

**TOWN OF SILT  
REGULAR BOARD OF TRUSTEES MEETING  
APRIL 11, 2022 – 7:00 P.M.**

The Silt Board of Trustees held their regularly scheduled meeting on Monday, April 11, 2022. Mayor Richel called the meeting to order at 7:06 p.m.

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<b>Roll call</b>	Present	Mayor Keith Richel Mayor Pro-tem Kyle Knott Trustee Justin Brintnall Trustee Samuel Flores Trustee Derek Hanrahan Trustee Andreia Poston Trustee Jerry Seifert
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Also present were Town Administrator Jeff Layman, Town Clerk Sheila McIntyre, Public Works Director Trey Fonner, Town Treasurer Amie Tucker, Chief of Police Mike Kite, Community Development Manager Nicole Centeno, Town Attorney Michael Sawyer, Town Attorney Joely Denkinger, 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** – There were no public comments.

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**Consent Agenda**

1. Minutes of the March 14, 2022 Board of Trustees meeting
2. **Resolution No. 8, Series 2022**, A RESOLUTION EXPRESSING THE APPRECIATION OF THE BOARD OF TRUSTEES FOR THE SERVICES OF SONNY FERNANDEZ AS A FORMER TRUSTEE AND TOWN REPRESENTATIVE AND RECOGNIZING APRIL 15, 2022 AS SONNY FERNANDEZ DAY IN THE TOWN OF SILT
3. Approval of the 2022 Intergovernmental Agreement between the Town of Silt and Garfield County for Mosquito Control

**Mayor Pro-tem Knott made a motion to approve the consent agenda as presented. 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** – Staff requested moving the executive session up to take place after the Silt River Preserve discussion.

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## **August 20, 2022 Heyday Update – Peggy Swank**

Peggy Swank and Chris Classen were present to provide a 2022 Heyday update and asked that the Town consider being a co-sponsor again this year. Ms. Swank added that people really enjoyed being back in Veteran's Park last year and that the Committee plans on utilizing the park again this year.

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### **First reading of Ordinance No. 8, Series 2022, AN ORDINANCE OF THE TOWN OF SILT, COLORADO, GRANTING A GAS AND ELECTRIC FRANCHISE TO PUBLIC SERVICE COMPANY OF COLORADO**

Attorney Denkinger and Xcel Area Manager Brad McCloud were present to go over the franchise agreement and answer questions. Mr. McCloud thanked staff for all of their work adding that it was a pleasure working with everyone. There was brief discussion regarding third-parties using the existing poles. Mr. McCloud explained if that were to happen the interested party would need to have an agreement with Xcel and a permit through the Town.

The public hearing opened at 7:47 p.m. There were no public comments and the hearing closed at 7:48 p.m.

**Mayor Pro-tem Knott made a motion to approve first reading of Ordinance No. 8, Series 2022, AN ORDINANCE OF THE TOWN OF SILT, COLORADO, GRANTING A GAS AND ELECTRIC FRANCHISE TO PUBLIC SERVICE COMPANY OF COLORADO. Trustee Hanrahan seconded the motion, and the motion carried unanimously.**

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## **Liquor Delivery Permit Discussion**

Attorney Denkinger explained the new type of liquor permit that allows for the takeout and delivery of alcohol under a permit through the State for on-premise license holders. Town code does not address this nor does the State require the town to adopt a permitting process. Staff is asking for direction from the Board on how they would like to address these new laws since the State does not require municipalities to have any type of permit in place. Attorney Denkinger offered three options: (1) take no action, (2) create a local permit or (3) enforce the state permit rules without creating a local permit.

**After discussion there was a consensus to move forward with option #3, striking section (a) of the suggested code language. Staff will bring back an ordinance amending the liquor code at a future meeting.**

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## **Silt River Preserve Master Plan – Dave Erickson and Bud Tymczyszyn**

Director Fonner stated that the Town, Aspen Valley Land Trust and several stakeholders came together in 2021 to create a master plan for the Silt River Preserve. The goal of the plan was to provide a vision for the property that will help guide management, fundraising and project implementation efforts.

Dave Erickson and Bud Tymczyszyn were present to go over the plan and maps and explain what is taking place now and what is on the schedule in the very near future.

**Trustee Seifert made a motion to adopt the Silt River Preserve Master Plan. Trustee Poston seconded the motion, and the motion carried unanimously.**

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### **Sale of Property Located at 1007 Highway 6 & 24 Discussion – (Added discussion)**

Attorney Sawyer stated that a draft contract has been received on the Town owned parcel located at 1007 Highway 6 & 24, next to the Kum & Go. He added that the Town had acquired the property for the purpose of economic development and that there are questions by staff based on the current proposal that he would like the Board to discuss. Present tonight were Joe Carpenter, Realtor on behalf of the Town, Dave Murdock, developer for North Point and Brad Lasater, Broker for the end national tenant and developer.

Mr. Carpenter went over the history of the lot that the Town purchased some time ago as well as the offer that has been made to the Town, adding that what the tenant is offering is a use by right according to code. Mr. Murdock stated that they would like to have a signed contract before disclosing who the end user would be. He added that he can say right now that it is not a marijuana business but that it is a national tenant.

Attorney Sawyer added that some of the questions by staff would pertain to how soon construction would need to take place so that the land doesn't sit vacant for any length of time. Mr. Murdock went over their process in which they would purchase the land, negotiate a lease with the end user and then build a building and lease it back to them. He also explained how the lease would need to be approved by corporate first which could take up to three months. Mr. Murdock stated that once a lease is approved and construction begins, the building would be turned over to the tenant within 4-5 months with the store opening by fall. When asked about sales projections Mr. Murdock stated that based on discussions he has had with this tenant, initial projected sales could be in the neighborhood of \$1.3-1.5M annually. Mr. Murdock confirmed that he would have to have a fully negotiated lease with the tenant before he closed on the property and Mr. Lasater added that the proposed use is 100% retail that is compliant with current zoning.

When asked about construction, Mr. Murdock stated that it would be modular construction, adding that the closing date could be moved up if the environmental study comes back clean.

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### **Greater Roaring Fork Valley Housing Coalition Discussion**

Administrator Layman went over this effort to have communities participate in a new non-profit housing initiative that is aimed to address regional housing needs. This Roaring Fork group has extended an invitation to the Colorado River Valley as they have received and would like to share the \$450M in ARPA funds that have been made available to them by the State to fund affordable, senior and employee housing projects.

Administrator Layman explained the two distinct objectives in that the Roaring Fork Valley wants to develop housing closer to the jobs they have and the Colorado River Valley wants to develop jobs closer to the housing they have and to develop housing that will attract commerce and industry to our region. He added that he believes it is important to stay involved in the effort to see how it progresses and will report back when he has more information.

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## **Senior Programs Contribution Refund Distribution Discussion**

Treasurer Tucker went over the four options that staff is proposing for the distribution of the refund from Senior Programs: RSVP, Lift Up, River Center or food and/or gas vouchers to local businesses.

There was a consensus to go with the vouchers that would benefit not only our seniors but our businesses as well.

**Mayor Pro-tem Knott made a motion to use the Senior Programs Contribution Refund Distribution to purchase 75 - \$20 voucher/gift certificates. Trustee Brintnall seconded the motion, and the motion carried unanimously.**

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## **February 2022 Financial Report**

Treasurer Tucker went over the February 2022 financial report.

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## **2022 Events and Recreation Update**

Community Development Manager Centeno provided an update on the recreation and events planned for this year.

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## **Administrator & Staff Reports**

Administrator Layman went over his staff report and answered questions. Mayor Richel commented about the letter submitted by a citizen who received a quote on what it would cost to replace the wood on the gazebo. Staff stated that the gazebo needs more than just wood replaced. Administrator Layman stated that this topic has been taken to the Parks, Recreation and Culture Master Plan subcommittee and that it is not going to be torn down immediately and that there are plans to replace it with something better.

Staff was asked about the status of the boat ramp and Director Fonner stated that the work on it was started today. It was also asked about the trees being taken down and it was suggested to offer them to people who burn their own wood. Staff was also asked who owns the fence along the Lyon residential subdivision along Highway 6 as it is in need of repair, and it was stated that the fence belongs to the homeowners.

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

Trustee Poston commented about the duty of the Board to assist the citizens as well as support staff adding that they should all be able to come to the Board regarding their needs. Trustee Seifert commented about comments made on Facebook regarding speeders in town, mostly on 16<sup>th</sup> Street, 7<sup>th</sup> Street and Grand Avenue. He added that there is a problem with people speeding and running stop signs, especially in the Flying Eagle Park area.

Mayor Pro-tem Knott agreed that people need to slow down adding that it would be nice to have additional police presence during micro soccer. He also commented about a mound of rocks on the path up 16<sup>th</sup> Street. There was also discussion regarding the rock that needs to come down above 16<sup>th</sup> Street and the potholes on Grand Avenue. Mayor Richel addressed posts on Facebook where someone had posted that the Board expects citizens to come to meetings or watch them live. Mayor Richel stated that that is how the Board communicates with the public by having two meetings each month. He asked that people please come down and talk to them, watch it live, call in, email or contact them by regular mail so that it can be on the official record. Facebook is not the official record of the Town.

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### Executive Session

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) – Sale of property located at 1007 Highway 6. Mayor Pro-tem Knott seconded the motion, and the motion carried unanimously. The Board adjourned to executive session at 9:39 p.m.

At the end of executive session, Mayor Richel made the following statement: “The time is now 10:33 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, Sam Flores, Derek Hanrahan, Jeff Layman, Sheila McIntyre, Amie Tucker, 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.

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Trustee Brintnall made a motion to direct the Town Attorney to prepare a counter proposal with the proposed terms discussed in executive session and approve a contract subject to the buyer accepting the executed counter proposal for the property located at 1007 Highway 6. Mayor Pro-tem Knott seconded the motion, and the motion carried with Trustee Poston voting nay.

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### Adjournment

Mayor Pro-tem Knott made a motion to adjourn. Trustee Seifert seconded the motion, and the motion carried unanimously. Mayor Richel adjourned the meeting 10:35 p.m.

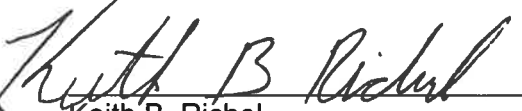
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Respectfully submitted,

Approved by the Board of Trustees

  
Sheila M. McIntyre, CMC  
Town Clerk



  
Keith B. Richel  
Mayor