

**TOWN OF SILT
REGULAR BOARD OF TRUSTEES MEETING
FEBRUARY 14, 2022 – 7:00 P.M.**

The Silt Board of Trustees held their regularly scheduled meeting on Monday, February 14, 2022. 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 Samuel Flores
Trustee Derek Hanrahan
Trustee Andreia Poston
Trustee Jerry Seifert

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 – Chris Classen stated that he has reservations about the potential cost of the trail going out to Coal Ridge High School in the amount of \$5.8 million dollars. He added that it seems that the Town would be the main group bearing the brunt of the costs, and asked if we know how many people would really use the trail. He also spoke about the unsafe crossings to get around Davis Point and that the design should change to make it safer.

Consent Agenda

1. Minutes of the January 24, 2022 Board of Trustees meeting
2. Approval of the 7-Party Memorandum of Understanding Regarding Garfield County Senior Programs for 2022
3. Approval of Intergovernmental Agreement for Garfield County Senior Programs Traveler Services for 2022

Concerns were voiced about RFTA providing a service even though they are tax funded. Mayor Richel suggested having the Board meet with RFTA and the County Commissioners regarding this service.

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 – Town Clerk McIntyre asked the Board to have a brief discussion regarding a candidate forum during staff comments. Administrator Layman stated that he would also like to discuss the upcoming joint meeting with the New Castle Council at the same time.

Town of Silt Water Treatment Plant Master Plan Phase I Agreement

Administrator Layman stated that staff has been working with the town's Operator in Responsible Charge, Tony Zancanella to bring the water plant up to some acceptable level of operation and to allow a reliable assessment of its capabilities and limitation to be completed.

Tony Zancanella provided the Board with an update of what has taken place at the plant in regards to clean up and repair, updated controls on the existing skids, improving the water quality coming into the plant and proposing that the town hire Dewberry Engineers to provide their technical expertise of the plants in addition to updating the water and wastewater master plans.

Pat Radabaugh with Dewberry Engineers stated that their goal is to look at the existing treatment infrastructure and evaluate it and identifying its short comings and lay out a plan of what needs to take place in an effort to meet growth and current and future regulatory requirements. He explained that the goal of the master plans would be to have documents that would go to the funding agencies in pursuit of funding to assist with any future infrastructure construction. Water Specialist Angela Kana-Veydovec was also present and provided a brief presentation showing the process flow chart regarding the state revolving fund process and prerequisites for additional funding options.

Administrator Layman explained the "sole sourcing alternative" and is recommending that the Board contract with Dewberry immediately on the water plant proposal and to consider doing the same with the wastewater plant proposal so that the analysis could be done and then placed on the State's "Project Needs Assessment" prior to close of the June 30 deadline. He added that he doesn't feel that the town has the time to put this out for an RFP. He stated that the team at Dewberry came very highly recommended by the town of Gypsum. Administrator Layman also stated that the Town Attorney is also comfortable with the sole sourcing based on the town's Procurement Policy. The contracts are approximately \$99,000 for each plant with the water plant being the most pressing.

Director Fonner explained the State revolving fund and that in order to be in line for money out of that program we need to have the Project Needs Assessments completed and turned in by June 30, 2022. Administrator Layman stated that it would be difficult to go through the RFP process without having the Needs Assessment completed and that the town needs to have a comprehensive view of both the short-term and the long-term fixes. He also explained how the deficiencies of the plants have been addressed so that this study could now be done.

The Board stated that they would want to see a good return on the \$200,000 that they would be spending on these two master plans. Mr. Radabaugh stated that they would provide a document that would lay out the short comings of existing infrastructure and what would need to be fixed in addition to laying out a capital improvement plan for future growth. He added that there are several large regulatory requirements coming in the future that could make an impact on a lot of people and that it would help to have the necessary money budgeted for infrastructure needs.

Mr. Zancanella added that both the water and wastewater master plans have not been updated since 2010 and that this process would make sure that the proposed treatment alternatives are the most effective methods for the town and that they would get us to the level that we need to be and provide better guidance.

There was Board discussion regarding the timeline of getting this completed by June 30, 2022 and the concern of the proprietary rights. Mr. Radabaugh explained that the report would belong to the town and that the agreement could be modified to say such adding that both reports could be done by June. Attorney Sawyer stated that the Board could include in their motion that the work product would belong to the town. It was discussed that Dewberry Engineers would come back before the Board in early May so that the preliminary recommendations could be reviewed, approved and the final report submitted by the June 30, 2022 deadline.

Mayor Pro-tem Knott made a motion to approve the Master Plan Project and Agreements for both the water and wastewater plants with Dewberry Engineers and that the Master Plans for both be completed and to the State by the June 30, 2022 deadline and to clarify that the Town would have full ownership of the master plans as addressed in #4 of the Standard Terms and Conditions portion of the agreement. Trustee Seifert seconded the motion, and the motion carried unanimously.

Request for Out-of-Town Tap – Troy Kelley

Director Fonner briefed the Board on an agreement that the Town has with the Sunrise Subdivision which is located on the north boundary of the town. The agreement provides an easement to the Town for its water tank needs, in exchange for the Town's delivery of potable water to this county subdivision. Troy Kelley was present tonight to request an additional water tap off of the water main to service the property located at 1742 County Road 214.

Director Fonner went over the requirements laid out by code for out-of-town service and the rates that are charged to those end users. As an out-of-town user the applicant would be responsible for paying twice the monthly rate of what an in-town user pays and they would be required to pay triple the tap fees (\$27,000) which currently sit at \$9000 for in-town users.

Mr. Kelley stated that the property belonged to his grandmother and that the well works marginal at best and can't keep up with demand. It was added that Mr. Kelley would maintain his own septic.

Mayor Pro-tem Knott made a motion to approve the request for an out-of-town tap for Troy Kelley at 1742 County Road 214. Trustee Brintnall seconded the motion, and the motion carried unanimously.

Coal Ridge Trail Cost Estimate

Administrator Layman stated that the proposed trail out to Coal Ridge High School has been a priority of this Board. The County Commissioners have even encouraged the Town of Silt to apply for Conservation Trust money to use towards this project. He went on to say that after he received the cost estimate for the trail from the Town Engineer with an estimated project cost of almost \$6M, he felt it would be wise to bring this back to the Board for further discussion and to

determine what our level of commitment would be since there is no guarantees that the Town would receive assistance from other agencies. He stated he would also like to know what information he should relay to the BoCC when he meets with them next week.

Administrator Layman stated that even though the trail has been a priority, the project is not listed by name in the recently adopted Parks, Recreation and Culture Master Plan, adding that there are other parks needs identified in the Master Plan that might outrank this trail. He also suggested referring the matter to the Parks, Recreation and Culture Master Plan sub-committee for further discussion and to make a recommendation to the Board.

There was discussion by the Board that the project is too expensive to move forward on, especially when the Town may be responsible for the majority of the cost. They also felt it would not be wise to ask the Commissioners for money, knowing that it isn't a feasible project. The Board talked about shelving this project until more development takes place on the east side of town. It was discussed that the Town should look at their priority list to see what other project could benefit from money that would be requested from the BoCC. Staff suggested using money for projects such as the Master Plan for the Silt River Preserve.

There was a consensus of the Board to have Administrator Layman go before the BoCC and let them know that the Town is rethinking their request.

Second reading of **Ordinance No. 6, Series 2022, AN ORDINANCE OF THE TOWN OF SILT, COLORADO AMENDING CHAPTERS 3.32 AND 5.04 OF THE SILT MUNICIPAL CODE PERTAINING TO LODGING TAX AND BUSINESS LICENSES IN ORDER TO FACILITATE THE OPERATION OF SHORT-TERM RENTALS IN THE TOWN**

Attorney Sawyer went over the ordinance and explained the purpose of lodging tax and business license requirements for various short-term rentals within the town that compete with other local lodging options.

There was discussion regarding the process of renting out a house and if the town should even get involved. It was also stated how every municipality is moving towards this type of collection since this has become very popular and that this type of ordinance would help level out the playing field between all of those types of businesses. This will also help the town to track how many of these types of establishments are in town as well as collect useful data.

The public hearing was opened at 8:29 p.m. There were no public comments and the hearing was closed at 8:29 p.m.

Trustee Hanrahan made a motion to approve second reading of Ordinance No. 6, Series 2022, AN ORDINANCE OF THE TOWN OF SILT, COLORADO AMENDING CHAPTERS 3.32 AND 5.04 OF THE SILT MUNICIPAL CODE PERTAINING TO LODGING TAX AND BUSINESS LICENSES IN ORDER TO FACILITATE THE OPERATION OF SHORT-TERM RENTALS IN THE. Trustee Brintnall seconded the motion, and the motion carried with Mayor Pro-tem Knott and Trustee Seifert voting nay.

Continued first reading of **Ordinance No. 7, Series 2022, AN ORDINANCE OF THE TOWN OF SILT, COLORADO, ZONING AS R-2 AND PUBLIC UTILITY DISTRICT A TWO-ACRE ENCLAVE LOCATED WEST OF CAMARIO SUBDIVISION, NORTH OF GRAND AVENUE**

AND EAST OF KIM DRIVE WITHIN THE TOWN OF SILT, COLORADO *(staff requests a continuance to February 28, 2022)*

Staff is asking that this ordinance be continued to the next meeting due to an error in noticing.

Mayor Pro-tem Knott made a motion to continue the public hearing for first reading of Ordinance No. 7, Series 2022, AN ORDINANCE OF THE TOWN OF SILT, COLORADO, ZONING AS R-2 AND PUBLIC UTILITY DISTRICT A TWO-ACRE ENCLAVE LOCATED WEST OF CAMARIO SUBDIVISION, NORTH OF GRAND AVENUE AND EAST OF KIM DRIVE WITHIN THE TOWN OF SILT, COLORADO until the February 28, 2022 Board of Trustees meeting. Trustee Flores seconded the motion, and the motion carried unanimously.

Suggested Code Changes to Title 17 – Zoning Discussion

Planner Chain stated that based on feedback from both the Board and the Planning Commission he created a list of some of the suggested changes to the Silt Municipal Code. He went over four of the items that he recently took to the Planning Commission so as to receive Board feedback:

- Require a public hearing in front of the Planning Commission for Site Plan Reviews – 17.42.055
- Require a public hearing in front of the Planning Commission for Special Use Permits – 17.78.040B
- Include in the Site Plan Review Process a time limit for construction to be initiated (aka a lapse of approval condition)
- Add an Open Space Zone District to the Schedule of Zone Districts

Mayor Richel suggested a one-year approval with two 6-month extension in regards to the Site Plan Review process. **The Board was supportive of the requested changes and there was a consensus to move forward.**

Administrator & Staff Reports

Administrator Layman stated that their joint work session with the New Castle Counsel is scheduled for March 15 at 6:00 p.m. at the New Castle Community Center to talk about items of mutual interest. Administrator Layman also commented on the new format of his staff report that includes a progress report that points out Policy Initiatives, Goals, Priorities (other than Capital Projects.) He also pointed the letter in his report from the BLM inviting the town to participate in the NEPA and land use planning process in regards to the greater sage grouse in case anyone wanted to participate.

Town Clerk McIntyre asked those Board members on the ballot if they would still be interested in having a candidate forum since there are the same number of candidates as there are open positions on the Board. There was discussion to continue with the forum and/or have questions provided by the Chamber that could be forwarded to citizens. It was also mentioned that providing the transparency through a forum and communicating with the public would be

beneficial and that it might also encourage citizens to appear in person to meet and listen to the candidates.

Updates from Board / Board comments

Trustee Brintnall asked people to be patient and drive slowly when it comes to the potholes in town. It was also suggested that people contact Town Hall with any specific concerns. Mayor Richel asked about the status of the new TextMyGov platform and if there has been a good turnout of people signing up. He also asked staff to maybe consider an inflatable movie screen for our movies in the park.

Executive Session

Mayor Richel made a motion to go into executive session for a conference with the Town Attorney, for the purpose of receiving legal advice on a specific legal question under CRS Section 24-6-402(4)(b) – Richard Dally PC v. Town of Silt and Town of Silt status as beneficiary of Historic User Pool in Green Mountain Reservoir. Mayor Pro-tem Knott seconded the motion, and the motion carried unanimously. The Board adjourned to executive session at 8:58 p.m.

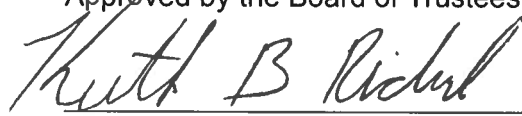
At the end of executive session, Mayor Richel made the following statement: “The time is now 9:47 p.m., and the executive session has concluded. No formal action was taken in the executive session. The participants in the executive session were: Keith Richel, Kyle Knott, Jerry Seifert, Andrea Poston, Justin Brintnall, Sam Flores, Derek Hanrahan, Jeff Layman, Trey Fonner 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 Seifert made a motion to adjourn. Mayor Pro-tem Knott seconded the motion, and the motion carried unanimously. Mayor Richel adjourned the meeting 9:48 p.m.

Respectfully submitted,


Sheila M. McIntyre, CMC
Town Clerk

Approved by the Board of Trustees

Keith B. Richel
Mayor

