

**TOWN OF SILT
REGULAR BOARD OF TRUSTEES MEETING
NOVEMBER 8, 2021 – 7:00 P.M.**

The Silt Board of Trustees held their regularly scheduled meeting on Monday, November 8, 2021. Mayor Richel called the meeting to order at 7:00 p.m.

Roll call	Present	Mayor Keith Richel Mayor Pro-tem Kyle Knott Trustee Justin Brintnall Trustee Derek Hanrahan Trustee Samuel Flores Trustee Andreia Poston Trustee Jerry Seifert
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Present remotely were Town Administrator Jeff Layman, Town Clerk Sheila McIntyre, Public Works Director Trey Fonner, Town Treasurer Amie Tucker, Chief of Police Mike Kite, Town Attorney Michael Sawyer, Planner Mark Chain and members of the public.

Pledge of Allegiance and Moment of Silence

Public Comments – There were no public comments.

Consent Agenda

1. Minutes of the October 25, 2021 Board of Trustees meeting
2. Golden Gate Petroleum – Renewal of Fermented Malt Beverage License

Mayor Pro-tem Knott made a motion to approve the consent agenda as presented. Trustee Seifert seconded the motion, and the motion carried unanimously.

Conflicts of Interest – There were no conflicts of interest.

Agenda Changes – There were no agenda changes.

Parks, Recreation and Culture Master Plan Presentation – Brian Kelly and Steve Ellsperman with DHM

Present tonight were Brian Kelly and Steve Ellsperman to go over their results of the Parks, Recreation and Culture Master Plan. They proceeded to go through their presentation that provided information in this document that would be used to guide expenditures in the 2022 budget and chart a course for further improvements to Town of Silt facilities, programming and spaces.

There was a consensus of the Board to review the entire master plan and adopt it at a future meeting.

Request from Camario for Expedited Reinstatement of Phase II

Planner Chain stated that staff has been contacted regarding the reinstatement of the Camario Phase II PUD final plat. He proceeded to go through the history of the project and the process that took place to get the final plat approved even though it was never recorded. Mr. Chain stated that the approvals have lapsed due to inactivity. Planner Chain clarified that should the Board approve the reinstatement, the applicant would still need to go through the public hearing process with a reinstatement hearing before both the Planning Commission and the Board of Trustees.

Attorney Sawyer confirmed that an applicant had previously processed a subdivision application up to final plat, but for various reasons didn't post the security so that it could be recorded. He stated that the current applicant is comfortable with the previous design and that since it had already been reviewed by staff, they are requesting that the town reinstate the project so that they don't need to start over.

There was discussion by the Board on whether there would be any reasons not to allow the expedited reinstatement and Attorney Sawyer stated that staff sees no major flaws that need to be corrected and as long as there are not changes to the content of the plat itself, this could move forward through a reinstatement process. There was also discussion regarding any changes in the land and drainage, an affordable housing component, the money saved by the applicant by not having to start over, if a Subdivision Improvement Agreement would need to come before the Board during this process and the narrow parcel that sits on the west edge of this parcel and the possibility of it being annexed.

Charlie Willman, Attorney for the purchaser of the property was present to ask the Board to consider reinstating the past approvals so that his client could continue to move forward with the purchase of the property. He added that they just need to know what risks there might be should the Board decide not to approve the reinstatement.

When asked how soon this could be visited, Planner Chain stated that staff should be able to start hearings in January and February. Attorney Sawyer stated that he believes the Board may be able to approve the reinstatement subject to a condition that he bring back a Subdivision Improvement Agreement at the next meeting.

There was a consensus of the Board to direct staff to move forward with working towards expediting the reinstatement of Camario Phase II and work with the applicants on the process.

Resolution No. 21, Series 2021, A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE WITH AN ANNEXATION PETITION FOR A PROPERTY KNOWN AS THE HIGHWAY 6 & 24 ANNEXATION #1, A 2.53-ACRE PARCEL ALONG HIGHWAY 6 & 24 WEST OF THE INTERSECTION OF SOUTH FIRST STREET WITHIN GARFIELD COUNTY, STATE OF COLORADO

Resolution No. 22, Series 2021, A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE WITH AN ANNEXATION PETITION FOR A PROPERTY KNOWN AS THE HIGHWAY 6 & 24 ANNEXATION #2, A 0.45-ACRE PARCEL ALONG HIGHWAY 6 & 24 JUST EAST OF THE INTERSECTION OF HIGHWAY 6 & 24 AND 16TH STREET WITHIN GARFIELD COUNTY, STATE OF COLORADO

Resolution No. 23, Series 2021, A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE WITH AN ANNEXATION PETITION FOR A PROPERTY KNOWN AS THE HIGHWAY 6 & 24 ANNEXATION #3, A 0.83-ACRE PARCEL ALONG HIGHWAY 6 & 24 EAST OF THE INTERSECTION OF 16TH STREET AND IMMEDIATELY TO THE EAST OF WHAT IS KNOWN AS THE HIGHWAY 6 & 24 ANNEXATION #3 WITHIN GARFIELD COUNTY, STATE OF COLORADO

Resolution No. 24, Series 2021, A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE WITH AN ANNEXATION PETITION FOR A PROPERTY KNOWN AS THE HIGHWAY 6 & 24 ANNEXATION #4, A 5.81-ACRE PARCEL ALONG HIGHWAY 6 & 24 AT THE EAST END OF THE CURRENT TOWN LIMITS GENERALLY NORTH OF THE AREA KNOWN AS THE VILLAGE AT PAINTED PASTURES WITHIN GARFIELD COUNTY, STATE OF COLORADO

Resolution No. 25, Series 2021, A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE WITH AN ANNEXATION PETITION FOR A PROPERTY KNOWN AS THE SOUTH FIRST STREET RIGHT-OF-WAY ANNEXATION, A 0.11-ACRE PARCEL ALONG THE WESTERN EDGE OF THE SOUTH FIRST STREET RIGHT-OF-WAY IMMEDIATELY SOUTH OF HIGHWAY 6 & 24 WITHIN GARFIELD COUNTY, STATE OF COLORADO

Planner Chain went through his report and the request to annex these five parcels. He stated that there have been issues with these sections in the past with law enforcement as they are in different jurisdictions. He went through the annexation process and stated that the zoning of these parcels would not change and that there would not be any other changes due to the potential annexations. He added that staff feels that there are no reasons not to annex these parcels. Mr. Chain went over the public comments that he has received most notably being the one from Brock Hedberg, owner of Hy-Way Feed who feels that this annexation is a step towards forcing him to annex in the future of which he has no desire as he feels that it would bring a competitive disadvantage to his business. Planner Chain stated that the resolutions have been reviewed by the Planning Commission and that they recommend their approval.

Attorney Sawyer explained the annexation process and that by annexing these portions of roads it would promote public safety and assist the police department to enforce the traffic code. He added that it is unknown why these portions were never annexed over time but that staff is trying to get them cleaned up now to assist with better traffic control throughout town. Attorney Sawyer then explained what an enclave is adding that this annexation would not result in the annexation of either the Co-op or the Hy-Way Feed businesses.

There was discussion that forcing anyone to annex into the town is not in any way the intent of the Board should they approve this annexation. There was also discussion regarding the enforcement of the traffic laws on these segments of road, concerns that Hy-Way Feed would be faced with a tax increase should they be annexed, creating an enforcement agreement with Garfield County for these segments, the difficulty of writing a ticket and knowing which jurisdiction the offense took place in, the effect of the annexation on other parcels adjacent to the proposed annexations, only approving those segments that have no effect on adjacent

property owners, helping to make the police officers' jobs easier in regards to enforcement and the fear of making things even more difficult for the police department.

The public hearing was opened at 8:43 p.m. Rob Doty stated that in reference to their comments he has had some experience in the past on jurisdictional issues, and asked if there could be some type of agreement by this Board. The hearing closed at 8:47 p.m.

Attorney Sawyer responded saying that annexation is a legislative act and one Board cannot bind a future Board on legislative agreements. It was asked how this annexation came about and Chief Kite stated that he had originally brought this forward based on concerns on the east end of town after the new roundabout was constructed.

Mayor Pro-tem Knott made a motion to approve Resolution No's. 24 and 25, Series 2021. Trustee Hanrahan seconded the motion, and the motion carried unanimously.

Trustee Brintnall made a motion to approve Resolution No's. 21, 22, 23 based on finding that they are in substantial compliance and meeting the necessary criteria. The motion failed for lack of a second.

Mayor Richel made a motion to deny Resolution No's. 21, 22, 23. Mayor Pro-tem Knott seconded the motion, and the motion carried with Trustee Brintnall voting nay.

Discussion on Whether to Regulate Short-term Rentals

Planner Chain stated that this has been a topic in the past and that short-term rentals are becoming more popular. He stated that he doesn't believe that there is a problem right now but that it would be good to be proactive and have something in place in regards to a policy and permit similar to a business license, adding that the town has received numerous requests for short-term rental regulations.

There was discussion on whether to create a policy, the length of time that would be considered a short-term rental, how this would also assist with generating additional lodging tax, who would track these permits and how they would be regulated.

There was a consensus to direct staff to draft a simple policy that provides structure for short-term rentals requests.

2022 Budget: Revenue Projections, Fund Balances, Priorities

Administrator Layman stated that due to lateness of the hour this item could be continued to the next meeting if the Board wishes since there will be another budget work session on November 22, 2021.

There was a consensus to move this to the November 22 Board meeting to begin at 5:00 p.m.

Administrator & Staff Reports

There were no comments.

Updates from Board / Board comments

Mayor Pro-tem Knott stated that he likes nights like tonight where they discuss different opinions and are still respectful of each other. Mayor Richel asked if staff had any idea as to how many people attended the Main Street Trick or Treat and staff stated that they had heard approximately 650 people were in attendance. He added that he had received an email from the KOA regarding a jake brake issue when trucks are getting off the highway and going down River Frontage Road and asked if signs could be posted banning jake brakes.

Adjournment

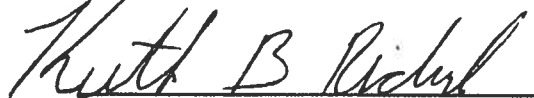
Mayor Pro-Tem Knott made a motion to adjourn. Trustee Brintnall seconded the motion, and the motion carried unanimously. Mayor Richel adjourned the meeting 9:31 p.m.

Respectfully submitted,



Sheila M. McIntyre, CMC
Town Clerk

Approved by the Board of Trustees



Keith B. Richel
Mayor

