHIBIT A

Section 1. - Title.

This ordinance shall be known as the *NOISE ORDINANCE*.

Section 2. - Purpose.

The purpose of this Ordinance is to regulate excessive noise in the Town of Keystone in order to protect the property, health, welfare, peace or safety of its citizens, inhabitants and visitors.

Section 3. – Definitions

As used in this Ordinance, unless the context otherwise requires, the following words shall mean:

A. "Ambient Noise Level" means the lowest sound level which repeats itself during a six-minute period as measured with a sound level meter and can be heard and measured from the point a noise reading is made. The minimum sound level shall be determined with the noise source at issue silent, and in the same location as the measurement of the noise level of the source at issue.

B. "Commercial zone" means:

1. An area where offices, clinics, and other facilities needed to serve them are located;
2. An area with a significant number of local shopping and service establishments;
3. A tourist-oriented area where hotels, motels, and gasoline stations are located;
4. A large integrated regional shopping center;
5. A business strip along a main street containing offices, retail businesses, and commercial enterprises;
6. A central business district; or

7. A mixed-use, commercially dominated area. For purposes of this section, short-term rentals licensed by the Town of Keystone are not considered commercial establishments.
8. A resort base area.

C. "db(A)" means sound levels in decibels measured on the "A" scale of a standard sound level meter having characteristics defined by the American national standards institute, publication S1.4 -- 1971.

D. "Decibel" is a unit used to express the magnitude of a change in sound level. The difference in decibels between two sound pressure levels is twenty times the common logarithm of their ratio. In sound pressure measurements sound levels are defined as twenty times the common logarithm of the ratio of that sound pressure level to a reference level of 2×10^{-5} N/m² (Newton's/meter squared). As an example of the effect of the formula, a three-decibel change is a one hundred percent increase or decrease in the sound level, and a ten-decibel change is a one thousand percent increase or decrease in the sound level.

E. "Motorcycle" means a self-propelled vehicle with not more than three wheels in contact with the ground that is designed primarily for use on the public highways.

F. "Motor vehicle" means a self-propelled vehicle with at least four wheels in contact with the ground that is designed primarily for use on the public highways.

G. "Muffler" means a device consisting of a series of chamber or baffle plates or other mechanical design for the purpose of receiving exhaust gas from an internal combustion engine and effective in reducing noise.

H. "Off-highway vehicle" means a self-propelled vehicle with wheels or tracks in contact with the ground that is designed primarily for use off the public highways.

I. "Off-highway vehicle" shall not include the following:

1. Military vehicles;
2. Golf carts;
3. Snowmobiles;
4. Vehicles designed and used to carry persons with disabilities; and
5. Vehicles designed and used specifically for agricultural, logging, firefighting, or mining purposes.

J. "Residential zone" means an area of single-family or multifamily dwellings where businesses may or may not be conducted in such dwellings. The zone may include areas where multiple-unit dwellings and redevelopment districts are located. A residential zone may include areas containing accommodations for transients such as motels and hotels and residential areas with limited office development, but it may not include retail shopping facilities. "Residential zone" includes hospitals, nursing homes, and similar institutional facilities.

K. "SAE J1287" means the J1287 stationary sound test or any successor test published by SAE international or any successor organization.

L. "SAE 12567" means the 12567 stationary sound test or any successor test published by SAE international or any successor organization.

M. "Snowmobile" means a self-propelled vehicle primarily designed or altered for travel on snow or ice when supported in part by skis, belts, or cleats and designed primarily for use off the public highways. "Snowmobile" shall not

include machinery used strictly for the grooming of snowmobile trails or ski slopes.

Section 4. - Maximum Permissible Noise Levels

A. It shall be unlawful for any person to emit or cause to be emitted any noise that leaves the premises on which it originates, crosses a property line, and enters onto any other premises in excess of the sound pressure levels permitted during the time periods specified in Table A. It is further unlawful for any person to emit or cause to be emitted any noise within the public premises in excess of the limits established in Table A.

1. The noise source shall be measured at any point at least twenty-five (25) feet along the property line of the receptor premises or within the property line of the receptor premises, as determined at the Town's discretion, to determine compliance with this ordinance.

2. When it is determined that the ambient sound pressure level at the receptor premises equals or exceeds the maximum allowable sound pressure level specified in Table A, then the ambient sound pressure level is the standard that cannot be exceeded by the noise source.

Table A

<i>Residential Zone</i>	<i>7:00 a.m. to next 10:00 p.m.</i>	<i>10:00 p.m. to next 7:00 a.m.</i>
	55 db(A)	50 db(A)
<i>Commercial Zone</i>	<i>7:00 a.m. to next 11:00 p.m.</i>	<i>11:00 p.m. to next 7:00 a.m.</i>
	70 db(A)	60 db(A)

B. Every activity to which this Ordinance is applicable shall be conducted in a manner so that any noise produced is not objectionable due to intermittent, beat frequency, or shrillness.

C. In the hours between 7:00 a.m. and the next 11:00 p.m., the noise levels permitted in subsection (A) of this section may be increased by ten db(A) for a period of not to exceed six minutes in any one-hour period.

D. Periodic, impulsive, or shrill noises shall be considered a public nuisance when such noises are at a sound level of five db(A) less than those listed in subsection (A) of this section.

E. Measurements with sound level meters shall be made when the wind velocity at the time and place of such measurement is not more than five (5) miles per hour. If the meter is provided with an ANSI approved windscreen, allowable wind speed shall not be more than twelve (12) miles per hour.

Section 5. – Motor Vehicle Noise

A. No person shall drive, operate, or knowingly permit to be driven or moved, a motor vehicle on a public road or highway that produces noise in excess of the sound levels in decibels, measured on the "A" scale on a standard sound level meter having characteristics established by the American national standards institute, publication S1.4--1971, and measured at a distance of fifteen meters from the center of the lane of travel and within the speed limits specified below:

<i>Type of Vehicle</i>	<i>Speed limit of 56 kph or less</i>	<i>Speed limit of more than 56 kph</i>
Any motor vehicle with a manufacturer's gross vehicle weight rating of six thousand pounds or more, any combination of vehicles towed by such motor vehicle, and any motorcycle:		
- Before January 1, 1988	83 db(A)	87 db(A)
- On or after January 1, 1988	80 db(A)	80 db(A)

B. It shall be a nuisance to operate a vehicle within Town of Keystone that creates excessive noise or creates noise through the operation of a compression release engine brake.

C. This section applies to the total noise from a vehicle or combination of vehicles.

Section 6. – Off-Highway Vehicles

A. An off-highway vehicle operated within the Town of Keystone shall not emit more than the following level of sound when measured using SAE 11287:

1. If manufactured before January 1, 1998 ----- 99 db(A)
2. If manufactured on or after January 1, 1998 ---- 96 db(A)

B. A snowmobile shall not emit more than the following level of sound when measured using SAE 12567:

1. If manufactured on or after July 1, 1972, and
before July 2, 1975 ----- 90 db(A)
2. If manufactured on or after July 2, 1975 ----- 88 db(A)

C. This section shall not apply to the following:

1. A vehicle designed or modified for and used in closed-circuit, off-highway vehicle competition facilities;
2. An off-highway vehicle used in an emergency to search for or rescue a person; and
3. An off-highway vehicle while in use for agricultural purposes.

D. The following shall be an affirmative defense to a violation under this section if the off-highway vehicle or snowmobile:

1. Was manufactured before January 1, 2005;
2. Complied with federal and state law when purchased;

3. Has not been modified from the manufacturer's original equipment specifications or to exceed the sound limits imposed by subsection (a) or (b) of this section; and
4. Does not have a malfunctioning exhaust system

Section 7. – Vehicle Muffler Required

- A. No person shall operate any vehicle with an internal combustion engine within the Town of Keystone that is not equipped with a muffler in constant operation and is not properly maintained to prevent an increase in the noise emitted by the vehicle above the noise emitted when the muffler was originally installed.
- B. No person shall operate any vehicle in the Town of Keystone having a muffler that has been equipped or modified with a cutoff and bypass or any similar device or modification.

Section 8. – Exemptions

This ordinance shall not apply to:

- A. The operation of aircraft or other activities which are subject to federal law with respect to noise control.
- B. Property used for public utilities regulated pursuant to title 40, C.R.S. and oil and gas production subject to the provisions of article 60 of title 34, C.R.S.
- C. The use of property for purposes of conducting speed or endurance events involving motor or other vehicles, but such exception is effective only during the specific period of time within which such use of the property is

authorized by the Town of Keystone or other governmental agency having lawful jurisdiction to authorize such use.

D. The use of property for the purpose of manufacturing, maintaining, or grooming snow.

E. The use of property by the State of Colorado, any political subdivision of this state, or any other entity not organized for profit, including but not limited to, nonprofit corporations, or any of their lessees, licensees, or permittees, for the purpose of promoting, producing, or holding cultural, entertainment, athletic, or patriotic events, including, but not limited to, concerts, music festivals, parades, and firework displays.

F. Any authorized emergency vehicle, when responding to an emergency call or acting in time of emergency.

G. The sound made by the sounding of the horn of any vehicle as a danger warning signal or by the sounding of any warning device as required by law.

H. Public utilities regulated pursuant to Title 40, C.R.S.

I. Oil and gas production subject to the provisions of Article 60 of Title 34, C.R.S.

J. The sound made within the terms of a fireworks display permit.

K. Activities conducted pursuant to a special use permit issued or otherwise authorized by the Town in which noise is addressed.

L. Noise from snow plowing and removal, lawn maintenance, street cleaning, or trash collection

Section 9. – Prohibited Noise Activities

The following activities are prohibited notwithstanding the sound pressure levels permitted pursuant to Section 4 and Section 5:

- A. Vehicle horns. No person shall, at any time, sound any horn or other audible signal device of a motor vehicle unless it is necessary as a warning to prevent or avoid a traffic accident or reasonably inform or warn of a vehicle presence.
- B. Alarms. It is an unlawful nuisance for any alarm that is audible outside the premises or vehicle in which it is installed or that it is intended to protect to be activated: (1) for a period exceeding fifteen (15) minutes; or 2) three or more times within a seven (7) day period when no emergency is found to exist by the Town. Violation of (1) or (2) or both constitute separate offenses. Alarms required to be turned off by emergency services are exempt from this section.

Section 10. - General prohibition.

It shall be unlawful for any person to make, continue or cause to be made or continued any excessive or unusually loud noise which:

- A. Disturbs, annoys or endangers the peace, repose, comfort, safety or health of others; or
- B. Endangers or injures personal or real property.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
Jennifer Madsen, Town Attorney
FROM: Madeleine Sielu, Town Clerk
DATE: May 13, 2025 – Town Council Meeting
SUBJECT: [consent] Resolution 2025-14, A Resolution of Town Council of the Town of Keystone, Colorado, Approving an Electronic Message Usage and Retention Policy

Executive Summary:

Town staff have drafted a proposed Electronic Message Usage and Retention Policy that would apply to Town Officials and employees. This Policy would establish standards for the usage of Town's email system and for retention of this Policy, records retention requirements, and the Colorado Open Records Act.

Background:

The Colorado Open Records Act, in C.R.S. Section 24-72-204.5, mandates that each public entity subject to the Colorado Open Records Act that "maintains an electronic mail communications system shall adopt a written policy on any monitoring of electronic mail communications and the circumstances under which it will be conducted." It further states, that "The policy shall include a statement that correspondence of the employee in the form of electronic mail may be a public record under the public records law and may be subject to public inspection under section 24-72-203." The proposed policy would meet these statutory requirements.

Electronic records, including emails, are subject to the Town's records retention schedule. Town officials and employees are required to consider the content of the

emails, rather than the form of communication, to determine whether the email must be retained and the period of retention. Establishing a policy regarding the usage and retention of emails ensures that Town officials and employees have clear guidance and are consistent in their practices regarding maintaining emails.

On March 25, 2025, Town Council considered and approved an addendum to the Town's adoption of the Colorado Municipal Records Retention Schedule regarding electronic messages. The Town has received approval from the State Archivist to this local exception.

Following discussion and consideration of the categories outlined in CMRRS for correspondence, staff has identified an overlap in the definitions of "Routine Value" and "Transitory Value". In practice, many of the items described as examples for routine value could also be considered of transitory value.

To provide clarification and consistency in record keeping practices, the addendum struck "electronic mail" from the section regarding correspondence and creating an addendum to the Town's adoption of the CMRRS regarding electronic messages with the following categories:

- a. **Transient:** Messages that are personal in nature, of fleeting or no value, or otherwise not created or received in the course of town business.

Retention: Until material has been read

Examples: scheduling e-mail, courtesy copies, and routine information requests (e.g., What hours are you open?), Listserv e-mails, Messaging that is not the basis for official action, such as news bulletins, holiday notices, or information about workplace events.

- b. **Intermediate Administrative Value:** Messages that serve some town-related purpose but also are transitory or of time-limited value because they serve no administrative value after a message has been conveyed or superseded.

Retention: After the activity or project is concluded, or when it no longer has administrative value.

Examples: routine decision-making e-mail, sent copies of reports for review and comment, e-mail between staff regarding a project, detailed information requests requiring research (Colorado Open Records Act requests have their own retention period separate from this category).

- c. **Enduring Long-Term Value:** Messages that are required under state or local law for retention or that necessitate long-term future use due to their lasting long-term administrative, policy, legal, fiscal, historical or research value.

Retention: Permanent

Examples: Historically-significant electronic messages generally set or interpret policy, formalize business processes, document decision-making, or provide evidence of the activities of an office or department. It is likely that there are not many e-mails that will be categorized as enduring long-term value.

Now that the local exception has been approved, staff are bringing forward an Electronic Message Usage and Retention Policy for approval by the Town Council. Staff brought this policy before the Town Council at the Work Session on February 11, 2025, and received several questions and feedback from Town Council regarding the policy. Staff brought this item back to Town Council at a work session March 25, 2025, for additional consideration with revisions to address the Council's concern.

Key points outlined in the revised proposed policy are as follows:

1. **This policy utilizes the above recommended addendum to the CMRRS as the basis for retention practices.**

Staff believe that these definitions will lead to greater clarity and consistency in record keeping practices across both employees and Elected Officials.

2. **Staff and officials may utilize Outlook Exchange Servers to retain electronic messages that are of Intermediate Administrative Value.**
3. **Microsoft Outlook Exchange Servers are not a long-term retention tool and should not be where emails with “Enduring Long-Term value” should be maintained.**

Section IV(B)(1) acknowledges the challenges with maintaining e-mails that are considered records within email servers. Town officials and staff members would need to move any permanent retention emails to an electronic storage system/location as designated by the Custodian of Records.

4. **Automatic retention policies would be set to move all email items in individual user’s mailbox older than 3 years, other than those moved to a designated “archive subfolder”, will be automatically moved to the “Deleted Items” folder.**
5. **All items in the “Deleted e-mails” folder will be deleted after 30 days.**
6. **This policy also adds an addition to the policy regarding separating employees or officials.**

The policy indicates that separating individual’s inboxes will be deleted following review and preservation of any materials as required under this policy, state or local regulations, or any applicable litigation holds.

Alternatives:

Town Council could direct staff to change or revise the policy.

Previous Council Actions:

Resolution 2024-24, Approving a Colorado Open Records Act Policy

Resolution 2024-28, Adopting a Records Retention Schedule

Resolution 2025-02, Approving Amended Colorado Open Records Act Policy

Resolution 2025-11, Requesting a Local Exception to the Colorado Municipal Records Retention Schedule

Motions:

Since this item is on the consent agenda, a motion to approve the consent agenda would result in passage of the resolution.

Attachments:

- Resolution 2025-14, Approving an Electronic Message Usage and Retention policy
- Exhibit A- Electronic Message Usage and Retention Policy

TOWN OF KEYSTONE
Summit County, Colorado

RESOLUTION 2025-14

**A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO,
APPROVING AN ELECTRONIC MESSAGE USAGE AND RETENTION POLICY**

WHEREAS, the Town of Keystone (“Town”) is a home rule municipality governed by the Keystone Home Rule Charter; and

WHEREAS, the Town Council adopted the Colorado Municipal Records Retention Schedule, approved by the Colorado State Archivist in September 2001, most recently amended in 2022, on March 12, 2024, through the passage of Resolution 2024-28; and

WHEREAS, the Town Council requested a local exception from the Colorado Municipal Records, Retention Schedule through official action on March 25, 2025, through the passage of Resolution 2025-11, clarifying the definition of retention categories for electronic messages to provide clear expectations for the preservation of electronic messages; and

WHEREAS, the Town Council, as the legislative body, and pursuant to its home-rule and general police powers, is authorized to adopt policies that establish rules and guidelines regarding the usage and retention of electronic messages; and

WHEREAS, the Town Council has reviewed and considered the attached Electronic Message Usage and Retention Policy and finds that it will serve the main objective of providing guidance regarding usage and retention of electronic messages.

Now, Therefore, be it Resolved by the Town Council of the Town of Keystone, Colorado, that:

Section 1. The Town Council hereby adopts the Electronic Message Usage and Retention Policy in substantially the form that is attached as Exhibit A.

Section 2. Effective Date. This Resolution shall take effect upon its approval by the Town Council.

ADOPTED by a vote of ___ in favor and ___ against, this 13th day of May 2025.

By: _____
Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

By: _____
Town Clerk

By: _____
Town Attorney

ELECTRONIC MESSAGE USAGE AND RETENTION POLICY

I. PURPOSE OF POLICY:

This Policy establishes standards for the usage of the Town's email system, as well as guidelines for the retention and destruction of emails and electronic messages, in compliance with the requirements of this Policy, applicable records retention requirements, and the Colorado Open Records Act (CORA). It provides a framework to promote the effective capture, management, and retention of electronic communications.

The primary objectives of this Policy are to ensure consistency, predictability, and reliability in both the use of the Town's email system and the maintenance of emails records within the Town of Keystone.

This Policy is not intended to discourage the use of email to conduct Town business. Instead, it aims to establish a framework for the use of email as a communications tool and retention requirements of email, if necessary.

II. SCOPE:

This Policy outlines the procedures and guidelines that govern the use of electronic messages by Town officials and Town employees within the Town of Keystone and the use of the Town email system. It applies whether Town-owned equipment or other equipment is used to access the Town email system. This Policy is subject to the Town's Litigation/Legal Hold Policy and/or legal hold requests.

III. DEFINITIONS

Custodian of Records means the Town Clerk, as designated by Resolution 2024-24, Approving a Colorado Open Records Act Policy.

Electronic messages or Email means a text document which is created, stored, and delivered in an electronic format and transmitted through the Town's Outlook Exchange Servers. Email, instant messaging, notes, tasks, and meeting invites are all forms of electronic messages. As such, email messages are similar to other forms of communicated messages, such as correspondence, memoranda, and circular letters.

Electronic record or E-record means a document defined by § 24-72-202(6)(a), C.R.S., which is created and stored in an electronic format and may consist of text documents, pictures, maps, data sets, instant messaging, voice, file shares and all other forms of electronic hardware and software, commonly known as electronically stored information (ESI).

Transient message means documentation or correspondence that is of transitory or short-term value. Transient messages include advertisements, drafts and worksheets, desk notes, informational or "read only" correspondence, and informal communication. The transient message does not set or discuss policy, establish guidelines or procedures, certify a transaction, or become a receipt.

Examples include:

Routine requests for information or publications which require no administrative action, policy decision, or special compilation or research, and copies of replies.

Copies and duplicates (either electronic or paper) of records as defined by § 24-72-202(6)(a), C.R.S.

Memoranda and other records that do not serve as the basis of official actions (i.e., holiday notices, meeting confirmations, etc.).

Deleted emails.

Draft emails.

Purged emails.

Officials mean all Town Elected and Appointed officials of the Town Council.

Record means a document as defined by § 24-72-202(6)(a), C.R.S., to be all writings made, maintained, or kept by the Town for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds.

Records retention schedule means the Colorado Municipal Records Retention Schedule as adopted by the Town of Keystone in Resolution 2024-28 listing records series and the applicable minimum retention period, and further adopted Resolution 2025-11, requesting a local exception from the Colorado Municipal Records Retention Schedule clarifying the retention categories for electronic messages, which was approved.

IV. RETENTION AND MANAGEMENT PRACTICES OF ELECTRONIC MAIL

Electronic records, including emails, are subject to requirements of the Town's records retention schedule. Town officials and employees are required to consider the content of the emails, rather than the form of communication, to determine whether the Email must be retained and the period of retention.

A. Retention Practice of Electronic Messages

- (1) Electronic message communications may be considered Records pursuant to CORA. The Town has an obligation to retain Records as set forth in the Colorado Municipal Records Retention Schedule and electronic messages must be maintained in accordance with the Records Retention Schedule.
- (2) Electronic messages categorized as transitory are not required to be maintained. Electronic messages categorized as Transitory messages should be **deleted as soon as they are read and are no longer useful.**
- (3) Electronic messages that are a Record may fit into one of two categories and the retention period for the Email depends on how the Email is categorized:
 1. **Intermediate Administrative**

Messages that serve some town-related purpose but also are of time-limited value because they serve a time-defined administrative purpose.

Retention: After the activity project is concluded, or when it no longer has administrative value.
 2. **Enduring Long-term Value**

Messages that are required under state or local law for retention or that necessitate long-term future use due to their lasting long-term administrative, policy, legal, fiscal, historical or research value.

Retention: Permanent.

B. Management of Electronic Messages

- (1) The Town has limited resources for maintenance and storages of electronic records and emails. The Town does not have the ability

to preserve electronic records and emails on a permanent basis, within Outlook Exchange Servers. Email servers are not intended to be a records retention tool. Therefore, the Town maintains storage of electronic messages within these servers only to the degree that allows the Town to restore current email in the event of a system failure.

(2) Town officials and employees are responsible for retaining electronic messages in a manner consistent with the schedule above in Section IV. (A).

(3) Town officials and employees are required to comply with the following procedures for management and retention of electronic messages:

1. Electronic messages that have an Enduring Long-Term value, defined in Section IV. (A)(3)(1), shall either be saved in PDF or TIFF format in an appropriate location on the network drive or other approved electronic storage system or printed and added to the appropriate file.
2. Electronic messages that have an Intermediate Administrative Value, defined in Section IV. (A)(3)(2), shall either be:
 - a. saved in PDF or TIFF format in an appropriate location on the network drive or other approved electronic storage system; or
 - b. stored in an employee or official's Microsoft Outlook mailbox until they no longer have administrative value.
3. Electronic messages that are a Non-record shall be permanently deleted in a timely manner.

- a. Transient Email: Email that is personal in nature, of fleeting or no value, or otherwise not created or received in the course of town business should be deleted after reading.
4. Calendar items will remain in the email system until deleted by the user or for a maximum period of three years. After three years, they will be automatically deleted from the system.
5. Tasks will remain in the email system until deleted by the user or for a maximum period of three years. After three years, they will be automatically deleted from the system.
6. Teams Messages will remain in the email system until deleted by the user or for a maximum period of 45 days. After 45 days, they will be automatically deleted from the system.
7. All email items in an individual user's mailbox older than 3 years, other than those moved to a designated "archive subfolder" will be automatically moved to the "Deleted Items" folder on a daily basis. This policy applies to the mailbox and any subfolders of the mailbox including sent items, subfolders, drafts etc. This policy does not apply to non-email items such as calendar, contact, or task items.
8. Items that are deleted manually are moved to the "Deleted Items" folder under the inbox.
9. Items in the "Deleted Items" folder are permanently deleted and unretrievable after 30 days.

Any email that is the subject of a public records request must be preserved from the date of the request regardless of any maintenance, retention, or deletion policy.

Any question regarding records retention period shall be directed to the Custodian of Records.

C. Enforcement of Electronic Message Retention for a Separating Employee or Official

Electronic messages in a separating individual's email mailbox will be deleted upon the employee's separation from employment after review and preservation of any materials as required under this policy, state or local regulations, or any applicable litigation holds.

D. Permitted Email Communications

All emails by Town officials and employees related to Town business should be addressed to Town officials' and employees' Town email accounts. Personal email accounts may be included in addition to Town email accounts if requested, but no emails related to Town business should be addressed solely to personal email accounts.

V. SUBJECT TO LEGAL HOLD/NO PRIVATE RIGHT OF ACTION

The practices and procedures of this Policy are subject at all times to Legal and Litigation Holds of the Town as directed by the Town Attorney's Office.

Nothing in this Policy shall create a third-party cause of action or right to enforce. This Policy is intended only for internal processes and procedures.

VI. EFFECTIVE DATE

This Policy shall be effective upon passage of accompanying resolution.

VII. APPROVAL

ADOPTED BY THE TOWN COUNCIL THIS ____ DAY OF _____, 2025,
BY PASSAGE OF RESOLUTION NO. _____.



Keystone Town Council Minutes

A Regular Meeting of the Keystone Town Council was held on April 22, 2025, at 7:00 p.m. at 1628 Sts. John Rd, Keystone, CO 80435. Full and timely notice of the meeting had been posted, and a quorum of the body was present.

I. CALL TO ORDER, ROLL CALL

Mayor Riley called the meeting to order at 7:04 p.m. The roll was called, and it was found there were present and participating at that time the following members: Councilmember Jonathan Hagenow, Councilmember Carol Kerr, Councilmember Steve Martin, Councilmember Aaron Parmet, Councilmember Dan Sullivan, and Mayor Ken Riley. The following member was absent: Councilmember Valerie Thisted (excused).

II. APPROVAL OF AGENDA

Mayor Riley presented the agenda.

Councilmember Hagenow moved to approve the agenda as presented.

Councilmember Sullivan seconded.

By voice vote, the motion passed unanimously, and the agenda was approved as presented.

III. PROCLAMATION RECOGNIZING GRADUATE STUDENT TEAM FROM THE MASTERS OF THE ENVIRONMENT PROGRAM AT CU BOULDER

Mayor Riley recognized Town Manager John Crone to read the Proclamation

Recognizing Sarah Mclauren, Abigale Purvis, Jessica Hertzberg, and Emily Palanjan's Service to the Town of Keystone.

Councilmember Sullivan moved to approve the proclamation. Councilmember Martin seconded.

IV. COMMUNICATIONS TO COUNCIL

Mayor Riley opened the floor for public comment.

Julie Olson from Loveland Pass Village spoke about development in Keystone and the scheduling of Town Council meetings.

Seeing no further members of the public wishing to speak, Mayor Riley closed the floor for public comment.

V. CONSENT

A. FIRST READING OF ORDINANCES

B. RESOLUTIONS

C. MEETING MINUTES

1. April 8, 2025 – Meeting Minutes

D. EXCUSED ABSENCES

E. OTHER

1. Accounts Payable List

Mayor Riley presented the consent agenda.

Councilmember Sullivan moved to approve the consent agenda.

Councilmember Hagenow seconded.

By voice vote, the motion passed unanimously, and the consent agenda was approved as presented.

VI. DISCUSSION

A. CONSIDERATION OF ORDINANCES (SECOND READING/PUBLIC HEARING)

1. Ordinance 2025-O-08, An Ordinance of Town Council of the Town of Keystone, Colorado, Amending the Town Liquor Code and Ordinance 2024-O-03 and Allowing for Administrative Approval of Certain Applications

Mayor Riley recognized Town Clerk Madeleine Sielu to read the title of Ordinance 2025-O-08, An Ordinance of Town Council of the Town of Keystone, Colorado, Amending the Town Liquor Code and Ordinance 2024-O-03 and Allowing for Administrative Approval of Certain Applications.

Mayor Riley opened the Public Hearing.

Mayor Riley recognized Town Manager John Crone, Town Attorney Jenifer Madsen, and Town Clerk Madeleine Sielu to present Ordinance 2025-O-08, Amending the Town Liquor Code and Ordinance 2024-O-03 and Allowing for Administrative Approval of Certain Applications.

Mayor Riley opened the floor for public comment.

Seeing no members of the public wishing to speak, Mayor Riley closed the floor for public comment.

Councilmember Hagenow moved to approve Ordinance 2025-O-08.
Councilmember Sullivan seconded.

On roll call, the result was:

Ayes: Councilmember Hagenow, Councilmember Martin,
Councilmember Parmet, Councilmember Sullivan, Mayor Riley (5)

Nays: Councilmember Kerr (1)

Absent: Councilmember Thisted (1)

The motion passed, and Ordinance 2025-O-08 was adopted.

B. RESOLUTIONS

- 1. Resolution 2025-12, A Resolution of Town Council of the Town of Keystone, Colorado, Approving the Second Amended and Restated Intergovernmental Agreement for Municipal Court Services**

Mayor Riley recognized Town Manager John Crone, Town Attorney Jennifer Madsen, and Town Chief of Police Cale Osborn to present on Resolution 2025-12, Approving the Second Amended and Restated Intergovernmental Agreement for Municipal Court Services.

Councilmember Martin moved to approve Resolution 2025-12.
Councilmember Parmet seconded.

By voice vote, the motion passed unanimously, and Resolution 2025-12 was approved.

- 2. Resolution 2025-13, A Resolution of Town Council of the Town of Keystone, Colorado, Adopting a Donation Policy**

- 3.** Mayor Riley recognized Town Manager John Crone and Town Attorney Jennifer Madsen to present on Resolution 2025-13, Adopting a Donation Policy.

Councilmember Kerr moved to approve Resolution 2025-13.
Councilmember Hagenow seconded.

By voice vote, the motion passed unanimously, and Resolution 2025-13 was approved.

C. OTHER – NONE

VII. PLANNING MATTERS

VIII. REPORT OF TOWN MANAGER AND STAFF

The Town Manager reported that the Town has entered into a contract with Caselle for Finance software, and finances will continue to move in house with this transition. The Town is hosting a series of Short-Term Rental Listening Sessions to gather community input. The Town is coordinating road striping operations with Summit County, with an estimated timeline of June 9th-12th. Staff are identifying potholes across roadways that need to be filled. Benisch Engineering is coming out soon for an inspection of all roads. The Town will host a presentation of the Rural Technical Assistance Program Community Action Plan virtually on April 29th and in person on May 6th. The Town Planner has resigned effective. The Town is partnering with the Keystone Neighbourhood Company for five National Repertory Orchestra concerts in Keystone throughout the summer. New Area Median Income numbers have been released, which will impact future discussions around housing.

IX. REPORT OF MAYOR AND COUNCIL

Councilmember Sullivan is continuing to work with the United States Postal Service to advocate for a unique Keystone zip code. There will be a call with the post office and homeowners' associations to discuss implementing cluster mailboxes.

Councilmember Parmet received information from some constituents are being impacted by Pay as You Throw regulations implemented in unincorporated Summit County.

X. OTHER MATTERS (Town Manager/Mayor/Councilmember may bring up items on other matters that are not on the agenda)

Town Council decided to host the next "Coffee with Council" event as an evening meeting on May 6, 2025, at 6:00 p.m. at Nowhere Pizza and Pub.

XI. SCHEDULED MEETINGS

XII. EXECUTIVE SESSION

XIII. ADJOURNMENT

Seeing no further business to discuss, Mayor Riley adjourned the meeting at 8:16 p.m.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
Jennifer Madsen, Town Attorney
FROM: Lindsay Hirsh, Community Development Director
Andrew Collins, Planner
DATE: May 13, 2025
SUBJECT: Consent Agenda TOK25-005: Class 2 Site Plan
Amendment 05 - Kindred Resort at Keystone

Executive Summary:

On July 9, 2024, the Town Council approved Ordinance 2024-O-08 Amending Ordinance No. 2024-O-05, Town of Keystone Land Use Code, and Declaring an Emergency. This ordinance was in response to the Council's desire to improve the process of reviewing Community Development department decisions related to Class 2 development reviews. A Class 2 site plan amendment has subsequently been approved for the Kindred Resort project located at 75 Hunk Dori Court, and is now before Council for review. The application materials are available online at <https://keystone.colorado.gov/pz-notices>:

- [Referral: TOK25-005 - Class 2 Site Plan Amendment - Kindred Resort SPA 05](#)

Recommendation:

The Community Development Director approved the Class 2 Site Plan Amendment application for the previously approved Site Plan for the Kindred Resort at Keystone, located at 75 Hunk Dori Court, Keystone. The Community Development Department has not identified any reason for Council's review (and call up) of that decision.

Background:

The subject Class 2 application amends the previously approved Kindred Resort Site Plan through the following revision: The requested amendment extends the HVAC screen wall located at the northeast corner of the building, by approximately 7.5' in height to fully screen the cooling tower from view. The screen wall will be extended to match the same height as the cooling tower, and will have exterior facade materials that match the facade of the building for an integrated design and appearance.

The application was submitted in April 2025 and after the 15-day review and referral period the Community Development Department approved the application, as it does not substantially modify the approved Kindred Resort Site Plan, and is consistent with the Town of Keystone Land Use Code and the Keystone Resort PUD. On May 5, 2025, per the Amended Code, staff sent a Notice of Action to the Town Council, the Town Attorney, and the Town Manager. Per the revised Code language, the Community Development Department has scheduled the notice of action as an agenda item for the next Town Council meeting. A decision to appeal (or call up) that decision must be made within 21 days. Consistent with the Home Rule Charter, Town Council decides to appeal by an affirmative vote of the majority of the Town Council present at that meeting.

Financial Considerations:

There are no financial considerations applicable to the subject application.

Previous Council Actions:

None related to this amendment.

Alternatives:

If there is interest by Council to potentially hear/appeal the item, then Council will need to remove the item from the Consent Agenda and then vote on an appeal process of the Community Development Department's decision to approve the subject Class 2 Site Plan Amendment request. If a majority of Council members vote to appeal the decision of the Community Development Department's approval, staff will initiate the Appeal process per Chapter 12 of the Code.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
FROM: Jennifer Madsen, Town Attorney
DATE: May 13, 2025 – Town Council
SUBJECT: Adoption of Resolution 2025-15 Appointing Municipal Prosecutor

Executive Summary:

Resolution 2025-15 appoints the municipal prosecutor for the combined municipal court.

Background:

Town Council has approved an Intergovernmental Agreement (IGA) establishing a combined municipal court system with the Towns of Silverthorne and Dillon. The combined court system allows for streamlined judicial operations and shared administrative efficiencies among participating jurisdictions.

Mark Hurlbert currently serves as the prosecutor for the Silverthorne-Dillon Municipal Court. As Keystone seeks to participate in this regional partnership, it is both necessary and appropriate to formally appoint Mr. Hurlbert to continue his prosecutorial role for Keystone's cases under the newly combined court.

Appointing Mr. Hurlbert as the Municipal Court prosecutor aligns with the Town's goal of regional collaboration related to the municipal court. Mr. Hurlbert is an experienced municipal prosecutor with a long-standing history of prosecution and legal service in Summit County.

The IGA provides that the Town of Silverthorne will handle payment for Mr. Hurlbert.

Keystone will be required to pay its portion of this monthly fee.

Proposed Motions:

Approval:

I move to approve Resolution 2025-15 appointing Municipal Court Prosecutor.

Denial:

I move to deny Resolution 2025-15 appointing Municipal Court Prosecutor.

Attachment:

- Resolution 2025-15 appointing Municipal Court Prosecutor.

**TOWN OF KEYSTONE
Summit County, Colorado**

RESOLUTION 2025-15

**A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO
APPOINTING MUNICIPAL COURT PROSECUTOR**

WHEREAS, the Town is authorized by to appoint an attorney to prosecute matters in the Municipal Court; and

WHEREAS, Mark Hurlbert serves as the Municipal Court prosecutor for the combined Silverthorne-Dillon Municipal Court; and

WHEREAS, the Town of Keystone seeks to join the Intergovernmental Agreement for the combined municipal court; and

WHEREAS, the Town Council desires to appoint Mark Hurlbert as the municipal prosecutor.

Now, Therefore, be it Resolved by the Town Council of the Town of Keystone, Colorado, that:

Section 1. Appointment. The Town Council hereby appoints Mark Hurlbert as the municipal court prosecutor effective on or about May 1, 2025. Mr. Hurlbert is to be compensated by the Town of Silverthorn pursuant to the municipal court IGA.

Section 2. Effective Date. This Resolution shall take effect upon its approval by the Town Council.

ADOPTED by a vote of ___ in favor and ___ against, this _____ day of _____,
2025.

By: _____
Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

By: _____
Town Clerk

By: _____
Town Attorney

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
FROM: Jennifer Madsen, Town Attorney
DATE: May 13, 2025 – Town Council
SUBJECT: Adoption of Resolution 2025-16 Appointing Municipal Judge

Executive Summary:

Resolution 2025-16 appoints the municipal judge for the combined municipal court.

Background:

Under Section 13-10-105, C.R.S., Section 8.1(b) of the Keystone Home Rule Charter, and Section 3 of Town Ordinance 2025-O-01, the Town of Keystone is authorized to appoint a Municipal Court Judge.

Town Council has approved an Intergovernmental Agreement (IGA) governing the combined Silverthorne-Dillon Municipal Court. Ronald Carlson has long served as the presiding judge for the Silverthorne-Dillon Municipal Court and is well-regarded for his judicial service. In connection with Keystone's entry into the combined municipal court, this resolution now seeks to formally appoint Mr. Carlson to serve as Municipal Judge for the Town of Keystone.

The IGA provides that the Town of Silverthorne will handle payment for Judge Carlson. As set forth in the IGA, Keystone will be required to pay its portion of this monthly fee.

Proposed Motions:

Approval:

I move to approve Resolution 2025-16 appointing Municipal Court Judge.

Denial:

I move to deny Resolution 2025-16 appointing Municipal Court Judge.

Attachment:

- Resolution 2025-16 appointing Municipal Court Judge.

**TOWN OF KEYSTONE
Summit County, Colorado**

RESOLUTION 2025-16

**A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO
APPOINTING MUNICIPAL COURT JUDGE**

WHEREAS, the Town is authorized by Section 13-10-105, C.R.S., Section 8.1(b) of the Keystone Home Rule Charter, and Section 3 of Town of Keystone Ordinance 2025-O-01 to appoint a municipal judge to preside over the Municipal Court; and

WHEREAS, Section 3 of Town of Keystone Ordinance 2025-O-01, establishes the qualifications of the Municipal Court judge; and

WHEREAS, Ronald Carlson serves as the Municipal Court Judge of for the combined Silverthorne-Dillon Municipal Court; and

WHEREAS, the Town of Keystone seeks to join the Intergovernmental Agreement for the combined municipal court; and

WHEREAS, the Town Council desires to appoint Ronald Carlson as Municipal Judge.

Now, Therefore, be it Resolved by the Town Council of the Town of Keystone, Colorado, that:

Section 1. Appointment. The Town Council hereby appoints Ronald Carlson as the Municipal Judge effective on or about May 1, 2025. Mr. Carlson is to be compensated by the Town of Silverthorne pursuant to the municipal court IGA.

Section 2. Effective Date. This Resolution shall take effect upon its approval by the Town Council.

ADOPTED by a vote of ___ in favor and ___ against, this _____ day of _____,
2025.

By: _____
Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

By: _____
Town Clerk

By: _____
Town Attorney