

**TOWN OF SILT  
REGULAR BOARD OF TRUSTEES MEETING  
MAY 26, 2020 – 7:00 P.M.**

The Silt Board of Trustees held their regularly scheduled meeting on Tuesday, May 26, 2020. Mayor Richel called the meeting to order at 7:00 p.m.

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<b>Roll call</b>	Present	Mayor Keith Richel Mayor Pro-tem Kyle Knott Trustee Justin Brintnall Trustee Sam Flores Trustee Andreia Poston Trustee Jerry Seifert Trustee Sam Walls
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Also, present remotely were Town Administrator Jeff Layman, Town Clerk Sheila McIntyre, Community Development Director Janet Aluise, Town Treasurer Amie Tucker, Public Works Director Trey Fonner, Chief of Police Mike Kite, Town Attorney Michael Sawyer and members of the public.

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**Pledge of Allegiance and Moment of Silence**

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**Public Comments** – There were no public comments.

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**Consent Agenda**

- 1) Minutes of the May 11, 2020 Remote Board of Trustees special meeting
- 2) Intergovernmental Agreement between the Town of Silt and Garfield County for Mosquito Control – 2020
- 3) Annual renewal of Retail Liquor Store license for Silt Discount Liquor

**Trustee Seifert made a motion to approve the consent agenda as presented. Trustee Brintnall seconded the motion, and the motion carried unanimously.**

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**Conflicts of Interest** – There were no conflicts of interest.

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**Agenda Changes** – Trustee Walls stated that he would like to have a discussion about opening up the playgrounds again.

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Second reading of **Ordinance No. 3, Series 2020**, AN ORDINANCE ANNEXING THAT CERTAIN PROPERTY KNOWN AS THE VILLAGE AT PAINTED PASTURES ANNEXATION, A 9.223-ACRE PARCEL AND A 2.001-ACRE PARCEL, BOTH SOUTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE LYON COMMERCIAL PLANNED UNIT DEVELOPMENT, WITHIN GARFIELD COUNTY, STATE OF COLORADO

Director Aluise went over the Annexation and Development Agreement. There was extensive discussion regarding the prepayment of fifty EQR's and the fact that the cost of the EQR's would need to eventually be increased. Staff stated that they were in favor of the prepayment for the Village portion of the development as the cash flow could help the water and wastewater plant this year. Staff added that the developer would use up that allotment fairly quickly. Chad Lee stated that they feel that the number of EQR's are an appropriate amount.

The public hearing was opened at 7:43 p.m. There were no public comments and the hearing was closed at 7:44 p.m.

**Trustee Seifert made a motion to approve second reading of Ordinance No. 3, Series 2020, AN ORDINANCE ANNEXING THAT CERTAIN PROPERTY KNOWN AS THE VILLAGE AT PAINTED PASTURES ANNEXATION, A 9.223-ACRE PARCEL AND A 2.001-ACRE PARCEL, BOTH SOUTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE LYON COMMERCIAL PLANNED UNIT DEVELOPMENT, WITHIN GARFIELD COUNTY, STATE OF COLORADO. Trustee Brintnall seconded the motion, and the motion carried with Mayor Pro-tem Knott voting nay.**

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Second reading of **Ordinance No. 4, Series 2020, AN ORDINANCE OF THE TOWN OF SILT, COLORADO, ZONING AS A PLANNED UNIT DEVELOPMENT CERTAIN ANNEXED LAND KNOWN AS THE VILLAGE AT PAINTED PASTURES ANNEXATION, A 9.223-ACRE PARCEL AND A 2.001-ACRE PARCEL, BOTH SOUTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE LYON COMMERCIAL PLANNED UNIT DEVELOPMENT, WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO**

Director Aluise stated that this item had already been covered by prior conversations.

The public hearing was opened at 7:46 p.m. There were no public comments and the hearing was closed at 7:47 p.m.

**Trustee Seifert made a motion to approve second reading of Ordinance No. 4, Series 2020, AN ORDINANCE OF THE TOWN OF SILT, COLORADO, ZONING AS A PLANNED UNIT DEVELOPMENT CERTAIN ANNEXED LAND KNOWN AS THE VILLAGE AT PAINTED PASTURES ANNEXATION, A 9.223-ACRE PARCEL AND A 2.001-ACRE PARCEL, BOTH SOUTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE LYON COMMERCIAL PLANNED UNIT DEVELOPMENT, WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO. Trustee Poston seconded the motion, and the motion carried unanimously.**

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**Resolution No. 27, Series 2020, A RESOLUTION APPROVING THE RIVER VALLEY METROPOLITAN DISTRICT SERVICE PLAN**

Administrator Layman and Bob Cole went over their staff presentations. Mr. Cole went over the resolution stating that the Board has the option to approve, disapprove or approve with conditions. He stated that there is a date reference that would need to be corrected should this be approved tonight.

Administrator Layman went through his memorandum from the last meeting that addressed various aspects of the service plan that staff had concerns with and how they have been

addressed since the last meeting between the Town and the developer. He added that staff has also received a last-minute addition regarding refunding debt. Jim Mann explained how refunding debt works in relation to the principal amount, adding that it is a standard inclusion.

There was Board discussion regarding length of debt, system development fees that would be used toward the early years of maintenance, a mill levy cap of either 50 or 60 mills, the concern that the developers weren't providing extraordinary benefits such as playgrounds, recreation facilities, soccer fields and ballfields, that the roundabout was to be constructed with the other development, the possibility of people building someplace else in town that doesn't have additional fees and that the Board's idea of an extraordinary benefit is different from the developers.

Russ Hatle stated that they do plan on providing a park in the center of the Village, a dog park, trail and natural open space. He also stated that approximately \$85,000 from the multi-family project would be paid into the park fund. Mr. Hatle asked that the Board approve this tonight as time is short to make the TABOR election in November adding that there is a limit on the amount of time that the funding must be invested.

Jim Mann provided information about the mill levy and stated that there may be some flexibility on the cap. Mr. Hatle stated that they are not asking for anything out of the normal compared to other metro districts throughout Colorado and that they need the 50-mill in order to be profitable. Mr. Hatle explained that the additional amount paid in tax by tenants in the multi-family would be \$45 per month and \$240 annually for single family homes. Jim Higgins stated that the fees would add approximately ten percent to a person's monthly payment which he feels would not be a deal breaker for potential buyers.

Mayor Pro-tem Knott stated that he would like to see a sports area on the north side that fits within that development for the entire town to use and would like to see the town get more than what is being proposed. Mr. Hatle explained how difficult the Village property will be to develop and that they don't have the real estate to develop something like that without giving up a substantial part of the project. Mayor Richel stated that he would like to see a sunset on the system development fees of 10-15 years until the project is at a point that the 10-mills for operation can handle it.

Director Aluise relayed to the Board that staff supports this project and Administrator Layman explained that this project allows the town to capitalize on its opportunity zone status and that it is the number of rooftops that helps draw economic development to Silt. Attorney Sawyer commented about money that would be collected in the form of use tax on this project and how it could be used towards the construction of parks and ballfields. He added that there would also be future discussions about cost sharing from the roundabout that would produce revenue that could be earmarked to achieve some of the goals discussed tonight.

Mayor Pro-tem Knott commented about a five-year sunset and Mr. Hatle stated that they had intended on ten years. Mr. Higgins stated that it takes about eight years to break even and would be comfortable with ten years. Mr. Hatle stated that they plan on starting the roundabout in July 2020 with an October 2020 completion date. Trustee Brintnall stated that he supports the work that staff has put together on this project and that it is important to the town, adding that money can be used from the improvement fees to purchase property for additional recreation. There was additional discussion about open space, trails and parks and it was explained by staff that the Board will have another opportunity to discuss these items at other stages of the process before construction begins.

There was additional discussion about the mill levy being proposed and Mayor Richel stated his concern that it could hurt the town in the future when there may be a need to go to the voters for a mill levy increase for the entire town. Mr. Hatle stated that they would be agreeable with the sunset conditions on the system development fee and the 50-mill debt service with a 10-mill operating mill levy.

The public hearing was opened at 9:39 p.m. There were no comments and the hearing was closed at 9:39 p.m.

**Trustee Brintnall made a motion to approve Resolution No. 27, Series 2020, A RESOLUTION APPROVING THE RIVER VALLEY METROPOLITAN DISTRICT SERVICE PLAN with the following changes: that any date reference of May 25 be changed to May 26, that a sunset of ten-years be added on system development fees, that there is a modification to the provision regarding the refunding of debt so that it doesn't count toward the total debt and a modification to the definition of system development fee to include a fee cap that would lower the rates depending on whether it is single-family attached, detached, multi-family or commercial. Trustee Walls seconded the motion, and the motion carried with Mayor Richel, Mayor Pro-tem Knott and Trustee Seifert voting nay.**

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**Second reading of Ordinance No. 10, Series 2020, AN ORDINANCE OF THE TOWN OF SILT, COLORADO, ADOPTING A NEW TITLE 18 OF THE SILT MUNICIPAL CODE ADDRESSING SPECIALS DISTRICTS – Robert Cole**

Bob Cole went over the ordinance asking for an amendment to all references of public hearing in Section 18.01.060(h)(4) and throughout the ordinance be changed to read public meeting.

The public hearing was opened at 9:47 p.m. There were no public comments and the hearing was closed at 9:48 p.m.

**Trustee Brintnall made a motion to approve second reading of Ordinance No. 10, Series 2020, AN ORDINANCE OF THE TOWN OF SILT, COLORADO, ADOPTING A NEW TITLE 18 OF THE SILT MUNICIPAL CODE ADDRESSING SPECIALS DISTRICTS with a change to Section 18.01.060(h)(4) and throughout the ordinance to change all references from public hearing to public meeting. Trustee Seifert seconded the motion, and the motion carried unanimously.**

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**Resolution No. 24, Series 2020, A RESOLUTION ADOPTING A MODEL SERVICE PLAN FOR METROPOLITAN DISTRICTS – Robert Cole**

Bob Cole stated that this will adopt the model service plan that is consistent with the policy set forth in the ordinance that was just adopted adding that it will serve as a guide for future metropolitan districts as they come before the board.

The public hearing was opened at 9:51 p.m. There were no comments and the hearing was closed at 9:51 p.m.

**Trustee Seifert made a motion to approve Resolution No. 24, Series 2020, A RESOLUTION ADOPTING A MODEL SERVICE PLAN FOR METROPOLITAN DISTRICTS. Trustee Brintnall seconded the motion, and the motion carried unanimously.**

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**First reading of Ordinance No. 11, Series 2020, AN ORDINANCE EXTENDING A TEMPORARY MORATORIUM ON THE SUBMISSION, ACCEPTANCE, PROCESSING, AND APPROVAL OF ANY NEW APPLICATION FOR A TOWN OF SILT PERMIT OR LICENSE RELATED TO A MEDICAL MARIJUANA DISPENSARY OR A RETAIL MARIJUANA DISPENSARY PURSUANT TO THE AUTHORITY GRANTED BY ARTICLE XVIII, SECTION 14 AND ARTICLE XVIII, SECTION 16, RESPECTIVELY, OF THE COLORADO CONSTITUTION; DECLARING THE INTENTION OF THE TOWN BOARD TO CONSIDER THE ADOPTION OF APPROPRIATE TOWN REGULATIONS WITH RESPECT TO SUCH BUSINESSES; AND DECLARING AN EMERGENCY**

Director Aluise explained that staff would be bringing two ordinances to the Board in the near future to address changes in both Titles 5 and 17. This ordinance would cover any gap there could be between the expiration of the emergency ordinance and when those two ordinances would be in full effect. She added that the Title 17 ordinance would go before the Planning Commission for a recommendation to the Board.

The public hearing was opened at 9:55 p.m. There were no public comments and the hearing was closed at 9:56 p.m.

**Mayor Pro-tem Knott made a motion to approve first reading of Ordinance No. 11, Series 2020, AN ORDINANCE EXTENDING A TEMPORARY MORATORIUM ON THE SUBMISSION, ACCEPTANCE, PROCESSING, AND APPROVAL OF ANY NEW APPLICATION FOR A TOWN OF SILT PERMIT OR LICENSE RELATED TO A MEDICAL MARIJUANA DISPENSARY OR A RETAIL MARIJUANA DISPENSARY PURSUANT TO THE AUTHORITY GRANTED BY ARTICLE XVIII, SECTION 14 AND ARTICLE XVIII, SECTION 16, RESPECTIVELY, OF THE COLORADO CONSTITUTION; DECLARING THE INTENTION OF THE TOWN BOARD TO CONSIDER THE ADOPTION OF APPROPRIATE TOWN REGULATIONS WITH RESPECT TO SUCH BUSINESSES; AND DECLARING AN EMERGENCY. Trustee Walls seconded the motion, and the motion carried unanimously.**

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#### **Discussion regarding the reopening of playgrounds/parks**

Trustee Walls stated that now that businesses have been reopened that he feels that it is time and safe now to open the parks back up to the kids. He added that if people don't feel safe going to the parks than they can choose not to use them at this time. Director Fonner read the variance from the County that states that park facilities could be opened as long as there are adequate controls in place to maintain six-foot social distancing. Staff will post signs at the playgrounds to let people know that they are open once again but to exercise six-foot social distancing. **There was a consensus to open the parks back up.**

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#### **April 2020 financials and balance sheets**

Treasurer Tucker went over the April 2020 financials and balance sheets adding that the sales tax numbers are looking good considering the state of the economy right now.

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#### **Updates from Board / Board comments**

Trustee Walls thanked staff for all of their work at getting businesses back open again and for all of their work behind the scenes that people don't see. Trustee Poston stated that she is optimistic about the town opening back up and that the financials are looking good and hopefully that will continue with businesses now opening back up at fifty percent. Trustee Seifert commented on the big decision made tonight regarding the metro district and that even though it was divided, there was good discussion and it showed the diversity of the board. Trustee Brintnall stated that it is good to see the restaurants open back up. He added that despite the fear factor, he reminded everyone to be respectful of each other and to work together.

Mayor Pro-tem Knott agreed that the metro district is a great opportunity for the town and thanked staff for their hard work on this process. Trustee Flores stated he is pleased to see the town open back up and that the decision on the metro district will be good for the town. Mayor Richel stated that he had spoken with citizens who were out on their OHV's and how much they appreciate being able to ride them in town. He added that he feels that it is also the Board's job to help educate people on the use of them. He stated that he is glad to see the parks open up again and thought the Board had some good discussion on metro district tonight. He added that in the future he would like to see developments provide a plan of what they are doing before the Board has any type of metro district discussion.

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**Adjournment**

**Trustee Seifert made a motion to adjourn. Trustee Brintnall seconded the motion, and the motion carried unanimously. Mayor Richel adjourned the meeting 10:14 p.m.**

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Respectfully submitted,

  
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Sheila M. McIntyre, CMC  
Town Clerk

Approved by the Board of Trustees  
  
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Keith B. Richel  
Mayor

