

**TOWN OF SILT  
REGULAR BOARD OF TRUSTEES MEETING  
AUGUST 9, 2021 – 7:00 P.M.**

The Silt Board of Trustees held their regularly scheduled meeting on Monday, August 9, 2021. Mayor Richel called the meeting to order at 7:05 p.m.

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**Roll call**

Present

Mayor Keith Richel  
Mayor Pro-tem Kyle Knott  
Trustee Justin Brintnall  
Trustee Samuel Flores  
Trustee Andreia Poston  
Trustee Jerry Seifert  
Vacancy

Present remotely were Town Administrator Jeff Layman, Town Clerk Sheila McIntyre, Town Treasurer Amie Tucker, Public Works Director Trey Fonner, Police Chief Mike Kite, Attorney Michael Sawyer, Planner Mark Chain and members of the public.

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**Pledge of Allegiance and Moment of Silence**

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**Public Comments** – Chris Classen reminded everyone of Heydays that would be taking place on August 21 at Veteran’s Park, hosted by the Silt Historical Park.

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**Consent Agenda**

1. Minutes of the July 26, 2021 Board of Trustees meeting
2. Burning Mountain Pizza & Subs – Hotel & Restaurant Liquor License Renewal
3. Go-Fer Foods of Silt – Fermented Malt Beverage Liquor License Renewal
4. Rifle Remedies, LLC dba Green Cross Silt – Retail Marijuana License Renewal
5. **Resolution No. 19, Series 2021, A RESOLUTION SUPPORTING THE GRANT APPLICATION FOR A GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT GRANT IN THE AMOUNT OF \$25,000.00, FOR A TOTAL PROJECT COST OF \$65,000.00, IN ORDER TO OFFSET THE COSTS ASSOCIATED WITH THE PURCHASE OF A NEW WORK/PLOW TRUCK FOR THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO**

Mayor Richel asked that the Burning Mountain Pizza & Subs renewal be pulled from the consent agenda until a later date.

**Mayor Pro-tem Knott made a motion to approve items 1, 3, 4 and 5 on the consent agenda. Trustee Seifert 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** – Administrator Layman pointed out the additional paperwork in front of the Board tonight; the monthly report on the property listings for the two Town parcels, the agenda for the executive session and the letter to CMCA nominating Town Clerk McIntyre for her outstanding contributions to a Municipality by a Clerk.

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**Interview for Board of Trustee Vacancy – Astrid Bejarano, Joyce Gornick, Derek Hanrahan and Chris Classen**

The Board interviewed each of the applicants for the vacancy that would last until the 2022 Election.

**Mayor Pro-tem Knott made a motion to appoint Derek Hanrahan to the Board of Trustees vacancy. Trustee Brintnall seconded the motion, and the motion failed with Trustees Seifert, Poston and Flores voting nay.**

**Trustee Poston made a motion to nominate Chris Classen to the Board of Trustees vacancy. Trustee Seifert seconded the motion, and the motion failed with Mayor Richel, Mayor Pro-tem Knott and Trustees Flores and Brintnall voting nay.**

**Trustee Brintnall made a motion to appoint Derek Hanrahan to the Board of Trustees vacancy. Mayor Pro-tem Knott seconded the motion, and the motion carried with Trustees Seifert and Flores voting nay.**

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**Town Clerk McIntyre swore in Derek Hanrahan and he was seated immediately.**

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**Resolution No. 16, Series 2021, A RESOLUTION APPROVING THE SPECIAL USE PERMIT TO ALLOW FOR AN EMPLOYEE UNIT IN A BUILDING LOCATED AT 110 W MAIN STREET, WITHIN THE TOWN OF SILT, COLORADO**

Planner Chain went through his staff presentation for a special use permit that would allow for an employee unit on the ground level at 110 W Main Street. He went over the parking and the ingress and egress onto Highway 6 adding that their design has been accepted by Public Works as long as the grade is kept up so that the proper drainage is maintained. Mr. Chain stated that the Planning Commission recommended approval with a 4-1 vote and that he recommends approval based on the conditions listed in his report.

Applicant Daniel Lee thanked the Board for their consideration adding that he has employees that he would like to get into this residential unit once approved and that it would be beneficial to the Town of Silt.

The public hearing was opened at 8:25 p.m. There were no public comments and the hearing closed at 8:26 p.m.

Mayor Pro-tem Knott asked that someone convince him why this application is a good idea based on the focus that the Board has been placing on economic development and developing the downtown corridor. He stated that he was concerned with approving a special use permit for residential and not getting a return back on a building that should be a business.

There was discussion regarding the special use permit should the property sell, and that a new owner would need to come before the Board for approval should they want to maintain the residential unit. The Board also talked about adding a condition to the special use permit that it would need to be reviewed every year.

**Trustee Seifert made a motion to approve Resolution No. 16, Series 2021, A RESOLUTION APPROVING THE SPECIAL USE PERMIT TO ALLOW FOR AN EMPLOYEE UNIT IN A BUILDING LOCATED AT 110 W MAIN STREET, WITHIN THE TOWN OF SILT, COLORADO on the following conditions: 1) that the special use permit goes with the property as long as it is owned by the current applicant, 2) that any future owners of the property would need to go to the Board with a special use permit request and approval to continue the residential use, and 3) that the special use permit be recorded with the Garfield County Clerk & Recorder. Trustee Flores seconded the motion, and the motion carried unanimously.**

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**Resolution No. 18, Series 2021, A RESOLUTION ADOPTING A FINANCIAL POLICES AND PROCEDURE MANUAL FOR THE TOWN OF SILT – John Lewis**

The Town's financial consultant, John Lewis provided the Board with a presentation that documents the Town's financial policies. He stated that the new policy not only protects the Board and Staff but is also a tool for accountability and transparency.

**Mayor Pro-tem Knott made a motion to approve Resolution No. 18, Series 2021, A RESOLUTION ADOPTING A FINANCIAL POLICES AND PROCEDURE MANUAL FOR THE TOWN OF SILT. Trustee Poston seconded the motion, and the motion carried unanimously.**

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#### **Water Plant Update – Tony Zancanella**

Director Fonner stated that with the upcoming regulations and upgrades that would be needed at the Town plants, staff would like to layout a plan of how to best deal with these situations. Present tonight is Tony Zancanella, acting ORC (Operator in Charge) for the Town to go over those items and make recommendations on both the water and wastewater plant upgrades. Mr. Zancanella stated that both the water and wastewater treatment plants need to be updated since the last time they were addressed was in 2010.

Mr. Zancanella went over some pretreatment options that included sand filtration, a raw water settling pond as well as iron and manganese removal. He also went over the regulatory challenges that the plants are faced with regarding Regulations 31 and 85 that were adopted in 2012. The updates to the plants could cost approximately \$20 million and would need to be in place by 2032 per Regulation 31.

There was discussion regarding the different options the town has to address the plants by replacing items as they can, pursuing grants, how to fund the replacement of the existing skids, incorporating some form of pretreatment, a potential settling pond or sand filtration pretreatment, a timeline to address the issues at the plants, grants that have been received already to help address some of the issues, and the condition of the plant over the last few years.

Mayor Richel asked that a document be provided to the Board as to what needs to be done and the costs associated with those items with a possible timeline to get these items completed. Mr. Zancanella complimented the current staff at the plants and added that he would also like to see that the town purchase additional spare parts to have available when needed to assist with the aging plant.

Director Fonner stated that staff is currently collecting data to try and determine what is needed and would provide a list to the Board of the future steps necessary to upgrade the plant. Mr. Zancanella stated that another building would be useful to store chemicals in and that two more skids would be ideal to create total redundancy. Administrator Layman explained that in the short-term staff would be using the grant funding that has been received to upgrade the current skids so that they are as operational as they can be during this planning and research period.

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### **Consideration of Water Rates – Bulk Water, Tap Fees & Service Fees – Michael Erion**

Director Fonner stated that as staff moves forward into budget season that a discussion on water and wastewater rates are in order. With the upcoming upgrades as just discussed, yearly maintenance, the rise of material costs and the increasing regulations it is important to stay ahead of these costs.

Present tonight was water engineer Michael Erion, to go over his recommended tap fees and service rate charges for the potable water system. Mr. Erion went over his memo and plan to get the town's tap fees increased to where they should be to assist with the increased costs to run the plants. He also suggested charging the same rate for all three bulk stations and that they should be raised to match what in town citizens pay for their water.

Mr. Erion went over the existing water system and 20-year capital investment costs plan adding that the funding of the Town's improvements through the tap fees from the current collection of fees is barely covering operational expenditures. The Town currently collects \$6500 per EQR and he is recommending a phasing plan over four years to charge \$9900 per tap. He also recommended that the annual rate then be increased by 3% each year to account for inflation.

Mr. Erion then went over the bulk water facilities stating that the bulk water rate is considerably less than what in town residents are being charged, adding that the bulk water users who are primarily County residents, did not have to pay a tap fee, or dedicate water rights, or pay a cash in lieu of water rights fee, or pay town taxes. He stated that bulk water rates should be consistent with out-of-town water rates which are double the rate for Town residents but recommended that they should be raised to at least the same cost as what Town residents pay. He added that all three bulk water stations should charge the same rate.

There was discussion about the bulk water rates and tap fees and the need to increase them. The Board also emphasized the need to collect all fees required from future developers. There was a consensus of the Board to increase the bulk water rates and raising the tap fees. The Board directed staff to bring back a Resolution at the next meeting to raise bulk water rates to \$25 per 1000 gallons and to increase the tap fees to \$7500 at the first of the year.

## **Electric Car Charging Station Fee Discussion**

Director Fonner stated that he was asked to bring back information on the usage of the electric car charging station. He stated that since it was brought on line in March 2020, there have been a total of 269 charging session at a cost to the Town of \$968.40 in electrical costs. Director Fonner recommended that the Town charge a minimum cost of .20 per kwh to cover just the cost of the electricity.

**Trustee Seifert made a motion to start charging .20 per kwh at the electric car charging station. Trustee Brintnall seconded the motion, and the motion carried with Mayor Pro-tem and Trustee Flores voting nay.**

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**Mayor Pro-tem Knott made a motion to extend the meeting past 10:00 p.m. Trustee Seifert seconded the motion, and the motion carried unanimously.**

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## **Silt I-70 Pedestrian/Bike Overpass Update**

Director Fonner stated that the website for this project is up and running and that public comments can now be made on line. He proceeded to go over the website and shared with the public on how to maneuver the website to see the project and make comments. Trustee Hanrahan stated that he would be interested in seeing the analytic data from the website.

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## **Topics of discussion between the Board of Trustees and Planning & Zoning Commission**

Administrator Layman asked the Board if they had topics that they would like to discuss with the Commission in the future. It was suggested to talk about Main Street and possibly the special use permit that was on the agenda tonight. It was also agreed to talk about pedestrian accessibility that was brought up by the Planning Commission at their last meeting.

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## **Administrator & Staff Reports**

There was discussion about the lights at the lettuce facility in the County that can be quite bright at times. Administrator Layman stated that he has heard that they would be installing trees on the north and west sides of the building to help shield the lights.

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

The Board thanked staff for their hard work especially with tonight's large agenda as well as all of the other consultants for the Town who joined the meeting tonight. The Board also thanked all of the applicants who applied for the vacancy and welcomed Derek Hanrahan to the Board. Trustee Derek Hanrahan thanked the Board for the opportunity to serve. Mayor Richel commented about franchise fees that were brought up tonight during the water discussion and asked which ones are collected by the Town. Administrator Layman clarified that tonight's consultants were speaking about water and wastewater franchise fees, adding that this may be a general fund revenue opportunity in the future. Mayor Richel also thanked staff and all of those who joined the meeting tonight for the various topics in this large packet.

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**Executive Session**

Mayor Richel made a motion to go into an 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) – Potential purchase of Silt Island; potential water treatment settling pond, bulk water rates discussion and purchase of available water rights. Mayor Pro-tem Knott seconded the motion, and the motion carried unanimously. The Board adjourned to executive session at 10:27 p.m.

At the end of executive session, Mayor Richel made the following statement: “The time is now 11:26 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, Andrea Poston, Justin Brintnall, Samuel Flores, Derek Hanrahan, Jeff Layman, Michael Sawyer, Sheila McIntyre, Amie Tucker, Mike Kite, Trey Fonner, Tony Zancanella and Michael Erion. Attorney Michael Sawyer and Tony Zancanella left the meeting at 11:00 p.m. 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.


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**Adjournment**

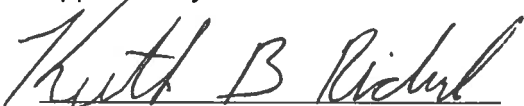
Mayor Pro-tem Knott made a motion to adjourn. Trustee Poston seconded the motion, and the motion carried unanimously. Mayor Richel adjourned the meeting 11:27 p.m.

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Respectfully submitted,

  
Sheila M. McIntyre, CMC  
Town Clerk

Approved by the Board of Trustees

  
Keith B. Richel  
Mayor

