

**TOWN OF SILT
REGULAR BOARD OF TRUSTEES MEETING
MAY 10, 2021 – 7:00 P.M.**

The Silt Board of Trustees held their regularly scheduled meeting on Monday, May 10, 2021. Mayor Richel called the meeting to order at 7:02 p.m.

Roll call	Present	Mayor Keith Richel (remote) Mayor Pro-tem Kyle Knott Trustee Justin Brintrnall Trustee Samuel Flores Trustee Andreia Poston Trustee Jerry Seifert Trustee Sam Walls
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Present remotely were Town Administrator Jeff Layman, Town Clerk Sheila McIntyre, Public Works Director Trey Fonner, Town Treasurer Amie Tucker, Police Chief Mike Kite, 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 April 26, 2021 Board of Trustees meeting
2. DOLA Regional Resiliency and Recovery Roadmap Grant Application

Administrator Layman explained the DOLA Grant Application that would be used to assist with developing resiliency in the region that goes beyond COVID19. It is also designed to assist with ups and downs experienced by the Town and help with economic development.

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

Conflicts of Interest – There were no conflicts of interest.

Agenda Changes – There were no agenda changes.

Resolution No. 12, Series 2021, A RESOLUTION TO APPROVE THE LEGACY AFFORDABLE FUNERAL SERVICES SPECIAL USE PERMIT AT 701 MAIN STREET

Planner Chain went through his presentation stating that the applicant would be acting in the capacity of a middle man operation where families could get advice and decide what their next step would be when they experience the loss of a loved one. He clarified that neither embalming or cremation would be taking place on this property. Mr. Chain also went over the site plan and layout of the operation.

The public hearing was opened at 7:24 p.m. There were no public comments and the hearing was closed at 7:25 p.m.

Applicant Eleuterio Arredondo thanked the Board and stated that he is good with everything and looks forward to giving back to the residents of the town.

Mayor Pro-tem Knott made a motion to approve Resolution No. 12, Series 2021, A RESOLUTION TO APPROVE THE LEGACY AFFORDABLE FUNERAL SERVICES SPECIAL USE PERMIT AT 701 MAIN STREET. Trustee Brintnall seconded the motion, and the motion carried unanimously.

Mountain Waste Trash & Recycling Agreement Extension discussion – Mike Hinkley

Administrator Layman stated that the Town's 3-year trash and recycling contract is due to expire on July 31, 2021 and that Mountain Waste has chosen to exercise an extension to the contract as provided for in Section 5 of the original contract instead of putting the service out for bid again. Mountain Waste has presented a renewal request with a rate of \$7.00 per week up from the current \$6.92 per week, per home. Doug Goldsmith with Mountain Waste was present to answer any questions and to clarify that the increase is a ½% increase across the board based on the CPI and covers both the trash and recycling services. Approval of this extension would add an additional two years to the current contract. The Board agreed that it is good to keep this relationship with Mountain Waste.

Mayor Pro-tem Knott made a motion to approve the Mountain Waste Trash & Recycling Agreement Extension with a base rate of \$7.00 per household per week. Trustee Brintnall seconded the motion, and the motion carried unanimously.

Heron's Nest Pre-annexation discussion – Davis Farrar

Planner Chain went over his staff report which contained preliminary information on the Heron's Nest concept plan. He stated that it is his opinion that this 27.5-acre parcel should ultimately be annexed into the town if possible, adding that Heron's Nest currently consists of 76 full-time RV spaces. Davis Farrar, planner for the proposed applicant provided his presentation, stating that a formal application has not been submitted yet and that they wanted to introduce the project to the Board tonight in an effort to obtain feedback before they proceed any further with this proposal. He stated that the applicant would like to bring forth an annexation request with PUD zoning.

Mr. Farrar touched on the following items:

- The proposed site plan outlining its various sections and phases,
- Each mobile home space would be around 4000 square feet and that there would be about 101 total units,

- Heron's Nest would own the lots while the homes would be owned by the individual renters,
- The park that would be provided that would be open to all citizens of Silt,
- That the streets within the project would be private,
- Common parking areas within the park for guest parking,
- The request of an additional 15 spaces to the RV park,
- The applicant would request to transition the RV park after 17 years to comply with the town's length of stay provision and make it an actual RV park,
- A possible fisherman's easement along the river,
- They propose that the RV park remain on its own water supply by using its two current wells, with the balance of the new project connecting to the town's water system,
- They would abandon their existing wastewater treatment system and connect to the town's sewer system,
- There would be some improvements to River Frontage Road where it connects to the private streets,
- They would floodproof the mobile home park by raising the pad sites to meet the floodplain requirements for the town,
- Wetlands would not be encroached on,
- Proposed to have dark sky lighting,
- A soft trail system throughout the project, and
- That the overall concept is to provide affordable housing.

Dave Kotz, Engineer for the applicant provided his staff report addressing the floodplain and wetlands. He added that he believes that it would be a good move for Silt to annex the property so that the town could eliminate the private wastewater system and have control over what happens on this property.

Bruce Stolbach added that the individual lots for mobile home site are over 3000 square feet and a nice individual space for people to live. He stated that they are still trying to development the open space adding that this project is a way to provide affordable housing and that they would work with town on what they would like it to be. He stated that they are just asking the Board for approval of the concept, not necessarily the specifics.

Planner Farrar described the proposed homes and provided pictures of some of the potential units. There was discussion regarding the age of homes that would be brought in. Mr. Stolbach stated they would need to meet the standards of the homes that were just shown by Mr. Farrar and that as far as age, they have no intent to limit the age of them but they would need to meet the criteria as required by the town. He added that they would be willing to entertain an age limitation on the units brought in.

Mayor Pro-tem Knott commented about the lack of recreational sites for our youth and that he believes that they should consider more parks. He added that there would probably be a lot of kids who would be living here and would need a place to play. Mr. Knott also asked what their timeline was and Planner Farrar stated that the 17 years is based on current financing on the entire site and that it would help transition current residents to shorter timed stays but that he didn't have an exact timeline as of yet.

Mayor Richel stated that he has an issue with used units being used especially since anyone else in town is required to place new units. He also stated that there is an RV park right next door that isn't required to have long term stays but yet this project wants to add 15 more long-

term spaces. He stated that he believes that leaving the existing park in use for 17-years is way too long of a time and that it would be a necessity to get on the town's services. Mayor Richel stated that by annexing this property into the town it would add an additional impact on our Police Department as well as the Fire Department but that it would be a great project if it is done appropriate and if the existing RV park is dealt with prior to adding more units to it.

Attorney Sawyer explained that this would be an annexation which means that the terms upon which the Town chooses to allow the property to annex is all negotiable. He stated that this the time to let the applicant know of those items that the Board wants the applicant to pay attention to so that the applicant can factor those items into their proposal. Mr. Sawyer stated that the Town does have manufactured housing criteria that would apply to this development and that the code mandates that all development within the town be connected to the towns water and sewer systems. He added that it would take a variance within the annexation agreement to allow a portion of this development to not connect to the town. Attorney Sawyer stated that 17 years is a very long time to not connect to the system and that 5 years may be more reasonable.

Planner Farrar stated that they would factor these comments into their proposal. Mr. Stolbach clarified in regards to the 17 years, that the applicant would need the income received from the RV park during that time to afford the remainder of the development. He added that he believes the applicant would entertain the comments regarding new mobile homes being brought in but that he would need to keep the RV park open for a significant length of time to assist with the development.

Mayor Richel stated that he is not in favor of leaving the RV park there for 17 years and is also not in favor of adding the additional 15 RV spaces. Comments were made about the project proceeding cautiously as the Town would like to monitor the quality of homes that come into our community. They also discussion about decreasing the number of homes in an effort to increase the amount of recreational space. Mayor Pro-tem Knott stated that he thinks the project is a good idea if we can figure out how to make it beneficial to the town and if the developer could figure out his cash flow. There was also discussion about the additional 200 units and the strain they would put on the Town's water and sewer plant as well as the revenue that would come from the units. Planner Chain stated that the applicant would be presenting to the Planning Commission to get their input as well.

Impacts of Emergency Declaration Revocation

Administrator Layman stated that staff has research how the revocation of the emergency declaration would impact the Town operations and business continuity and also went through what is still required through the Colorado Public Health Order. Attorney Sawyer went through the prior emergency Resolution that was passed adding that he believes that Resolution 20 which adopted a remote participation policy for the Town could be changed so that it would apply to when a disaster has not been declared. He stated that it should address opening up the Council Chambers to allow for public participation again and that it should have the option of a hybrid meeting to where the public could attend via Zoom adding that it would be wise to continue to allow the public to participate by Zoom for those who can not or choose not to attend in person for whatever reason.

Attorney Sawyer stated that as far as Board participation, the Charter currently states that members must be "present" but that "present" should be better defined. Attorney Sawyer stated

that the electronic participation policy could be modified so as to allow members of the Board to continue to attend in person or via Zoom. He asked the Board to consider what their expectations are for their co-Trustees, having access to staff, the efficiency of participating in meetings when some are in Chambers and others are not and viewing materials presented by applicants. He added that an option could be to allow Board members to participate a certain number of times during the year.

There were Board comments about having the Board and public together again, allowing Board members to attend a certain number of times per year remotely, the need to define what "present" would mean, keeping Zoom as a permanent option and allowing staff to continue to participate remotely. The Board also discussed setting up the podium at the doorway so that public comments could be taken while at the same time monitoring the amount of people who come in to make public comments.

Attorney Sawyer stated that he would bring back a revised policy that states that once the emergency declaration is revoked the Board and the public would be allowed back in Chambers or they could attend via an electronic platform, and that he would implement the recommendations from his memorandum and monitor it for refinement while at the same time encouraging Board members to participate in person.

Attorney Sawyer then addressed how the emergency orders passed last year assisted local businesses. He went on to explain the process that a business goes through in order to have their licensed premise approved in order to serve alcohol and well as how a modification of premise must take place by going through a public hearing process and approval at both the local and State levels. Attorney Sawyer stated that he believes that the town could continue to respect the change in the licensed premise for Miner's Claim if the Town revokes its emergency declaration so long as the State maintains an emergency declaration regarding liquor. Once the State terminates its emergency declaration the Miner's Claim would be required to revert back to their original licensed premise unless they process a permanent change to their licensed premise. Attorney Sawyer asked the Board what time frame they feel comfortable with allowing Miner's Claim to continue to use the tent on 8th Street and if that time frame would be long enough the outlive the States expected public health declaration, then the Town would need to encourage Miner's Claim to move forward with getting a permanent amendment to their liquor license to change the licensed premise.

Christian Harra, owner of Miner's Claim was present and stated he is running at capacity with the help of the tent and that he has no problem with the town retracting the emergency declaration adding that his staff is still wearing masks. He stated that he is just looking for 100% certainly that his business will be alright if the emergency declaration is lifted. Attorney Sawyer stated that it is his opinion that so long as the State order that authorized administrative modifications to the licensed premises stay in place, Miner's Claim could continue to serve liquor.

Mayor Richel stated that he was if favor of lifting the emergency declaration as long as the businesses could continue to operate as they currently are. He stated that adjustments would need to be made to our meeting policy. **There was a consensus of the Board to have the Attorney draft the appropriate paperwork to lift Resolution 19 regarding the emergency declaration and to bring back an electronic participation policy.**

Topics of discussion for upcoming work session between the Board of Trustees and Planning & zoning Commission

The Board stated that they would like to address the code regarding modulars in light of the discussion tonight on Heron’s Nest but other than that they had nothing in particular and stated that they would like to have a roundtable discussion with the Commission.

Administrator & Staff Reports

Administrator Layman went over his staff report touching on the Town Hall Speaker Series adding that he would be on the panel for this event. Mr. Layman also talked about a previous discussion that was had regarding code enforcement and that an ad hoc committee was going to be formed consisting of a Trustee and a member of the Planning Commission along with staff to discuss issues related to code enforcement and how to pursue addressing them. Administrator Layman asked if there would be a Trustee who would like to sit on this committee and Mayor Pro-tem Knott volunteered.

Administrator Layman commented to the Board that as they go through the staff reports to reflect on the amount of work that this small but mighty team does. He stated that they all deserve a pat on the back and added how proud he is to be associated with them. Mr. Layman added that the Town would be having their ice cream social on May 17 at the Silt River Preserve and that staff has added a free concert to this summer’s event schedule to take place on June 11.

Updates from Board / Board comments

The Board thanked the entire staff for all of their hard work and that they are amazed at all of the things that they do. They also commented about how happy they are to see things starting to open back up.

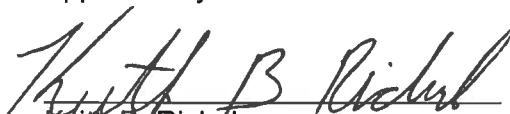
Adjournment

Mayor Pro-tem Knott made a motion to adjourn. Trustee Flores seconded the motion, and the motion carried unanimously. Mayor Richel adjourned the meeting 9:52 p.m.

Respectfully submitted,


Sheila M. McIntyre, CMC
Town Clerk



Approved by the Board of Trustees

Keith B. Richel
Mayor