

**TOWN OF SILT  
REGULAR BOARD OF TRUSTEES MEETING  
MARCH 23, 2020 – 7:00 P.M.  
REMOTE MEETING**

The Silt Board of Trustees held their regularly scheduled meeting remotely on Monday, March 23, 2020. Mayor Richel called the meeting to order at 7:00 p.m.

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<b>Roll call</b>	Present	Mayor Keith Richel
		Trustee Justin Brintnall
		Trustee Andreia Poston
		Trustee Dina Prieto
		Trustee Jerry Seifert
	Trustee Sam Walls	
Absent	Mayor Pro-tem Kyle Knott	

Also, present remotely were Town Administrator Jeff Layman, Town Clerk Sheila McIntyre, Community Development Director Janet Aluise, Town Treasurer Amie Tucker, Town Attorney Michael Sawyer and members of the public.

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**Pledge of Allegiance and Moment of Silence**

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**Consent Agenda**

- 1) Minutes of the March 9, 2020 Board of Trustees meeting
- 2) Approval of Human Resources Agreement with ILG Strategic Resources

**Trustee Prieto 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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**Public Comments** – There were no public comments.

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**Agenda Changes** – Administrator Layman stated that the Mountain Waste discussion has been removed from tonight's agenda and will be brought back at a future meeting. He also stated that he would like to have a brief conversation the end of the meeting regarding the current COVID19 environment and to get everyone's thoughts on what else the town can do to help its citizens.

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**Mountain Waste Semi-annual report**

This item has been removed from tonight's agenda.

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**Stoney Ridge Phase II request for partial letter of credit 2<sup>nd</sup> release**

Director Aluise stated that this is a second request for a letter of credit balance reduction. She stated that there was a miscalculation on the amount listed on the council action form and that the applicant is asking for a reduction of \$23,801.82 which would leave a remaining balance of \$51,284.88, enough to cover the total costs of the remaining construction. The improvement has been completed, inspections have been made, and there will be another letter of credit reduction very soon. Ms. Aluise stated that the pipe is in the ground and that everything has been done to the satisfaction of the Town of Silt and the Bureau of Reclamation.

**Trustee Seifert made a motion approve the Stoney Ridge Phase II request for partial letter of credit 2<sup>nd</sup> release in the amount of \$23,801.82. Trustee Brintnall seconded the motion, and the motion carried unanimously.**

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**Resolution No. 21, Series 2020, A RESOLUTION OF THE TOWN OF SILT RESCINDING THE GYPSUM RANCH CO LLC PRE-ANNEXATION AGREEMENT FOR A PROPERTY LOCATED NORTHWEST OF THE TOWN OF SILT WATER AND WASTEWATER TREATMENT FACILITIES, ALSO KNOWN AS PARCEL #2179-093-00-716, IN GARFIELD COUNTY, STATE OF COLORADO**

Director Aluise stated that an applicant requesting a pre-annexation agreement with the intent of bringing in tiny homes brought this property to the Board before. She stated that the applicant is no longer pursuing that plan and has asked that the town release them from their pre-annexation agreement. She went over two changes made to the resolution in regards to a correction to the amount of acreage to 181.7-acres and to change the language in the last whereas to include "negotiating to convey".

Director Aluise explained that the reason behind asking the Board to consider the conveyance of the property to the Town of Silt is because it is adjacent to the Silt River Preserve and that it lends itself to potential master planning options that could include recreational type activities. She added that Gypsum Ranch LLC would be checking to see if the conveyance of the property could be changed from Colorado Parks & Wildlife to the Town of Silt. Director Aluise stated that Gypsum Ranch has sold the property to another company.

Present remotely tonight were applicant Gregg Rippy and Ben Johnson, Attorney representing Gypsum Ranch LLC. Mr. Johnson stated that he had nothing to add.

**Trustee Walls made a motion to approve Resolution No. 21, Series 2020, A RESOLUTION OF THE TOWN OF SILT RESCINDING THE GYPSUM RANCH CO LLC PRE-ANNEXATION AGREEMENT FOR A PROPERTY LOCATED NORTHWEST OF THE TOWN OF SILT WATER AND WASTEWATER TREATMENT FACILITIES, ALSO KNOWN AS PARCEL #2179-093-00-716, IN GARFIELD COUNTY, STATE OF COLORADO with the changes as requested by staff to change the acreage to 181.7-acres and to add the language "negotiating to convey" to the last whereas. Trustee Poston seconded the motion, and the motion carried unanimously.**

## **February 2020 financials and balance sheets**

Treasurer Tucker went over the February 2020 financials and balance sheets. Administrator Layman stated that staff would be bringing back an updated financial status based on what the town is experiencing regarding the COVID19 pandemic. He also added that staff is already addressing the budget to see what items the town might be able to do without the remainder of the year. Staff will have more information to report at the next meeting along with information regarding small business assistance. Staff also stated that the town's website as well as Facebook page already have this information available.

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## **COVID19 Update**

Administrator Layman stated that in terms of utilities, the town has suspended shut-offs on delinquent accounts while we are in this emergency situation. He also discussed the possibility of deferring payments and setting up payment plans with residents so that they can catch up later. Mr. Layman stated that staff is also researching the ability to defer business taxes, granting possible payment extensions or any other tax relief on items such as lodging and use taxes. Staff would like to start reviewing the Town Charter and Municipal Code regarding these options in an effort to help identify ways to help our citizens with the Boards permission.

Attorney Sawyer explained how the enterprise funds work and that we need to be cautious in how we proceed, as there are certain limits on what enterprise funds can and cannot do so that we do not violate TABOR or the commitments under our bonds to maintain certain reserve amounts. He added that a short-term deferral of the accounts would be alright as long as the town is aware that: 1) if the payments don't come in, the town could ensure that it doesn't fall below the minimum reserve requirements that it has under those bonds that have financed the infrastructure, and 2) that it does not require the town to transfer more than ten percent of the operating budget of the enterprise from its general fund. He stated that these are good ideas but that the town needs to keep in mind the financial limitations that are imposed by both TABOR and by the outstanding bonds that the town has.

Trustee Walls asked if there was any way to get a rough estimate of how much in deferrals it would take to put us into those thresholds. Staff will research this and report back. Mayor Richel stated that he would be in favor of moving forward based on the advice of our attorney to see what we can do for our citizens. He also stated that we definitely need to look into no shut-offs during this time and to see what we can do about waiving any penalties for late payments in an effort to help our citizens during this difficult time. Administrator Layman stated that he has already instituted the no shut-off policy.

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

The entire Board thanked staff for all of their hard work especially right now with the COVID19 crisis and everything they are doing to keeping the town running and help the citizens during this difficult time. They also thanked staff for setting up the Zoom meeting for tonight. Trustee Walls stated that it is a crazy time right now with the COVID19 virus, adding that Zoom worked pretty well tonight. He also asked staff to keep them updated as always as things change. Trustee Seifert just asked everybody to hang in there and that we will all get through this.

Trustee Prieto reminded everyone to stay positive as much as you can. Trustee Poston stated that this will pass and we will get back to normal soon. Trustee Brintnall reminded everyone

that we would get through it. Mayor Richel agreed with everyone and asked the public to provide feedback on the meeting tonight so that we can continue to keep the public involved in their town. Mayor Richel also stated that if there is anything that the employees need right now to do their jobs properly and safely that it should be addressed.

Administrator Layman asked the Board to let him know whenever there is ever any additional information that they would like to see in the newsletter so that he can add it.

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

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### **Executive Session**

Mayor Richel made a motion to go into an executive session for a conference with the Town Attorney for the purpose of receiving legal advice on a specific legal question and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators pursuant to under C.R.S. Section 24-6-402(4)(b) and (4)(e). Trustee Seifert seconded the motion, and the motion carried unanimously. The board adjourned to executive session at 7:50 p.m.

At the end of executive session, Mayor Richel made the following statement: "The time is now 8:12 p.m., and the executive session has concluded. No formal action was taken in executive session. The participants in the executive session were: Keith Richel, Dina Prieto, Andreia Poston, Jerry Seifert, Sam Walls, Justin Brintnall, Jeff Layman, Sheila McIntyre and Mike 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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### **Approval of a settlement agreement related to damages caused to Housing Authority property located at Skyline Condominiums, Unit No. 6**

Attorney Sawyer explained that the town's Housing Authority owns property at Skyline Condominiums that sustained damage from another unit in the building. The town filed a claim against the other owners insurance company to remediate the damage to the town's unit. Both parties were able to arrive at a figure of \$25,000, which would be paid to the Housing Authority upon execution of a mutual release of claims and settlement agreement. Attorney Sawyer has reviewed the legal merits of the agreement and finds that it is consistent with standard insurance forms used to settle claims. He added that it is a reasonable amount and recommends approval of the agreement.

**Trustee Seifert made a motion to approve the settlement agreement related to damages caused to Housing Authority property located at Skyline Condominiums, Unit No. 6. Trustee Brintnall seconded the motion, and the motion carried unanimously.**

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Mayor Riche declared adjournment as the Silt Housing Authority and reconvened as the Board of Trustees

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**Adjournment**

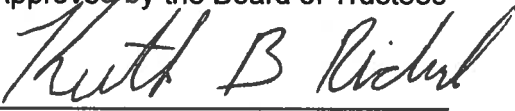
**Trustee Brintnall made a motion to adjourn. Trustee Prieto seconded the motion, and the motion carried unanimously. Mayor Richel adjourned the meeting 8:18 p.m.**

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Respectfully submitted,

  
Sheila M. McIntyre, CMC  
Town Clerk

Approved by the Board of Trustees

  
Keith B. Richel  
Mayor

