

**TOWN OF SILT
REGULAR BOARD OF TRUSTEES MEETING
DECEMBER 13, 2021 – 7:00 P.M.**

The Silt Board of Trustees held their regularly scheduled meeting on Monday, December 13, 2021. Mayor Richel called the meeting to order at 7:01 p.m.

Roll call	Present	Mayor Keith Richel Mayor Pro-tem Kyle Knott Trustee Justin Brintnall Trustee Derek Hanrahan Trustee Samuel Flores Trustee Andrea 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 November 22, 2021 Board of Trustees meeting
2. **Resolution No. 38, Series 2021**, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF SILT TO SET VARIOUS TOWN FEES AND DEPOSITS FROM JANUARY 1, 2022 TO DECEMBER 31, 2022
3. **Resolution No. 39, Series 2021**, A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF SILT, COLORADO AUTHORIZING A MAIL BALLOT ELECTION FOR THE TOWN OF SILT REGULAR MUNICIPAL ELECTION TO BE HELD ON APRIL 5, 2022 AND AUTHORIZING THE TOWN CLERK TO APPOINT ELECTION JUDGES
4. Reappointments of VALE Board members – Dina Prieto, Chris Classen and Larry Stewart

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.

River Trace Request to Purchase Water/Wastewater Taps at 2021 Rates – Russ Hatle

Administrator Layman briefed the Board stating that Russ Hatle of River Trace is present tonight to request to pre-purchase water and wastewater taps in 2021 at the current rates of \$6500 instead of at the 2022 rates of \$9000. He added that River Trace has applied for three building permits so far but would need permission from the Board to purchase the taps for their remaining building permits at the 2021 rates.

Russ Hatle gave a background of their project noting that site work is underway in preparation for the ten buildings that they would be constructing. He stated that there are three permits in the loop right now that taps have been paid for and that they plan to have two more permits submitted by the end of the year but that it would be extremely difficult to get the last five buildings submitted before the end of 2021. Mr. Hatle then explained that the total of taps fees for the ten buildings amount to \$806,000 of which they have paid \$124,800 so far. They would be paying \$106,600 for the next two permits leaving \$468,000 owed for the last five buildings at the 2021 rates. He stated that their goal is to write the town a check in the amount of \$681,200 for taps on the remaining buildings prior to December 31, 2021. It was stated that the developer would save \$180,000 if allowed to pre-purchase the taps.

The Board had discussion regarding the request stating that the code is written the way it is for a reason and that the only thing happening is a \$180,000 savings for the developer. The Board was also concerned about setting a precedence and that the Board needs to make sure that they take care of the town first.

Mr. Hatle stated that the Board has made some good points and appreciates their cooperation and support. He stated that their architect is who is slowing them down, not the building inspection company. He added that they could accelerate the permits and get them turned in before the end of year by terminating the code consulting contract company which would in turn terminate their agreement for outside code consulting and put staff in a difficult position to properly plan check the remaining buildings. Another point that Mr. Hatle made was that the pre-payment of fees puts them at risk of deferring or delaying parts of the project due to the payment now.

Administrator Layman stated that staff has discussed the possibility of an increase in building applications being submitted once the word got out that the taps would be increasing. He stated that the applications need to be checked for completeness as they come in and added that it would be a challenge with our one building official to take on additional permits from River Trace before the end of the year.

There was additional discussion regarding how the town could handle different scenarios regarding plan checks, the extra burden on staff and if the town would need to hire another person and that whatever happens it would not negatively affect the developer. It was also confirmed that if the developer were to pre-pay and the project fails to move forward, there would be no refund of this money. Attorney Sawyer also confirmed that according to code the taps that are purchased would have to be used on the property that they were paid for and not moved to another part of the development.

The Board suggested that the town split the \$180,000 and request that the developer pay an additional \$90,000 for a total of \$771,200 before the end of the year. Mr. Hatle stated that he would split the difference with the town, that he would continue to use code consulting and that he would pay by December 29, 2021. Attorney Sawyer added that if there is a difference in the

amount owed once the calculations are made that the developer would be responsible to pay the difference at the applicable rate.

Mayor Pro-tem Knott made a motion to allow River Trace to purchase the remaining water/wastewater taps that are needed for the 96 multi-family units and the community building to be paid by December 30, 2021 in the amount of \$771,200 and that they continue retain the services of an outside code consulting company under the provisions that have been previously agreed upon between the Town and the developer. Trustee Seifert seconded the motion, and the motion carried unanimously.

Appointment of Trustee to Chair the Silt Housing Authority

Administrator Layman stated that Sam Walls had been selected to serve as the Chair of Silt Housing Authority and with his resignation this seat is now vacant. Trustee Hanrahan stated that he would be willing to serve unless someone else wishes.

Trustee Brintnall made a motion to appoint Trustee Hanrahan to be the Chair of the Silt Housing Authority. Mayor Pro-tem Knott seconded the motion, and the motion carried unanimously.

Resolution No. 30, Series 2021, A RESOLUTION SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS FOR A PORTION OF MAIN STREET KNOWN AS THE ANNEXATION OF HIGHWAY 6 & 24 NO. 4

Planner Chain went through his presentation that covers the Findings of Fact and Conclusion for both Resolution's 30 and 31. He stated that this is next step of the annexation process for these two parcels and that next month the Board would see the annexation ordinances for both parcels before them. He stated that staff recommends approval.

The public hearing was opened at 8:03 p.m. There were no public comments and the hearing closed at 8:03 p.m.

Trustee Seifert made a motion to approve Resolution No. 30, Series 2021, A RESOLUTION SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS FOR A PORTION OF MAIN STREET KNOWN AS THE ANNEXATION OF HIGHWAY 6 & 24 NO. 4. Trustee Poston seconded the motion, and the motion carried unanimously.

Resolution No. 31, Series 2021, A RESOLUTION SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS FOR THE ANNEXATION OF A PORTION OF SOUTH FIRST STREET

The public hearing was opened at 8:05 p.m. There were no public comments and the hearing closed at 8:05 p.m.

Trustee Poston made a motion to approve Resolution No. 31, Series 2021, A RESOLUTION SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS FOR THE ANNEXATION OF A PORTION OF SOUTH FIRST STREET. Trustee Brintnall seconded the motion, and the motion carried unanimously.

Ordinance No. 5, Series 2021, AN ORDINANCE ANNEXING TO THE TOWN OF SILT, COLORADO AN APPROXIMATELY TWO-ACRE TRACT OF LAND LOCATED NORTH OF GRAND AVENUE AND EAST OF KIM DRIVE, SILT, COLORADO, LOCATED IN UNINCORPORATED GARFIELD COUNTY

Attorney Sawyer went over the process to annex this enclave parcel east of Kim Drive, north of Grand Avenue and west of the Camario Subdivision. He confirmed that the properties on all four sides of this parcel have been annexed into the town. He stated that the property is owned by Mr. Ruiz and the town has reached out to him to discuss the annexation of his parcel.

Planner Chain provided his report and the discussion that took place between the town and Mr. Ruiz. He stated that the town wants to see that Mr. Ruiz is kept whole through these proceedings and that staff would be meeting with him again later this week.

The public hearing was opened at 8:11 p.m. There were no public comments and the hearing closed at 8:12 p.m.

The Board and Staff provided a recap of this parcel of land adding that it does not fit in with the residential properties that surround around it. It was stated that it should be annexed for the benefit of the town and the community. Trustee Flores voiced his issue with forcing an annexation.

Mayor Pro-tem Knott made a motion to approve Ordinance No. 5, Series 2021, AN ORDINANCE ANNEXING TO THE TOWN OF SILT, COLORADO AN APPROXIMATELY TWO-ACRE TRACT OF LAND LOCATED NORTH OF GRAND AVENUE AND EAST OF KIM DRIVE, SILT, COLORADO, LOCATED IN UNINCORPORATED GARFIELD COUNTY. Trustee Hanrahan seconded the motion, and the motion carried with Trustee Flores voting nay.

Resolution No. 32, Series 2021, A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR THE TOWN OF SILT, COLORADO FOR THE 2021 BUDGET YEAR

Treasurer Tucker went over the increase to the Victims Assistance Fund based on an additional donation to River Bridge Regional Center that was not budgeted for.

The public hearing was opened at 8:26 p.m. There were no public comments and the hearing closed at 8:26 p.m.

Trustee Seifert made a motion to approve Resolution No. 32, Series 2021, A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR THE TOWN OF SILT, COLORADO FOR THE 2021 BUDGET YEAR. Trustee Flores seconded the motion, and the motion carried unanimously.

Resolution No. 33, Series 2021, A RESOLUTION TO ADOPT THE TOWN OF SILT'S BUDGET FOR CALENDAR YEAR 2022, APPROPRIATE FUNDS AND LEVY PROPERTY TAX

Administrator Layman proceeded with an overview of the budget for the public.

The public hearing was opened at 9:02 p.m. There were no public comments and the hearing closed at 9:02 p.m.

Mayor Pro-tem Knott made a motion to approve Resolution No. 33, Series 2021, A RESOLUTION TO ADOPT THE TOWN OF SILT'S BUDGET FOR CALENDAR YEAR 2022, APPROPRIATE FUNDS AND LEVY PROPERTY TAX. Trustee Hanrahan seconded the motion, and the motion carried unanimously.

Mayor Richel declared adjournment as the Board of Trustees and convened as the Silt Housing Authority

Resolution No. 37, Series 2021, A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR THE SILT HOUSING AUTHORITY BUDGET FOR THE 2021 CALENDAR YEAR

Treasurer Tucker went over the appropriations for the additional repairs that were not anticipated. Chair Hanrahan opened this item up for discussion.

The public hearing was opened at 9:05 p.m. There were no public comments and the hearing closed at 9:05 p.m.

Mayor Richel made a motion to approve Resolution No. 37, Series 2021, A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR THE SILT HOUSING AUTHORITY BUDGET FOR THE 2021 CALENDAR YEAR. Mayor Pro-tem Knott seconded the motion, and the motion carried unanimously.

Resolution No. 34, Series 2021, A RESOLUTION TO ADOPT THE SILT HOUSING AUTHORITY BUDGET FOR CALENDAR YEAR 2022 AND APPROPRIATE FUNDS

Chair Hanrahan opened this item up for discussion.

The public hearing was opened at 9:07 p.m. There were no public comments and the hearing closed at 9:07 p.m.

Trustee Seifert made a motion to approve Resolution No. 34, Series 2021, A RESOLUTION TO ADOPT THE SILT HOUSING AUTHORITY BUDGET FOR CALENDAR YEAR 2022 AND APPROPRIATE FUNDS. Trustee Brintnall seconded the motion, and the motion carried unanimously.

Mayor Richel declared adjournment as the Silt Housing Authority and reconvened as the Board of Trustees. Mayor Richel then declared adjournment as the Board of Trustees and convened as the Silt Urban Renewal Authority.

Resolution No. 35, Series 2021, A RESOLUTION TO ADOPT THE SILT URBAN RENEWAL AUTHORITY BUDGET FOR CALENDAR YEAR 2022 AND APPROPRIATE FUNDS

Mayor Richel opened this item up for discussion. Treasurer Tucker went over the resolution.

The public hearing was opened at 9:11 p.m. There were no public comments and the hearing closed at 9:11 p.m.

Trustee Flores made a motion to approve Resolution No. 35, Series 2021, A RESOLUTION TO ADOPT THE SILT URBAN RENEWAL AUTHORITY BUDGET FOR CALENDAR YEAR 2022 AND APPROPRIATE FUNDS. Trustee Hanrahan seconded the motion, and the motion carried unanimously.

Mayor Richel adjourned as the Silt Urban Renewal Authority and reconvened at the Board of Trustees.

November 2021 Financial Report

Treasurer Tucker went over the November 2021 financial report.

Administrator & Staff Reports

Administrator Layman went over the letter from Town Water Engineer Tony Zancanella that was in the packet that lists the needs and problems at the water plant that would be relayed to DHSEM (State and Federal agencies) in hopes of helping the town find sources of funding to help upgrade the water plant. Administrator Layman and Director Fonner also provided an overview of the last IMTPR meeting. Administrator Layman was also asked for a status of the ASAP program.

Updates from Board / Board comments

The Board thanked staff for all of their hard work especially on the budget and their continued efforts for the town. Trustee Poston stated that despite the challenges this year that we all continue to support local businesses and she looks forward to using that money towards future projects. Trustee Seifert commended Director Fonner for the article in the paper that addressed our water issues.

Mayor Pro-tem Knott also thanked all of the Trustees for their efforts and discussions adding that he also hopes to see all of staff in Chambers next year. Mayor Richel stated that he was approached by citizens at a recent event on who they need to contact to get a safer crosswalk at 7th & Main Street. Director Fonner stated that it would help if the citizens themselves would contact CDoT to express their concerns. Mayor Richel also commented about the three girls' basketball teams from Silt and how they took first and second place. He also commented about the IMTPR meeting and that he would argue that Silt is ahead of the south bridge project in Glenwood and that he would do his best to attend the next meeting.

The Board wished everyone Happy Holidays!

Mayor Richel made a motion to go into executive session to discuss the purchase, acquisition, lease, transfer, or sale of any real, personal or other property interest under CRS Section 24-6-402(4)(a) – In regards to an approximate two-acre tract of land located north of Grand Avenue and east of Kim Drive in unincorporated Garfield County and the offer to purchase the Corral Mobile Home Park. Mayor Pro-tem Knott seconded the motion, and the motion carried unanimously. The Board adjourned to executive session at 9:33 p.m.

At the end of executive session, Mayor Richel made the following statement: “The time is now 10:17 p.m., and the executive session has concluded. No formal action was taken in the executive session. The participants in the executive session were: Keith Richel, Kyle Knott, Jerry Seifert, Andreia Poston, Justin Brintnall, Samuel Flores, Derek Hanrahan, Jeff Layman, Sheila McIntyre, Amie Tucker, Trey Fonner, Mark Chain and Michael Sawyer. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record”. No objections were stated.

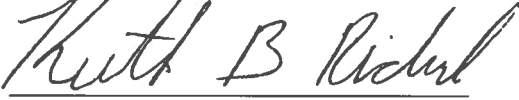
Adjournment

Trustee Poston made a motion to adjourn. Trustee Seifert seconded the motion, and the motion carried unanimously. Mayor Richel adjourned the meeting 10:19 p.m.

Respectfully submitted,


Sheila M. McIntyre, CMC
Town Clerk

Approved by the Board of Trustees


Keith B. Richel
Mayor

